

Action against
**Child Labour in Small-Scale
Mining & Quarrying**

A Thematic Evaluation



International
Programme on
the Elimination
of Child Labour
(IPEC)

CHILD LABOUR IN SMALL-SCALE MINING & QUARRYING
A Thematic Evaluation

Geneva, May 2004

ILO/IPEC and ILO/SECTOR

A Joint Thematic evaluation by an independent Evaluator

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P R E F A C E

This report is part of a series of thematic evaluations that ILO/IPEC, often in collaboration with other ILO departments, are carrying out as part of building the knowledge base on action against child labour, particular on the type of action that works and why.

The intention is for the outcome of this report to be used for further development of programming guidelines, strategies and models of intervention, particular on how child labour can be an integral issue in small scale mining programmes and projects.

This report is prepared by an independent evaluator¹ based on Terms of Reference developed by ILO/IPEC and ILO/Sector. It has been reviewed by outside stakeholders concerned with the issue.

The opinions and recommendations included in this report are those of the author of the report, although the views of the stakeholders involved in the review are reflected. In general the content of the report does not necessarily reflect the views of ILO or any other organization involved in the project.

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ACRONYMS

AIDS/HIV	Acquired Immune Deficiency Syndrome/ Human Immuno-Deficiency Virus
AP	Action Programme
APEMIN	Apoyo a la pequeña explotación minera (Bolivian technical assistance project funded by the European Commission)
ASM	Artisanal and Small-Scale Mining
ATPEM	Normalisation de la petite exploitation minière / Madagascar funded by World Bank
BGR	Bundesanstalt für Geowissenschaften und Rohstoffe (Germany): German Geological Survey
CASM	Communities and Small-Scale Mining
CE	European Community
CL	Child Labour
CP	Country Programme
CSR	Corporate social responsibility
DEZA	Direction für Entwicklung und Zusammenarbeit (Switzerland)
DFID	Department for International Development, (UK)
EIR	Extractive Industry Review
h/w	hours per week
IA	Immediate Action
IFC	International Finance Corporation
IIED	International Institute for Environment and Development
ILO	International Labour Office
IPEC	International Programme on the Elimination of Child Labour
M&E	Monitoring and Evaluation
MMSD	Mining, Minerals and Sustainable Development
NGO	Non Governmental Organisations
OSH	Occupational Safety and Health
SSM	Small-Scale Mining
STD	sexually transmissible diseases
UN	United Nations
UNDP	United Nations Development Programme
USDOL	United States Department of Labour
WB	World Bank
WFCL	Worst Form of Child Labour

EXECUTIVE SUMMARY

An external evaluation of ILO/IPEC's actions against child labour in the mining sector was undertaken in order to assess the effectiveness of the models currently being employed. The review was based upon the project and evaluation documents of country programmes with components on mining or quarrying and free-standing mining programmes in the Philippines, Mongolia, Nepal, Colombia, South America including Ecuador, Peru and Bolivia, Guatemala, Zambia, Niger, Tanzania, Madagascar and Kenya. This was augmented by additional materials from non-IPEC projects in Bolivia, Ecuador, Ghana, Madagascar, Peru, and Zambia, in order to identify additional elements which could be considered in future programming. The desk study was enriched and validated by two workshops--an initial meeting of mining project staff in South America, followed by a larger stakeholder workshop in Washington D.C.

This evaluation report presents an assessment of what has been learned in the course of project implementation about (a) the problem of child labour in mining, and (b) the process and methods for addressing the problem. It summarizes the overall 'lessons learned' and, from these, draws recommendations for future work.

Regarding the problem of child labour in mining and quarrying, the evaluation showed that all projects have included a fact-finding or research component at the initial stage. However, many of these were limited in scope and did not always have a direct tie-in to programme design. The problem of child labour in mining that emerges from these documents shows that it is almost exclusively a problem of artisanal and small-scale mining (ASM) and is strongly poverty-related. Child labour can begin early, as children accompany parents to work as young as 3 to 5 years. With growing age they contribute more, sometimes quite significantly, to the family income. It was found that both boys and girls work in mining, with boys primarily involved in the underground operations and the girls in providing services to miners (provision of food, prostitution etc.); their work in quarrying and stone-breaking is roughly equal.

The assessment showed that all work performed by children in mining and quarrying is hazardous and falls under the definition of WFCL in Convention No. 182 which should have priority for elimination. This is due in part to the nature of the work—children work in virtually all phases of the mining operations including exploitation, transport, and concentration of the mineral as well as in non-mining related activities in the mining camps. It is due also in part to the nature of the physical and social environment in that ASM is mostly illegal, performed in isolated areas--not infrequently a lawless and uncontrolled frontier far from the public eye where there is little or no public infrastructure, harsh living conditions, degradation of socio-cultural values, and a high degree of migration of the miners and their families. The economic problem is exacerbated by unfair marketing conditions for the mining products.

The assessment has been able to demonstrate a correlation between living conditions, the type of mining operation, the nature of children's work, and the type of mineral mined. This should prove useful in the design of future projects. Furthermore, there are important regional differences (e.g. child labour in mining being traditional in South America, whereas in Africa it is more recent, particularly where AIDS orphans are concerned).

Regarding the interventions exhibited in the mining/quarrying projects, the assessment highlighted the fact that there was little synchronisation between the externally-funded and/or initiated projects and the governments' actions to reduce child labour in mining. In mining, this synchronisation is of special importance for ensuring sustainability but is especially difficult to achieve in that the ASM miners, who are mostly illegal or unregistered, often intentionally evade governmental control. For any action to reduce child labour in ASM over the long term, government authorities must play a key role.

I. Introduction and Background

1. Introduction

Mining and quarrying are, in virtually all cases, a Worst Form of Child Labour (WFCL) because of the extent and severity of the hazards and risks of injury and disease. There is no justification—poverty included—for children to work in this sector. It is literally back-breaking work. Although the number of child workers in mining – almost exclusively in artisanal mining – are believed to be relatively small, they are hard to reach. Such small-scale mining occurs in remote, unregulated areas where the value of the commodity generally outweighs the capacity of government to control conditions of its production. Quarrying, on the other hand, is more visible but entraps the poorest of the poor.

An ILO tripartite² meeting on small-scale mining in 1999 recommended that the ILO take pro-active measures against child labour in small-scale mining, a call which was reiterated at a second meeting in 2002. Currently, the ILO's International Programme on the Elimination of Child Labour (IPEC) has ten projects with components on small-scale mining and others are under development. Over the last few years, these projects have accumulated a decent fund of experience in addressing various types of child labour in mining/quarrying.

This thematic evaluation is being undertaken to assess the effectiveness of these efforts and to identify lessons learned that would guide future programming in this sector. It also draws on experience from other non-ILO projects on artisanal and small-scale mining (ASM) which, although not addressing child labour directly, may still have information relevant to child labour action. These are listed in Annex 2.

2. Methodology

This study is based on a review of existing documentation (evaluations, project documents, and interim reports). The initial conclusions of the study were presented to managers of IPEC mining projects from Asia, Africa, and Latin America and mining specialists affiliated with the Community & Artisanal Mining network (CASM) in the context of an informal meeting in Washington D.C., 28-30 April, 2004, with the intention of verifying and augmenting these conclusions. This report incorporates this additional information in the form of recommendations and guidelines for future action.

The study is constrained by the fact that the majority of the project reports do not contain a comprehensive ex-ante situation analysis nor incorporate a consistent and comparative monitoring system for tracking changes resulting from the various project interventions. Furthermore, very little information is available on the costs differentiated by intervention, necessary for an adequate assessment of comparative cost-efficiencies. Finally, ex-post evaluations that could indicate more about the sustainability of the project have not been possible for resource reasons.

Originally it was planned to evaluate each intervention modality according to a set of criteria: relevance and practicality, effectiveness, cost, unexpected effects and sustainability. In some cases the data is incomplete because of the specific methodology and focus used in some of the project evaluations. The assessed evaluation reports mostly follow the operational plan and only to a very limited extent do they assess or evaluate the different approaches. The projects generally have 2 to 5 objectives that represent the main operational outline of the project. Sometimes these objectives are broken down into a series of strategic approaches or modalities while sometimes the modalities may contribute to different objectives. Although this schema facilitates comparison between the actual situation and the targets (target-performance comparison) and reporting on these comparisons, unfortunately, these modalities are often not the main foci and accordingly relevant information is

² Including official representatives of governments, workers' and employers' organizations.

difficult to generate³. It would be advisable to amend the planning/evaluation model so as to allow for a clearer, more comprehensive and more comparative picture of the efficiency, specific costs, unexpected effects and sustainability of the different modalities and their interactions given the conditions in the country. In the long run, this should lead to better experience-based planning of and coordination among projects. Given these constraints, this thematic evaluation report should be viewed as a desk study requiring further validation in the field, and as such the start (rather than the culmination) of more focussed learning on the effects of different modalities applied in the mining sector.

3. Background

3.1 ILO projects and action programmes on child labour in mining

Activities on mining in ILO/IPEC are carried out both as part of mining specific projects and as action programmes as components of broader project or programme. Following are the projects and action programmes that were reviewed in the context of the Thematic Evaluation.

Table 1. Projects Reviewed

Continent, country	ASM exploited commodity	Budget	
		Total Project Budget	Budget for Action Programme or component on mining
Asia			
Philippines: Mining in Camarines Norte	coal, gold	529,304 US \$	not applicable
Mongolia Country Programme (has mining components)	coal	501,275 US \$	31,600 US \$
Nepal Bonded Labour (has mining components)	clay brick	430,000 US \$	90,000 US \$
Pakistan Country Programme (Action Programme as part of CP)	coal, gemstones	543,422 US \$	78,800 US \$
Latin America			
Colombia: Mining in	emeralds, gold, coal, clay brick	800,500 US \$	not applicable
Ecuador: Mining in	gold	1,617,170 US \$	not applicable
Peru: Mining in	gold		
Bolivia: Mining in	gold, tin		
Guatemala: Stone Quarries Retalhuleu	stone	396,800 US \$	not applicable
Africa			
Zambia Country Programme (has mining components)	stone, gold	630,510 US \$	44,300 US \$
Niger Country Programme (has mining components)	gold	140,000 US \$	31,860 US \$
Tanzania: Action Programme as part of Country Programme	gold, gemstones, diamonds	883,095 US \$	24,230 US \$
Madagascar: Action Programme as part of Country Programme	gemstones, stone	160,000 US \$	10,240 US \$
Kenya: Action Programme as part of Country Programme		650,000 US \$	50,000 US \$

³ A number of studies (especially from Latin America) mention that non-comparable M&E systems made it difficult to compare project progress and more specifically, the impact of the different approaches applied. The application of an amended and more integrated project evaluation approach and M&E system (see above) would not only contribute to better and more efficient project supervision but would notably optimise the coordination and creation of synergies between different projects. Furthermore, there is a need for the M&E system to integrate specific indicators relating to the different viewpoints of the different key stakeholders (children, families, implementing partner / ILO/IPEC, government or relevant authorities). This would also facilitate the understanding and work towards changing the trends and developments of child labour (in mining).

3.2 Other major ASM activities relevant to child labour in mining

The projects that were examined in addition to the ILO mining projects are:

1. Madagascar: Assistance Technique aux Petites Exploitants Minières (ATPEM)
2. Zambia: Mining Sector Diversification Project (MSDP)
3. Bolivia: Apoyo a la Pequeña Explotación Minera (APEMIN)
4. Bolivia: Fundación Medmin
5. Peru: Proyecto Gestion Ambiental en la Minería Artesanal (GAMA)
6. Ecuador: Proyecto Minería sin Contaminación (PMSC)
7. Ghana: Small-Scale Mining Project (SSMP)

Stakeholders and potential users of Thematic Evaluation

Primary users of information from the Thematic Evaluation are likely to be the managers of the ILO-IPEC projects in support of Time Bound Programmes, several of which are targeting mining as a worst form of child labour to be addressed.

Another set of potential users are the institutions and mining specialists which are members of the **CASM** (Collaborative Group on Artisanal and Small-Scale Mining) network. CASM is an initiative of the World Bank, DFID and others. It is a valuable instrument for donor coordination, experience and information exchange and for channelling funds. It also has been a forum for dialogue on emerging issues of concern (e.g. the relationship between large and small mines) and has stimulated the development of tools (e.g. an outline for studies on ASM) CASM focuses on livelihood issues in mining, and is particularly concerned with increasing the viability, legality, and safety of the small-scale mining sector. Its activities are predominantly financed by DFID and World Bank.

The **World Bank** is also a potential user in that it is funding a number of mining sector reform projects with a view to the normalisation of small-scale mining and its integration into the formal economy of the partner country. The projects follow a more or less standard model starting with a review of the mining sector laws, followed by a package of measures, which normally includes elements of the following:

- establishment of a computerised mining cadastre
- the provision of geological information
- establishment of mining environmental capacities and
- normalisation of the small-scale mining

Since child labour issues have not been traditionally addressed in the ASM projects, this is an important frontier for future collaboration.

Others active in supporting ASM work and having potential interest in the role of child labour are (1) the **European Union**, which is funding a number of ASM-related projects mainly from EDF-funds (by funds left over from the former Sysmin-facilities) and the ALA cooperation. The EU projects do not include formal child labour activities but promote ASM diversification and mechanisation/normalisation (similar to direct actions for income generation of ILO child labour projects); (2) the **Swiss DEZA**, which is engaged in integrated environmental management projects in ASM in a number of Latin American countries where the local partners and subprojects cooperate with the child labour projects where they exist. (3) Other **bilateral donor organizations** with their own ASM projects such as the German BGR, the French BRGM, the Japanese JICA also play a role in ASM projects.

The aforementioned ASM partners and projects – even if they don't tackle the child labour problem specifically - are important for potential operational cooperation or information-sharing with ILO child labour in mining projects.

This part summarises the understanding of the nature of the problem of child labour in mining based on research conducted in the projects, the lessons learned in the course of project implementation and other sources used in the thematic evaluation.

II. Description of the problem

Child labour in mining is a problem specific to artisanal and small-scale mining (ASM) operations where there is easy access, basic technology, and little regulation. It is virtually unknown in large scale mining which requires advanced technology and skilled workforce.

According to the latest surveys carried out by the International Labour Organization (ILO) and MMSD, at present around 13 million people work directly in small mines throughout the world, most of them in developing countries. A significant percentage of these miners are women and, regrettably, **children**. Recently, more people are employed in ASM worldwide than in the formal mining industry.

In the last 10 years international donor agencies have recognized the close relationship between ASM and poverty. Accordingly, the sector is gaining more attention. ASM is now on the agendas of many national governments and of bilateral and multilateral donor organizations; an increasing number of assistance programmes are being carried out in ASM.

1. Definitions

International working groups have been trying to establish a definition of ASM. This is difficult due to the fact that basic aspects differ from country to country according to the general development of the mining sector and legal framework.

Nevertheless, ASM is characterized by a number of conditions which have direct relevance to child labour in mining:

- Lack of or limited use of mechanization, and a lot of physically demanding work (for which **children** are employed)
- Low level of occupational safety and health care (posing extreme risks to **children** working in mining)
- Low qualifications required of personnel at all levels of the operation (which allows employers and parents to employ **children** for parts of the work)
- Inefficiency in exploitation and processing of mineral production - low recovery value (where families feel forced to employ their **children** to increase the family income)
- Mining of marginal and/or very small deposits, which are not economically exploitable by mechanized mining (where the tunnels are sometimes so small that only **children** can fit through)
- Low level of productivity (added value is expected from **children** working)
- Low level of salaries and income (in some mining communities the income is less than 1 US\$ per family member per day; families think they can increase this to a viable level by employing their **children**)
- Periodic, rather than continual operation. Often local peasants mine seasonally or according to the market price of the ore. This contributes to migration of the families which, in turn, tears the **children** from their education and social networks)
- Lack of social security and healthcare which, in the case of accidents or injuries, result in incapacitation and injuries to their parents forcing children to work in their stead.
- Insufficient knowledge or concern about the environmental hazards common in the mining areas (exposing **children** working in mining and living in mining camps to environmental, social and health hazards)
- Chronic lack of working and investment capital (which is compensated by the use of unskilled workers, including **children**)

2. The work done by children in mining

According to the studies assessed, children are working in a wide variety of tasks:

In underground mining operations they work in:

- ore extraction (by hammer and chisel, with pick and shovel, etc.),
- assistant in drilling
- hauling ore on their backs,
- pushing carts,
- cleaning galleries,
- piling up of ore

in open cast mines in:

- digging pits,
- removal of overburden,
- pushing carts,

in alluvial (river) mining in:

- digging for sediments,
- assisting in diving for sediments,
- sieving ore and sediments,
- washing and drying of product,
- pushing carts and transporting the sediment,

in mineral concentration and stone crushing in:

- piling up of ore, crushed stones or rejects,
- milling of ore,
- carrying stones from the mine or the river,
- crushing rocks,
- picking of gemstones,
- washing gold,
- amalgamating gold and burning of amalgam,
- fetching water for processing the ore,

in clay extraction and brick making

- drying of green bricks
- turning over the green bricks so they dry evenly
- stacking bricks in drying sheds
- transport of green and fired bricks
- stacking and unloading kilns

in mining-related environment and in the household in:

- preparation and provision of food for the miners,
- washing clothes,
- working in the household,
- selling food,
- fetching drinking water and food to worksite,
- attending in bars and restaurants,
- fetching fire wood,
- cleaning of bars, restaurants, houses
- prostitution

While underground working of children is exclusively a domain of boys, in general the employment of boys and girls is nearly equal (Colombia).

Many of these tasks involve hard work and are very dangerous for children.

The average time dedicated to mine work increases with the age of the children. In the case of Colombia it starts from 11.6 hours per week for children aged 5 to 7 years and increases up to 21.7 h/w for adolescents above 14 years.⁴ In addition many working children also work at home, bringing the total number of hours worked to more than 30 hours weekly. Already 15 to 20 hours per week have a negative impact on schooling performance⁵.

The actual number of children working in the mining areas is only established for small and stable mining centres. In most cases figures on the children employed were only indicative or based upon estimates.

3. Risks and hazards for children exposed to mining

Working in mining, whether in the direct exploitation (underground, in open cast mines or in the riverbeds), or in the concentration or transport of minerals poses **extreme health risks and hazards** for the children. In addition, the children may be torn from their habitual living environment and forced to live under extreme conditions in mining camps. Therefore the living environment of children working in mining has to be considered as well. Table 2 summarizes the occupational hazards and social consequences for children working in mining according to the different working and living environments.

Unfortunately reliable data on accidents exist neither for the ASM sector in general nor for child labour in particular (e.g. type of accidents, reason, gravity and number of children affected). Statistics are not gathered due to the fact that there is little governmental control of ASM. Accidents are also difficult to attribute in that the specific conditions in the working and living environment to which the children are exposed will vary according to the role mining plays in the family (and larger) economy, the mineral being exploited, the role of the child in the family, the tasks the child undertakes at work, as well as on the quality of public administration and oversight of the sector. (These aspects are further examined in the following chapters.)

In any case, the children themselves regard mining to be a very hard, risky and frightening occupation. **Given both the perceived and objective risks, the specialists at the workshop in Washington D.C. recommended that children should not be allowed to work in the mining industry under any circumstances.** There should be no exceptions, especially in not in donor policy. Although it is understood that some country situations (general poverty, lack of formal employment alternatives, etc.) do not allow the complete elimination of child labour from mining immediately, nevertheless it should be not only envisaged, but a priority for the future.

⁴ The boys and girls who work in Colombia's Small Scale Mining; sociocultural, economic and legislative diagnostic; Minercol OIT, Colombia 2001.

⁵ Verbal communication with Norman Jennings.

Table 2. Occupational Hazards and Social Consequences

	Environment	Hazards for working children	Possible health consequences
Working environment	Underground mining	Risk of falls; risk of injuries due to falling or from falling objects; risk of explosion from methane; risks from the use of explosives (collapsing tunnels and rock falls, toxic gases); exposure to harmful dusts, gas, fumes (especially when motorized equipment is used underground), carbon monoxide, strain from carrying heavy loads; arduous work;	Fractures, injuries caused by falling objects, death; respiratory diseases (silicosis, pulmonary fibrosis, emphysema); asphyxiation; physical strain & fatigue; musculo-skeletal disorders;
	Open cast mining hard rock	Risk of falls, risk of falling and falling objects ; exposure to harmful dusts, exposure to sun, strain from carrying heavy loads;	Fractures, injuries and handicaps caused by falling objects, death; respiratory diseases; physical strain & fatigue; musculo-skeletal disorders; dehydration
	Open cast sedimentary deposits	Risk of falls, collapsing walls; strain from carrying heavy loads; arduous work; exposure to sun	Death or severe injuries and handicaps from being buried; physical strain & fatigue; musculo-skeletal disorders; dehydration,
	River mining (alluvials)	Long term immersion or submersion in the water; exposure to sun; arduous work;	Physical strain & fatigue; musculo-skeletal disorders; dehydration ; drowning, malaria
	Mineral concentration	strain from carrying heavy loads; arduous work; exposure to harmful dusts, fumes, mercury vapour, cyanide vapour; exposure to sun	Intoxication from toxic gases, physical strain & fatigue; musculo-skeletal disorders; dehydration
	Rock breaking	strain from carrying heavy loads; arduous work;	Fractures & injuries caused by tools, respiratory diseases (silicosis, pulmonary fibrosis, emphysema); physical strain & fatigue; musculo-skeletal disorders; dehydration
	Transport	strain from carrying heavy loads; arduous work;	Physical strain & fatigue; musculo-skeletal disorders; dehydration
Living environment	General mining environment	exposure to: <ul style="list-style-type: none"> ▪ subhuman living conditions (lacking sanitation, drinking water, extreme geographical and climatic locations⁶) ▪ complicated dependency relations ▪ degrading social environment (criminality, prostitution) ▪ exposure to STD, AIDS etc ▪ inequality between men and women (men dispose of economic resources); erosion of family and social structure ▪ violent conflicts among miners and with surrounding communities ▪ insufficient social security ▪ lack of law and order 	Deterioration of ethical value system ; injuries or death due to crime or violence; omission of schooling and education; vulnerability to diseases due to lack of hygiene and sanitation); exacerbation of injuries and illnesses due to lack of health services

⁶ In the desert, in altitudes up to 5000 m, in extreme rainforest climates, etc.

4. Different ASM operations from a livelihood perspective

The working environment of children in mining varies according to the different types of mining operation, the different commodities mined, and the different roles that children undertake at work, at home, or in the community. Obviously these categories have grey zones and generalizations always have exceptions, nevertheless, this categorization serves as a tool to better understand the problems related to the child labour in ASM and to better plan interventions.

From the perspective of livelihood, ASM is often poverty-driven and located in rural areas. Miners are generally unskilled and earn little. Individuals may be involved in a number of different types of ASM activity.

Table 3. Different types of mining with child labour

Type of operation	Examples	Features	Implications for children
Professional resident ASM	Gold mining cooperatives (Bolivia) Tin mining (Bolivia) Coal mining (Philippines) Coal mining (China) Quarrying and stone breaking (India)	generally associated with stable communities; often isolated and remote with little or no interaction with nearby communities	<ul style="list-style-type: none"> • rather stable family environment • generally deficient social infrastructure (lack or bad quality of schools, health facilities, housing, • limited food and other basic supplies • extreme or unhealthy climate or environmental conditions
Seasonal resident (farmers)	Gemstone miners in pegmatites (Madagascar)	common ASM activity and normally stable communities are involved	rather stable family environment but mostly deficient social infrastructure
Seasonal migratory miners	Gold miners (Madagascar, Zimbabwe, Peru)	temporary ASM activities fuelled by economic recession. Initially unstable communities with high population fluctuations may disappear after some years or evolve into long-term settlements	unstable social network and in the mining camps little if any social infrastructure for children (no schooling, entertainment, education, medical services)
Rush situations	Gold (Nambia, Ecuador, Madre de Dios in Peru, Mt. Kare in PNG etc. Gemstones in alluvial deposits (Ilakaka, Vatomandry, Andilamena in Madagascar)	characterized by unstable communities which are prone to conflict; rapid migration ⁷	extremely unstable, unsafe and unsettled social situation with nearly no social infrastructure for children

Children start washing gold from the age of three; from six they can be seen breaking rocks with hammers or washing ore. Some children as young as nine work underground, and by 12 boys are working underground in many countries and do the same work as adults. In the Cerro Rico in Potosi, Bolivia, half of the 8,000 miners are children and adolescents.⁸

⁷ Due to rapid developments in the mineral rush centres, they rapidly develop a stable core population, not only of miners but of service providers as well.

⁸ Programa para La Prevención Y Erradicación Progresiva Del Trabajo Infantil En La Minería Artesanal En Sudamérica: Sistematización De Buenas Practicas Y Lecciones Aprendidas, Lima 2003

There are many consequences, including:

- The children attend school irregularly or not at all.
- Child workers have psychological and developmental problems.
- The children have health problems, for example mercury poisoning or injuries from carrying heavy loads.
- They are the victims of accidents.

The main reasons children work in mining are poverty-related and include:

- Family incomes are low in many ASM regions (a fact which is mentioned in all of the child labour in mining studies assessed)
- Families do not have enough money for school materials, clothing and food.
- There is a lack of education infrastructure.
- There is no prospect for regular employment.
- Parents are not interested enough in the education of their children.
- Parents do not know about the risks to children from working in mining.
- Parents do not plan for their children's future.
- Children have traditionally worked in mines.
- There is not enough legislation, enforcement or labour inspection.
- Children are attracted by small-scale mining operations (especially the case in central and southern African mining countries where there are a great number of AIDS orphans).

One can distinguish three different key patterns of child labour in ASM operations:

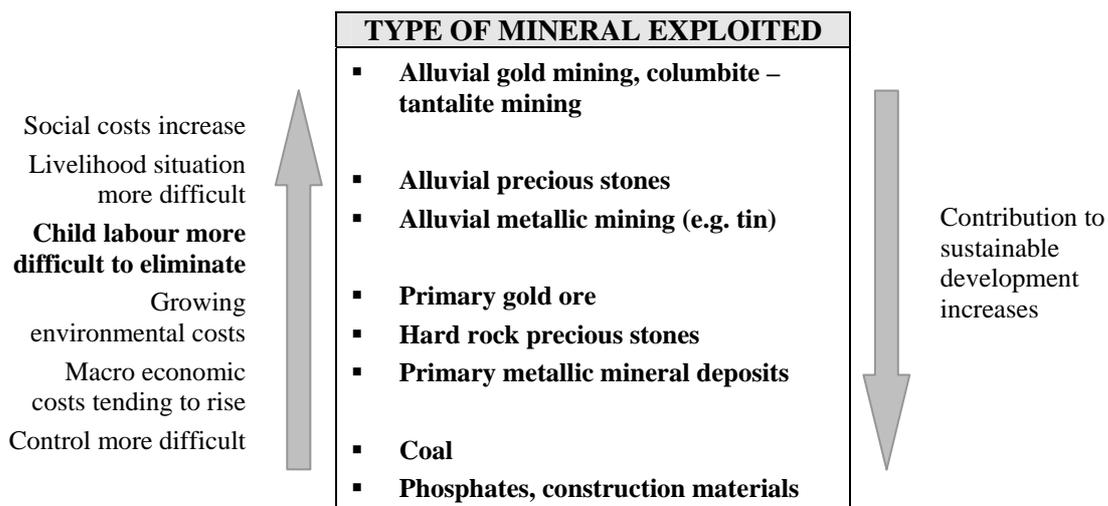
Table 4. Key Patterns of Child Labour

Child labour pattern	Specific features
Bonded child labour	<ul style="list-style-type: none"> ▪ contracting whole families as cheap workforce ▪ giving away children as guarantee for loans, to pay back debts etc.
Child labour within family context	<ul style="list-style-type: none"> ▪ ASM as family occupation (everybody takes part); ▪ Children working to contribute to the family income ▪ Perception of child labour as “educational skill training” ▪ Children replacing adult family members who have been injured or killed
“Self-employed” child labour	<ul style="list-style-type: none"> ▪ Forced to work because of loss of breadwinner (the situation of AIDS orphans)⁹ ▪ Forced to work because of maltreatment or malnutrition in the family (“Out to survive”) ▪ Working due to the lure of gold and money

Different types of mining are associated with huge differences in social values, environmental and health situation, etc. and in their consequences for rural development (control, contribution to sustainable development and macro-economic cost-benefit).

⁹ Especially a problem in Central and Southern African mining countries such as Zambia, Zimbabwe. Latest numbers from Namibia for instance point out that over 20% of the population under 15 years of age are orphans (radio feature on AIDS in Southern Africa in Germany, hr1).

Figure 1: Comparison of cost and benefits by type of mining



5. ASM, child labour and the government

ASM is almost always part of the informal sector. This has different reasons depending upon the legal situation. Frequently the mine operator does not comply fully with all the following legal requirements, such as:

- possession of a mining title (concession, claim or similar) or valid contract with concession holder;
- compliance with environmental legislation;
- **compliance with OSH and child labour legislation;**
- possession of an environmental operation licence;
- registration of the company at the mining authority or other fiscal authorities;
- payment of taxes (royalties, company taxes);
- enrolment of staff in the national social security system; or
- legal exportation of the products (export licence or tax).

Under many legal systems, informal status holds many advantages for the small operators tempting them to intentionally evade contact with and control by government authorities. This leads to **very specific difficulties with respect to child labour**, as reducing or eliminating child labour requires a dialogue between the authorities, the families and the mining operations.

On the other side, governments too often avoid contact with ASM as such dialogue might imply official recognition of what might otherwise be considered an illegal sector. Such lack of governance of the sector may be quite an open policy in some cases or hidden in others. Even multilateral mining sector programs with ASM components may receive very little, if any governmental attention. This appears to be especially the case in certain Latin American and African countries, which remain unaware or unconvinced of the costs but also the benefits of ASM and unwilling to earmark governmental funds for its management.

Another factor hindering the successful oversight of ASM is the weakness or even lack of decentralized governmental structures at the province or community level. This leads to difficulties in the extension of any services and management in the sector.

6. Analysis of main problems

Child labour in mining is very much related to the situation of ASM as a whole. ASM itself has experienced many changes in the past decade, some of which have ushered in a new boom, and others have been the resort in case of economic downturn or necessity. Some of the causes for this volatility have been:

- + The strong fluctuation in gold prices, each rise and fall triggering a phase of new mining activities or mine closures.
- + The tantalum price-hike (with tantalum mining partially substituting for gold)
- + The discovery of new gemstone deposits (e.g. in Madagascar) have triggered enormous waves of human migration and small-mine prospecting.

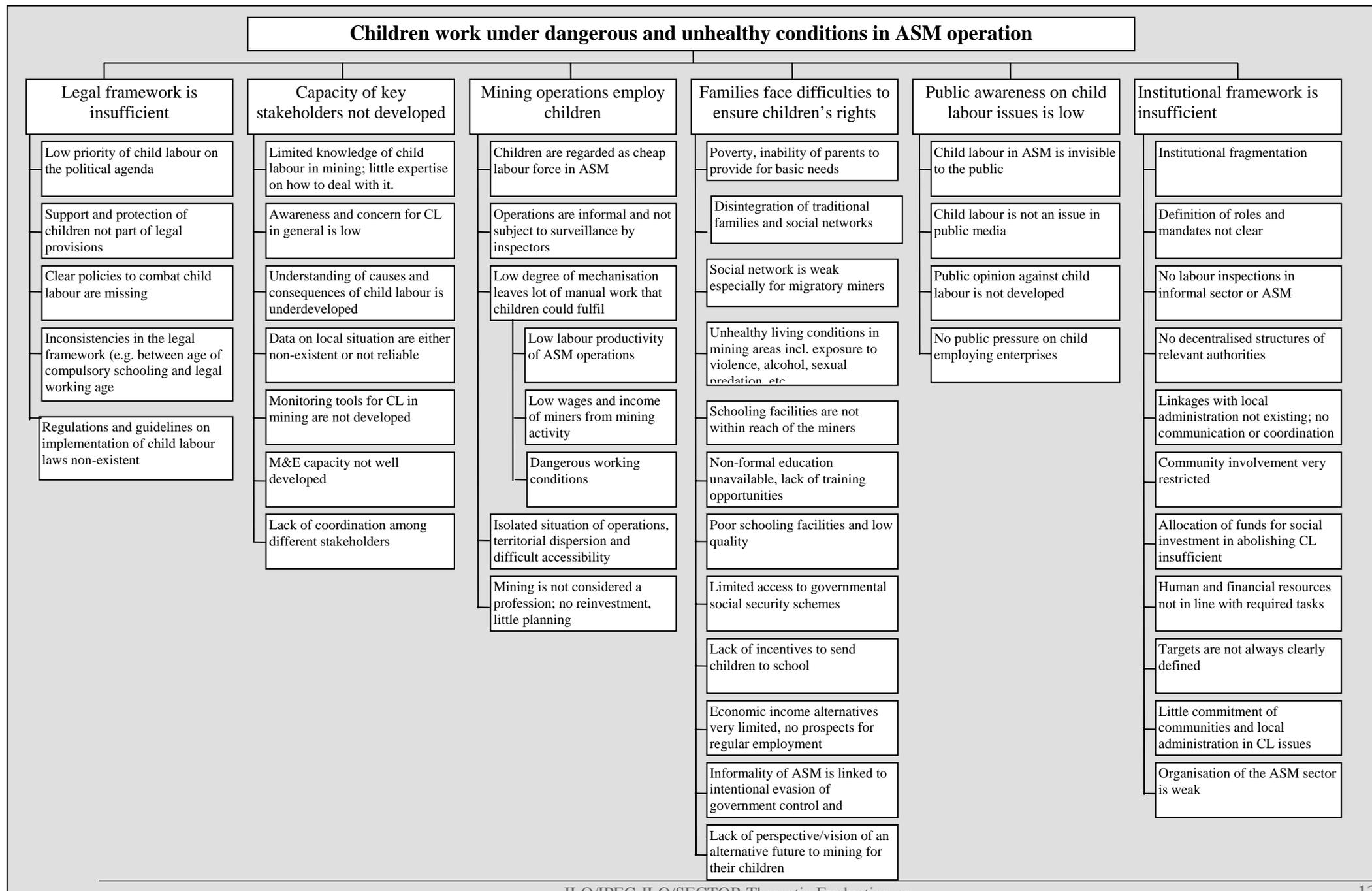
Overall, however, the reality is that in mining regions the picture remains grim. “Rush” situations are the worst where social conditions for all family members are horrifying, and the alarming rate of accidents that occur in informal small-scale mines have either become routine or are leading to drastic shut-downs. So, as before, for many of the miners, the small-scale mine represents nothing more than one particular strategy within the bare subsistence level of existence of a “culture of poverty”. The precariousness of ASM is linked to the following:

- Limited, and further dwindling rural livelihood options in marginal environments and remote regions.
- Increasing number of people seeking a livelihood in ASM.
- Limited public budgets and competing needs.
- Increasing poverty exacerbated by HIV/AIDS, natural disasters and conflicts.
- **Traditional or increasing acceptance of the use of child labour**
- Severe gender inequality
- Increasing pressure on available resources (institutions, land, mineral resources, etc.)

The living conditions of miners, their wives and children have changed little in ASM in recent years. Similarly, there has been little change in the technical processes in small-scale mining as many mines are still using techniques common at the time of the Industrial Revolution.

The following problem tree summarizes the main problems related to child labour as indicated in the reports: 

Table 5. Matrix on Children work under dangerous and unhealthy conditions in ASM operation



7. The legal perspective of child labour and mining

The global understanding of what constitutes hazardous child labour finds its expression in a number of international standards with regard to children and work.

UN Convention on the Rights of the Child

“States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.”

International Finance Corporation (IFC) Policy Statement on Forced Labour and Harmful Child Labour (1998)

"Harmful Child Labour consists of the employment of children that is economically exploitative, or is likely to be hazardous to or interfere with, the child's education, or to be harmful to the child's health, or physical, mental, spiritual, moral or social development."

ILO Convention 138 (1973)

Convention 138 sets a universal minimum age for employment at 15 (14 in countries “whose economy and educational facilities are insufficiently developed”).

ILO Convention 182 (1999)

Convention 182 calls for the immediate elimination of the worst forms of child labour and defines a child as anyone under 18. It stipulates that inter alia, worst forms include work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

ILO Recommendation 190 on the Worst Forms of Child Labour (accompanying C.182)

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

Local legislation

Laws related to child labour in mining may be found in the following:

- **mining codes** (which normally specify the mining activity itself, the rights and obligations of the mining enterprise and of the government, mining titles and cadastre), as well as OSH aspects, but which do not regulate child labour
- **small-scale mining law** (special ASM provisions are in place in a number of countries); for details see Annex 2
- **labour codes** (specifying child labour aspects in general)
- **environmental laws** (requiring environmental impact assessments and management of mining operations)
- **other legal provisions such as tax laws, commercial and/or business laws** etc.

Not infrequently, different aspects of the legal framework are contradictory. Furthermore, they encumber the small operator with requirements and obligations that are difficult for them to meet (e.g. documents, maps, plans and studies, payment of fees, regular reporting to provincial or national

offices) which they evade by staying informal. The result is that children in mining therefore work in a virtually law-free environment without protection.

8. What makes mining different to other sectors?

The mining sector is different in a number of significant aspects from other sub-sectors having child labour. These are:

- ▶ it is invariably dangerous and very hard work
- ▶ it is perceived as dangerous and hard work by the miners themselves
- ▶ it occurs in rural areas with little social infrastructure and under harsh living conditions
- ▶ it is unseen by the public eye (especially the child labour aspect)
- ▶ it is typified by a high degree of migration of the miners and their families
- ▶ it mostly operates illegally and is related to problems of civil security
- ▶ the marketing of products is sometimes difficult for the miners, and the prices unfair

Country background

Taking into account the above-mentioned commodities and types of operations, the ILO/IPEC child labour projects in mining can be categorized as in the following table. The shaded areas characterize the most typical small- mining operations while the country names indicate target ASM-operations assisted by child labour projects of ILO considered in this thematic evaluation.

Table 6. Type of mining and ILO/IPEC project country examples

alluvial gold & coltan			Niger	Mongolia
alluvial gemstones			Tanzania	
primary gold		Bolivia Peru Ecuador	Colombia	
primary gemstones		Colombia		
coal		Colombia Mongolia Philippines		
other metallic primary minerals		Colombia		
non metallic minerals		Mongolia		
building material	Guatemala	Guatemala Colombia Zambia	Nepal	
	resident part time mining	resident professional mining	seasonal operation	rush type mining

III. Approaches to addressing child labour: Assessment of interventions

General observations on the approaches and modalities

This section evaluates the interventions applied in the child labour mining programs. These include the following:

1. law and policy advice
2. research
3. national awareness-raising
4. capacity-building
5. selection of partners
6. mobilisation of communities
7. planning
8. good governance
9. education and training
10. health and nutrition
11. income generation
12. monitoring and evaluation
13. networking and partnerships

The documents show that the greatest challenge lies in synchronisation of externally-funded/initiated projects with government actions to reduce child labour. In mining, this synchronisation is of special importance as the ASM operations are extremely isolated, situated in the lawless frontiers, the cultural and geographical backwaters. Many of them intentionally evade governmental control due to the fact that they are mostly illegal or informal. For any action to reduce child labour, government authorities play a key role. This is regarded as extremely important as governmental leadership and national ownership is a key to change and long-term, sustainable, beneficial effects.

The disadvantages of many of the current approaches is that governments may feel that another actor (ILO or the implementing partners) are already taking care of the issue, liberating them to allocate resources elsewhere. Hence, such projects may be counterproductive in terms of building national ownership and governmental leadership.

Another important element to be highlighted is the fact that the effect on children currently employed will be seen only after some time, unless different types of intervention are initiated or implemented simultaneously.

In the following part, each type of intervention is considered in light of its relevance, practicality, effectiveness, unexpected results and sustainability.

1. Law and policy

Project interventions identified from the documents that are relevant to law and policy include:

- Ensuring support and protection of the whole child in national initiatives
- Forming a national policy on mining with clear objectives related to child labour
- Increasing years of compulsory schooling

Providing policy advice on child labour in mining and on ASM in general has not been a significant focus of the ILO child labour mining programmes. There have been some exceptions: some programmes in South America (Ecuador, Peru and Bolivia) appear to have achieved sustainable results related to national policy and health and education. Positive achievements from ongoing action programmes have influenced the legislative process and have been assumed by the governments. In other countries (Zambia), the national action programmes to eliminate child labour have led to a national awareness of child labour issues and, in turn, ratification of the ILO child labour Conventions and integration of the child labour issues into national laws (labour law) and cross-sectoral policies.

Although there has been relatively little involvement in national policy-making on mining, the study identified a number of positive instances where the projects have influenced local rules and regulations concerning ASM.

The effectiveness of policy action by the projects has been limited or yet to be proven. This is partly because funding for this is difficult to obtain; and partly because the results cannot be assured as it depends on the networking and partnerships that the project can establish. Sustainability of policy work is also difficult to ensure within the short time frame of the projects.

Assistance with enacting or changing laws seems to have been more effective, particularly if such assistance is offered during moments of change in the country, such as: elaboration of a new constitution, development of new mining policy, presidential or provincial elections (as indicated by the successful examples from Peru and Colombia).

2. Research

Project interventions identified from the documents that are relevant to research include:

- Baseline surveys
- Rapid assessments
- Special project studies
- Surveys on national, provincial, regional, or local level
- Identification of problems and selection of solutions
- Development of strategic elements for actions

Detailed and reliable data are crucial in setting targets and developing and implementing effective programmes on child labour in mining.

Most of the ongoing studies of the ILO projects being evaluated note that the database for designing the project has been insufficient. Due to the lack of adequate methodology and the lack of time and resources, the quantity and quality of data on child labour in ASM remains unreliable and of limited validity. This applies to the national level as well as to data from the local level, on which the national studies have to rely. In several regions, very little is still known about many important aspects of child labour in mining at both the local and national levels.

Socio-economic data on the local child labour situation in mining, such as family income, local costs, spending habits, roles and values of the family members is especially important. The evaluation has shown that a precise identification of the target group is indispensable, especially in cases where the communities are semi-nomadic or show high mobility¹⁰.

¹⁰ The Philippines final evaluation report quotes: Complete Baseline data was very hard to establish (or may never be attained) because what is being dealt with are moving targets (physically and conceptually). Viable and immediate results may be better achieved through studies like Rapid Assessments or indicative reporting such as key informants, ocular visits and head counts of children found in mining sites, initially. Community and population databases help but should be

Many of the studies on ongoing and evaluated ILO projects indicate that the projects lacked disaggregated data at the local level and a precise analysis of the local context. It would have been helpful, for instance, to have an appraisal of the socio-economic status of the target families as well as exact figures on school enrolment and school drop-outs. Due to the **lack of adequate methodology** and the lack of time and resources, quantity and quality of data on child labour in ASM remains unreliable and of limited validity. In several regions, very little is still known about many important aspects of child labour in mining.

An ASM-specific difficulty in establishing data was the inaccessibility of mining sites and the high degree of mobility of SSM miners especially in seasonal and rush type mining activities (e.g. gold, gemstones). In the case of seasonal mining activities, the timing of research has been shown to be extremely important.

Nearly all of the assessed studies agreed that the time for the appraisal of the local situation had been too short. If more time had been given to generate bottom-up ideas, targets would be based on realistic estimates of the possibilities and constraints of the environment. A comprehensive and reliable diagnostic study takes time (6 months for detailed appraisal)¹¹.

The participation of the target group (families as well as children) in the surveys, problem identification, and in the identification of options was a felt to be a key factor for successful implementation of subsequent practical measures to eliminate child labour.

3. Creating awareness at the national level on child labour

Project interventions relating to national awareness-raising are:

- Use of the media (radio, TV, newspaper)
- Conducting seminars and workshops
- Presenting documentaries of child labour in mining
- Organizing large-scale national events, marches and rallies
- Targeting public messages
- Making effective use of international pressure/input/support

Awareness-raising and mobilization of society are generally considered to be the first crucial steps in implementation of the mining projects. The rationale is that society as a whole must recognize child labour as a problem; this sets the stage to target and then seek to eradicate its most abusive manifestations. Awareness-raising on a national level is extremely important for mining-related projects as child labour in mining is invisible to the public (except in the mining region itself). It prepares the ground for political action and provides the public pressure that will act as a foundation to support local activities. A number of projects noted a lack of expertise and resources on the part of the implementing agencies related to public relations, awareness-raising and media work.

The evaluation indicates that  order for campaigns to generate a substantial impact, there needs to be support from public institutions (authorities and public media)¹². It was seen as an asset to be able to raise the child labour issue in mining on the political agenda through public forums and discussions

supplemented by regular data updates, the collection of which could be embedded within the interventions during the course of the programme. It is equally important to make “families” the basis of data collection to relate needs and focus interventions. Page 17

¹¹ In the cases of Zambia and Uganda, this could have meant the inclusion of an inception period of between 6 months and 1 year, to allow for start up tasks like the recruitment of staff, the procurement of goods and services, an orientation of the staff of the implementing agencies, and the conducting of baseline studies.

¹² cases of Guatemala and Uganda/Zambia

with the candidates for the elections. In one apparently effective approach, student representatives from several educational institutions analysed the problems associated with mining¹³. Then, at political gatherings, children were able to explain their problems and to propose solutions. However, the evaluation gives little support to these measures having a long term effect as the lifespan of political promises in election times is very short.

Generally speaking, the effectiveness of awareness campaigns at national level was considered rather high by those directly evaluating them. Nevertheless, the evaluation from Zambia noted the difficulty of measuring the effectiveness of media campaigns in concrete terms¹⁴.

4. Capacity-building for government

Creating institutional capacity to cope with child labour problems enables local initiatives to be linked to the national level where they can be replicated elsewhere and tools developed to sustain the effect. Government is the key stakeholder when it comes to national ownership and long-term support of the programmes.

Project interventions relating to capacity-building identified from the documents:

- Developing operational guidelines, rules and regulations for the implementation of relevant child labour legislation
- Making education practical in style and content
- Offering sanctions and rewards
- Instituting district and local child labour regulations
- Creating a child labour unit
- Using national training institutions
- Assisting the elaboration of a national action plan
- Mobilizing government to make a high-level commitment to eliminate child labour
- Mobilizing government agencies to integrate action against hazardous work into their routine activities
- Training labour inspectors to work with social partners
- Training labour inspectors through participation in child labour research
- Expanding government action through public-private linkages
- Optimising the regulatory framework (enforcement, prosecutions)

The evaluation shows that one of the major challenges to assisting the government in establishing management capacities for the elimination of child labour is that this is a long-term task. Government must acquire the necessary expertise and put in place institutional structures in order to organize action against child labour in mining and coordinate measures between the various bodies. In addition to this, these institutions need to be equipped with the necessary powers to promote and replicate mining-related initiatives, both at national and local levels. A special ASM-related challenge is the fact that national governments (especially the relevant sector authorities (mining department) and the cross-sectoral authorities (labour department) generally are not adequately decentralised and lack a relationship of confidence and of working partnership with the local administration and the miners¹⁵. In addition workers' organizations of the ASM sector do not exist (no unions, associations, etc.).

¹³ case Guatemala

¹⁴ In the absence of impact indicators the consultant relied on the recorded marked increase in the number of children seeking assistance from other IAs and letters received from listeners to gauge the level of impact. It should however be borne in mind that only a part of this increased interest can be attributed to the media campaign, as several other awareness activities were undertaken by the various IAs.

¹⁵ The final evaluation study on Colombia quotes: First, the country has been unable to establish a true process of state decentralisation. The lack of interconnection among the national, departmental and municipal levels makes it impossible to

Another challenge is the political and institutional instability, especially mentioned in studies on Latin American countries. Key staff is often changed or rotated, so that the investment in building up skills to support the project aims or to integrate the work into longer-term development strategies (and budgeting) is frequently lost.

Institutional fragmentation is a further challenge. The creation of inter-institutional committees and working groups, joint inspections and field work with staff from a number of related authorities helps to overcome this problem.

In terms of effectiveness and sustainability, the available documents indicate that the empowerment of national governmental bodies (especially within the context of a national programme against child labour) is a much more promising and successful approach than trying to address child labour in individual or isolated mining projects.

Unfortunately none of the studies specified the selection process and criteria of the implementing partners. In the case of Latin American projects, the fact that implementing partners had limited experience in the field of children working in the mining sector was felt to be a major problem. A review of mining studies¹⁶ concludes that the necessity remains to continuously enhance the capacity of the implementing partners in the respective areas of work, e.g. through workshops and training.

5. Community mobilisation

Empowering and mobilisation of local groups in the target communities anchors the project activities and responsibilities to local stakeholders, and helps to sustain the action. The involvement of political and religious leaders from the local level proved to be a successful approach in many cases.

Project interventions relevant to community mobilization include:

- Cultivating a core group of activists
- Organizing networks
- Training in planning tools
- Organizing the sector
- Establishing child labour committees at local or community level
- Training local officials as change agents
- Using mixed methods at the community level
- Mobilise rural population to actively participate in the process
- Undertaking direct activities to address child labour at local level
- Unionisation

The positive experience with local child labour committees in Peru, Bolivia and Ecuador demonstrates the importance of networking and cooperation at village level. A key to success is seen in a clear development and definition of the role of the respective bodies as well as of their respective members¹⁷. Unexpected problems often arose in regard to the organizational component which is always the most complex and requires a clearly defined social focus in order to develop flexible

manage projects in such a way that national actions have local repercussions. "What happens at the bottom doesn't flow up, and what happens at the top doesn't flow down." This has led to a lack of connection between the results obtained in the area of national capacity-building and the results from the direct actions in municipalities. Page 26

¹⁶ IPEC desk review on Mining (2002)

¹⁷ Child Labour Committees have been formed at sub-county level and are working on a more or less voluntary basis. The committees comprise of local political and administrative leaders, representatives from nearby schools, parents and ANPPCAN members. The local communities and even some of the committee members themselves were however not well versed on the role of these committees.

strategies and procedures adapted to each situation¹⁸. In unstable communities of young mining centres, seasonal or rush type ASM activity, this organizational component is especially difficult and one always has to bear in mind potential conflicts and hidden agendas of the different stakeholders involved.

The expected sustainability of this component, especially the empowerment of local stakeholders, cannot be seen in isolation: it is directly related to the positive effects of the other approaches, especially the education and training component, which results in higher self-esteem and a strengthened role of the target group members. From Guatemala the evaluator stated: “The participation of community, parents, and children has been promoted, and they have all played an important role in the project’s implementation, yet it is necessary to consolidate their organization and to develop their capabilities. On the other hand it is felt that the sustainability of the various other components of the project depends on organizing children and teenagers to participate as new agents of change.”¹⁹

6. Planning

The development of planning tools and materials and their application in establishing workplans and strategies for action is one of the core elements of programming.

Project interventions on planning identified from the documents:

- Involvement of communities and target groups as well as local authorities in design of measures and activities
- Assess the potential of stakeholders’ human and financial resources
- Develop activities with clearly defined objectives, indicators, sources of verification, assumptions
- Develop annual operational plans

Participation in decision-making processes is generally recognized by the projects as a prerequisite for successful implementation. The study on Ecuador, Bolivia and Peru, which summarizes the experience in implementation of 8 different subprojects, underlines the need to clearly define operational plans with objectives, indicators, and means of verification so as to create the foundation for systematic monitoring & evaluation. In some of the larger projects (i.e. Colombia, Guatemala, etc.) this kind of information has been provided, but the evaluation was not able to assess the degree to which the planning matrices have been developed with local participation. Nor, unfortunately do the reports being assessed specify the methodology that was used for the identification of options, the process and criteria for selection of options, as well as the methodology for the development of tools. In order to stimulate mutual learning among the projects, the evaluation scheme should include elements for documentation. The evaluation indicates support and social control from the grassroots level is important in order for the projects to become sustainable.

7. Public awareness-raising at the local level

Awareness-raising at local level is the first step towards implementation of practical measures to eliminate child labour in mining and prepares the ground for acceptance by and cooperation of the family members. In isolated mining communities in particular, children’s rights and opportunities for

¹⁸ The study on the South American Andean countries Ecuador, Peru and Bolivia quotes: It must be kept in mind that this is more complex in large cities where lobbying and political advocacy can be a complementary activity.

¹⁹ Mid-term Evaluation (2003): Stone Quarries Retalhuleu, Guatemala (DRAFT)

social development are barely known or not obvious. This underlines the importance of awareness-creation on a local level.

Project interventions on local awareness-raising identified from the documents:

- Using theatre, drama, dance
- Using printed matter and brochures
- Involving children and local leaders
- Using local and rural radio programmes
- Using illustrated material, pictures, posters and cartoons
- Training of professionals working in the field of child labour, the training of teachers and educators or informal visits with parents and working children
- Sensitizing families, children and other target groups

Most of the studies assessed emphasized that public awareness campaigns on a local level have been very effective, although some reported difficulties in measuring the impact. One element in successful campaigns was that they – instead of simply informing parents about the problem – entered in a dialogue and identified possible alternatives and concrete solutions for eliminating child labour in the mining communities.

The studies from the Andean countries indicate that the awareness campaigns have been able to reach a significant percentage (from 50-100% of the children and families in the mining communities). They note, however, that awareness is only preparing the ground for active participation and withdrawal from child labour. Motivation is the next key step, which can only be successfully implemented if viable alternatives are perceived.

Local awareness campaigns need support from the national level in order to gain momentum. Some studies mention that awareness creation should be enforced by more clearly relating the messages to information on the relevant conventions and national programs to eliminate child labour²⁰.

Furthermore, according to the Tanzania study, it is important to educate parents and children on the negative effects of child labour i.e. on the physical and mental development of working children.²¹ Awareness-raising tools and instruments have to be specific to the target group.

Key problems occurring in the local awareness campaigns are clearly related to the difficulties of ASM in general:

- the low level of literacy - forcing the projects to design tools suitable for illiterate target groups,
- the lack of communication infrastructure,
- the geographical dispersion and inaccessibility of rural communities, and
- financial factors (e.g. shortage of funds for printing); high transport costs.

Problems are also related to motivation. In spite of good awareness-raising, the audience may continue to resist action against child labour on the basis that child work was traditionally considered to be part of the socialization process. Or, as in some Central African countries, children often

²⁰ case Philippines

²¹ In Ngapa (Tanzania), it was noted that the majority of children working in the mines are not from the village. This indicates efforts made by parents of children from the village to educate their own children about the negative aspects of working in the mines. It is thus important to sensitize the communities on the negative effects of child labour from the grassroots level. There is a need to build public awareness surrounding the distinction between child work and child labour. The community should be fully involved in issues of child protection by abandoning norms and values that endanger the lives of children, strengthening positive values and providing services to children in difficult circumstances.

decided to work at mining sites because they were attracted by the better life there than at home. The Latin America midterm review (cited in the mining desk review) comments that the process of awareness-raising at local level in some programmes was still marginal, with the result that the local authorities continued to be apathetic towards the issue of child labour. The projects in Peru reported the absence of clear strategies, methodology and instruments for awareness-raising campaigns at the local level. Local awareness-raising was seen beneath the organizational components as the key to sustainable results on elimination of child labour in the Andean countries²².

8. Good Governance

Governance refers to the conducting of the ordinary functions of government in an effective and ethical way, as well as (in terms of child labour in mining and ASM) a means of formally linking governmental authorities to the local problems relating to the grim conditions in which it occurs. This issue is controversial and seems to carry a number of risks related to the conditions of informal ASM. The elimination of child labour requires greater commitment and responsibility on the part of the mining communities, reflected in their participation and the monitoring of child labour in their respective localities. Women are more willing than men to take these steps, and this is an area that must be analyzed, because when projects are taken on with gender equity, they are strengthened and become sustainable. Good governance also relates to the obligations of the signatory countries of C.182 to establish mechanisms to monitor the employment of children in the worst forms of child labour. Project interventions relating to governance issues identified from the documents:

- Regular labour inspections with joint inspection teams (which look at child labour, OSH, environment etc.)
- Assistance of ASM operators in optimising government operation and performance
- Legalisation of informal ASM operations
- Establishing codes of practice for employers
- Supplementing labour inspections with continuous monitoring at the village level
- Registering ASM operators

The final evaluation of the Philippines child labour in Mining project suggested that in addition to the project interventions already in place, additional ones, such as the enforcement of laws, the use of safe practices, ensuring the safety of workers, most especially, banning the participation and the presence of children within range of the mining sites, should also be included. Unfortunately, none of the project documents present practical and successful examples of good governance of child labour in mining and ASM by national mining authorities.

Effectiveness of interventions related to governance is hampered by the fact that the majority of children were employed in the informal sector and thus virtually inaccessible to labour inspectors and trade unionists. Inspection of mining operations can be more effective if it takes into consideration the specific exploitation periods especially in seasonal workings, school holidays, that will help to fully cover the child labour aspect. A major bottleneck to increased effectiveness is the fact that labour inspections and the general management of the ASM are normally assigned to national authorities²³. The evaluation, however, does not support the full delegation of their respective obligations and

²² South American Mining Final Evaluation, page 33

²³ "Changes in government policy with respect to the licensing of mining permits have provided loopholes to mine owners, enabling them to skirt the rules and regulations governing employment procedure and mining activities. Miners are accountable to the district mining officer, who may well be located very far from the mining site. It is suggested that mining licenses be issued to village governments who will then lease the sites to small-scale miners on the condition that they should not employ children. The village governments should have the mandate to revoke contracts made between them and the miners if they do not abide by the rules. This particular strategy would make supervision possible." Rapid Assessment "Child Labour in Mining: Tanzania" (2002)

responsibilities to the community level as this would require prohibitively high investment in education and training of local inspectors on mining-related issues, OSH, and child labour, and might lead to more intransigent conflicts with large-scale operations. On the other hand, the evaluation finds that formalisation of ASM operations or, if the legal and administrative hurdles are too high for legalisation, the simple registration of miners contributes positively to the development of a more sustainable ASM sector. It gives miners an identity and stimulates awareness on civil rights and obligations.

A number of reasons for unsuccessful sector management by the authorities are seen in the informality of the target operations as well in specific difficulties related to the limited mandate and power of inspectors.²⁴

9. Education, Recreation and Training

Education is one of the key solutions for progressively eliminating child labour. Children with no access to education have little alternative but to enter the labour market.

Project interventions identified from the documents relating to education:

- Providing preschool
- Promoting the formation of youth groups and clubs
- Providing scholarships, transportation and tutoring for target children
- Providing recreational infrastructure, vacation camps, pedagogic excursions, etc.)
- Providing public library
- Optimising educational quality and extension (train teachers, adapt curricula, include provision of skills for self-employment of children)
- Promotion of school enrolment and technical training, as well as activities for appropriate use of free time
- Providing non-formal education/training courses
- Establishing vocational training opportunities (in mining and non-mining activities)
- “Peer coaching” between children in vulnerable situations
- Promoting secondary education/high school
- Assisting job placement for older children and family members

The effectiveness of educational programmes has been linked to the provision of a comprehensive package from kindergarten to vocational training or informal education providing knowledge for employment later on²⁵. Educational services have proven to be particularly successful if the children attend full time.²⁶ This is underlined by the findings from Guatemala: by providing several

²⁴ Noted by Malcom Gifford regarding child labour in mining in Tanzania “There could be several reasons why labour inspections don’t deal properly with child labour in mining:- inadequate resources, low national priority (Government commitment is crucial here), inadequate coverage of legislation (non-ratification of ILO standards), inadequate powers of inspectors (e.g. they can’t enforce against family businesses where there is no employment), corruption, and fear (an issue for Tanzanite mines)

²⁵ Tanzania: The current education system does not equip primary school leavers with the necessary skills one would need in life. With only a very slim chance of proceeding on to secondary school, primary school leavers are left without skills and alternatives to work. The establishment of vocational training centres would first provide them with an activity to engage themselves in, and secondly, it would equip them with skills which they could later use to support themselves rather than engaging in child labour. Rapid Assessment “Child Labour in Mining: Tanzania” (2002)

²⁶ Colombia: Children do not begin by working full time, but by combining work and studies. The school enrolment rate among the children is higher in the 7-to-12 age group than among those between ages 13 and 17. Around age 14, there is a high dropout rate among the children who combine work and school, because their academic performance is affected by physical exhaustion, lack of motivation and the economic remuneration, however low, that they receive. Mid-term Evaluation (2003): Mining in Colombia

educational options to the children, it has been possible to reduce the amount of time many of them work in gravel production. Regarding education, the main outcomes have taken place in elementary education. The following table summarises the different elements of recreation and education in the light of the different ages of the target children and specifies the different complementary elements.

Figure 2: Approaches to education, training and recreation by age of target children

recreation	child care centre/ crèche	recreation, cultural and sports activities, children’s clubs, vacation camps	recreation, cultural and sports activities, children’s clubs, vacation camps
		primary education; educational drop-in centres school library	nonformal education, secondary education, vocational training, public library, preparation for work job placement “peer coaching”
education and training			
nutrition & health	health care provision of hot meals during education		
other services	income generation, compensation of lost income to parents		
tasks to be prevented	3-6 child care by working parents at work	6-13 family-related child labour; mostly unpaid	13-18 child labour with more prominent contribution to family income; salaried or self-employed child labour
			<i>age (years)</i>

Latin American case histories of educational projects have shown to have beneficial effects on school enrolment but in order to be appropriately designed, they must be adapted to the existing infrastructure and services at the mining site. Where schools were already in operation, the projects focussed more on additional services, such as recreational facilities and training courses or the establishment of libraries. In the case of recent mining communities either without a schooling infrastructure or poor quality schooling, the establishment of schools and the training of teachers²⁷ was the key focus. In both cases very positive results have been documented²⁸.

It is important to understand that the families invariably face a dilemma of their children’s earning versus learning. As miners can seldom afford education, even if education is available, relevant and cheap, their children are sent to work because the children’s contribution is perceived to be essential for family survival. Measures to improve education for disadvantaged groups therefore may need to be complemented through the provision of income generation or social safety net components.

An alternative, therefore, is key to avoiding a combination of work and studies. This consists of involving the child in recreational and leisure activities appropriate for their ages that foster holistic personality development and contribute to better performance in school.

²⁷ The same applies in the case of Tanzania

²⁸ From the Latin American study: Creating demonstration effects with some degree of rigour through the action projects is important for the strategy to eliminate child labour. It has been proven that the educational component has created the greatest demonstrative effects in all zones of intervention. South American Mining Final Evaluation, page 19

The provision of grants or stipends designed to compensate or offset the opportunity costs of child labour has shown very differing results: in some countries it worked well; in other countries conflicts arose between sponsored and non-sponsored families leading to the withdrawal of this component. However, a precise study of the financial capability and value system of the target families is required prior to offering financial support. In order to avoid the current scholarship students remaining a one-off example, it is important to examine the ability and willingness of parents and local governments to pay beforehand. It might be worth considering explicitly targeting parents of scholarship students in income-generating programmes²⁹.

In the case of child care centres and crèches, a decision has to be taken whether to place the centre at the work place or off-site. The tradition of workers spending lunchtime with their children is maintained where on-site child care facilities are provided, but this advantage may be offset by the presence of hazards associated with the workplace. It is important to have an in depth knowledge of family values in order to design a fully acceptable scheme.

In the case of Nepal “peer coaching” of vulnerable adolescents i.e. on sexual exploitation, STD, AIDS/HIV delivered by young girls to her mates has shown very high acceptability and effectivity. Similarly, children’s clubs help their members to better understand and define children’s rights³⁰.

Despite the obvious advantages, there are also concerns or considerations associated with the establishment of education, training and recreation programmes which affect project design. For example, the studies show that children who have been traumatized by work may not adequately benefit from education without rehabilitation services as well.

Several projects reported that tradition and attitudes towards children had decisive influences on the educational process, especially in rural areas. An important risk in education programmes is that governmental responsibilities may be assumed by the projects. This can create a vacuum once the programme is phased out. Therefore, the studies indicate that it is important to involve governmental agencies with the mandate in public education from the beginning and to avoid subsidies on primary schooling. Nevertheless, it is not unusual for countries to report³¹ that they cannot provide the teachers required for even basic education, let alone crèches. It seems to be important to find an agreement with governments and the local stakeholders on how educational services will be financed.

Of all project interventions, it is those related to education that appear to have produced the most sustainable results. High-quality lasting changes have been made when investments are made in educational infrastructure and in building the capacities of teachers and principals.

²⁹ The combination of income generating components and education (from Latin America): This component has been relevant in mining communities where the lack of quality public education forces children and adolescents out of the school system and leads parents to see a greater good in child labour, which helps supports the family and provides job training not offered by the educational system. In this context, the Programme has been key in promoting school enrolment, offering extracurricular activities and making good use of free time (recreation, art) in order to foster self-esteem, children’s rights, school enrolment and gradual withdrawal from work in small-scale traditional mining.

³⁰ Nepalese children defined these rights as follows:

- right to study,
- love and affection from parents
- right to learn new things
- right to play
- right to health care
- participation
- opportunity to express their ability

³¹ i.e. Nepal

10. Health/Nutritional Services

Health-care activities are seen as key flanking measures for the elimination of child labour in mining as they directly favour children.

Project interventions identified from the documents relating to health services:

- Providing immediate and preventive health services to target children
- Providing OSH guidance for the ASM sector in local languages
- Training local health promoters
- Promotion of basic health care and nutrition
- Setting up adequate sanitation services in the mining areas
- Supporting establishment of a people's pharmacy
- Supporting relevant authorities in the target area
- Providing hot meals during school hours

The effectiveness of health components is strongly dependent on the capacities of the partners involved. A key factor is that a project should strengthen health care services in close collaboration with the government to avoid duplicating functions or replacing government services.

The studies indicate the need for a strong relationship between the health and awareness creation components so that the families internalize the seriousness of the effects of mine labour on their children.

Very effective as an incentive for education has been the provision of hot meals at schools. This has multiple effects: it ensures the children have a nutritionally balanced meal including adequate calories, to prevent them being hungry (which affects their performance at school), and helps to alleviate the financial situation of the parents.

In the case of the Philippines, there was an evident lack of knowledge and experience amongst local health workers on OSH in mining. Local health care systems frequently lacked the capacity to identify and treat diseases related to work in the mining sector. This was exacerbated by funding constraints, and the rotation of local health staff which make it efforts to enhance the capacity of health staff ineffective. Mining workers themselves did not pay much attention to occupational health issues.

11. Income Generation

The rationale for income generation projects is to reduce child labour enhancing poor people's income through upgrading their skills so they can secure better employment, and/or by providing them with seed money or access to credit so they can open small businesses.

Project interventions identified from the documents relating to income generation:

- Credit/Savings schemes for parents
- Revolving funds
- Micro-enterprise development
- Technological innovation and mechanisation of mining operations
- Stipends for children
- Economic diversification (small animal breeding, vegetable production, handicrafts, art, food production, clothes and show production, repair services, etc.)
- Turning the "mining facility" into a tourist attraction – not relying any more on mining income but bringing interest groups to the area and showcasing the (hazards of the) activity

- Optimising access to fair markets

Without doubt, the income generation component is the most difficult aspect and one which is characterised by an enormous gap between expectations and achievements. First of all, income generation components of projects are shown to have raised t expectations at the local level because of the great demand for improved income and business opportunities in the structurally weak mining areas. Furthermore, the evaluation has come up with little evidence of the effectiveness of community savings and enterprise programmes in mining areas. On the positive side, income generation components do appear to have a positive effect on gender equality.³²

One reason for the apparent ineffectiveness of the income generation components, is that the implementing partners often lacked the expertise and experience to effectively set up a credit programme. They were either unaware or unable to design the project for the local social or business context, to spend the time necessary for revolving funds to show impact, to undertake detailed data on income structure, and to implement feasibility studies in advance.

The studies (i.e. Ecuador, Peru, Bolivia) have shown that income generation projects demand:

- an integrated approach, not only focussing on mining operations but opening up new opportunities outside mining as well;
- a market study at the start on which to base economic and job training alternatives; and
- economic feasibility studies for proposed projects and loans

One key problem for ASM operators are the generally low prices they receive for their product. In the case of gold mining in some remote areas, the buying price at the mine site may be as much as 50% below the market value of the gold, and in the case of gemstones the difference is even greater. Many attempts have been made to try to optimise revenues of ASM operators by providing better marketing conditions. This has proven to be very difficult. First of all the miners expect fast cash and often sell small quantities on a daily basis. Secondly, they are often not able (for instance due to safety considerations) or willing to travel to a larger commercial centre. Finally, since intermediaries often provide some kind of pre-financing and “barefoot banking”, they can take advantage of the miners’ dependency by dictating prices. The case of Ghana shows that more competition amongst buyers, a linkage with banking services, optimised security and a freely convertible national currency contribute to access to fair market prices for the ASM operators³³.

The cost of income generation components is relatively high. For mining projects, new and advanced mining technology is comparatively expensive. In addition to this, the Peruvian programme, for instance, demonstrated that implementing partners lacked the necessary training for operating and maintaining the new machinery. Thus it is better to apply appropriate low cost solutions, which show better acceptance and socio-cultural compatibility. Even taking into consideration these appropriate technological solutions, an example from Bolivia which was focussing on income generating projects in the traditional mining centres (APEMIN) showed that the economic benefit from the creation of one job in mining is significantly lower (57%) than in alternative small enterprises.

³² The economic-production component, whether it is technological improvement or promotion of micro-enterprises, intended to not only improve family income, especially for women, but also decrease women’s participation in mining. This is the component in which the gender perspective is most developed. It also has drawn the greatest interest from women, and in some cases it has helped them replace their children’s economic contribution. These actions, however, require more in-depth examination, analysis and technical expertise. This could be done through other projects with which the ILO could collaborate and coordinate, as well as with support from the government or private enterprise to improve economic conditions in the mining communities.

³³ other proposals may be found in Artisanal and Small-Scale mining: A reality check by Kevin D Souza (keynote at the Yaounde Seminar) under http://www.cifeg.org/serveur_web/Doc_pdf/PO38_p45.pdf

Credit programmes carry great risks (especially when dealing with migratory clients) and involve very costly administration and follow up of the credits. In Zambia it proved difficult to empower the parents and guardians of ex-working children through the provision of micro-credit. The main problems were the insignificance of the credit volume and the intensive monitoring needed.

In order to ensure sustainability, a third party (in addition to the implementing agency) should be involved from the start in order to back up the effort to eliminate child labour in mining.

12. Child Labour Monitoring, project monitoring, project evaluation

Monitoring and evaluation is a means to keep track of the processes, achievements and results of a project and has to be an integral part of any project dedicated to eliminating child labour in mining.

Project interventions relating to child labour monitoring, project monitoring, and evaluation:

- Project Monitoring & Evaluation (PME)
- Community-level Child Labour Monitoring
- Monitoring the productive process as well the living environment of children in mining

The lack of appropriate tools for monitoring child labour and for project M&E was identified by the majority of the projects as an issue. The desk review noted that many action programmes reported having difficulties in establishing an appropriate Child Labour Monitoring system, and the effectiveness of action programmes was rarely assessed. In most cases it was therefore difficult to assess whether there was overall impact and the extent to which sustainability was achieved.

It was felt that a unified, consistent Monitoring system would open opportunities to compare the impacts and effectiveness of approaches and elements between different projects and would allow mutual learning (South American final evaluation study). Finally, there is an urgent need to provide the projects with guidance for designing a locally appropriate M&E system.

The M&E system has to comprise indicators reflecting the perception, perspective and interest of the different stakeholders, namely:

- ILO/IPEC and implementing partners
- national governments
- local community
- families and
- children

13. Networking/Partnership Building

In order to ensure smooth implementation, but even more to ensure sustainability of the measures, intensive networking and partnership-building is a must. This not only true for the projects under review, but also for other efforts on child labour in mining and general child labour elimination projects. The implementing partners tended to feel responsible for their own programmes and thus had a somewhat limited view on alternatives and approaches from “outside”.

Project interventions identified from the documents relating to networking:

- Linking child labour projects in different regions/countries
- Exchanging experiences and tools
- Disseminating information on regional IPEC web pages
- Disseminating the results of surveys and studies

It has been observed that sustainability and effectiveness of the child labour in mining projects depend largely on networking and partnership-building. This refers to the transfer of tasks and obligations from the project team to local stakeholders³⁴ as well as for the sustained co-financing of core elements by other stakeholders³⁵, including the government³⁶.

³⁴ From Ecuador, Peru and Bolivia: Differentiated planning is needed for the transfer and sustainability phases. In the transfer phase, activities and inputs must not include new activities because a transfer and sustainability project must focus on outputs that have been achieved and on the role of local organizations and stakeholders. The role of the implementing agency must be to gradually withdraw, transferring capacities for autonomous management and monitoring performance and the assumption of responsibilities by entities such as local committees.

³⁵ From Ecuador, Peru and Bolivia: a common element of the APs was the mobilization of parallel resources. This serves as an example for future sustainability of the results and the elimination of child labour (GAMA/COSUDE, ISAT, FONCODES, MINSA, MED, etc). In several cases, this was done through local committees or organizations. In this sense, the strategy of support, negotiation and shared responsibility for actions among groups and institutions is viable and has amplified the effects of the interventions.

³⁶ From Guatemala: The project has managed to capture important resources from several State institutions which support achieving the desired outcomes. There are also several processes in progress whose outcomes need to be completed. Nevertheless, several negotiations have not been successful, due to stated budget limitations at the institutions in question

IV. Moving Forward: Lessons learned and Recommendations

1. Summary of the evaluation

Without doubt, according to the documented experiences with child labour elimination programmes in mining, the core elements of any future projects should be:

- awareness-raising on local level,
- community empowerment and mobilisation with intensive networking, and
- education and recreation for children and other family members.

These project components should be accomplished through activities which encourage partnership from national key stakeholders. Income generation components, for example, should be implemented in partnership with organizations with strong experience in business-oriented projects. Such a strategy not only contributes to the elimination of child labour from mining operations, but also contributes notably to the social and economic development of the mining areas, which are usually very rural, disadvantaged and infrastructurally underdeveloped zones.

Each project had developed its own strategy and dynamics taking into account the different contexts in which they operate. Some of the projects have been exceptionally successful in certain project components. The evaluation would recommend that an exchange of information be fostered between the different projects in order to transfer the know-how acquired. The most remarkable achievements have been:

Table 7. Most Remarkable Achievements

Partner country of project	Highlights
Peru, Bolivia, Ecuador	<ul style="list-style-type: none">▪ high profile of child labour in mining due to effective lobbying during the legislative process▪ income generation by mechanisation of mining operations▪ establishment of school and public libraries▪ coordination with and co-funding from other projects
Colombia	<ul style="list-style-type: none">▪ integration of ASM and child labour issues in the regional development plans▪ socio-economic study
Mongolia	<ul style="list-style-type: none">▪ flexible reaction on developments in the mining sector (gold rush)
Nepal	<ul style="list-style-type: none">▪ auto-financing of services by the target group (clients pay a small fee raised by the gravel producers to pay for primary schooling in the quarrying area, brick makers pay a fee covering the salaries of the caretakers in the “crèches” for their children)▪ peer coaching of vulnerable adolescents
Tanzania	<ul style="list-style-type: none">▪ elimination of children from mining sites even without notable commitment of the national government▪ involvement of the local administration

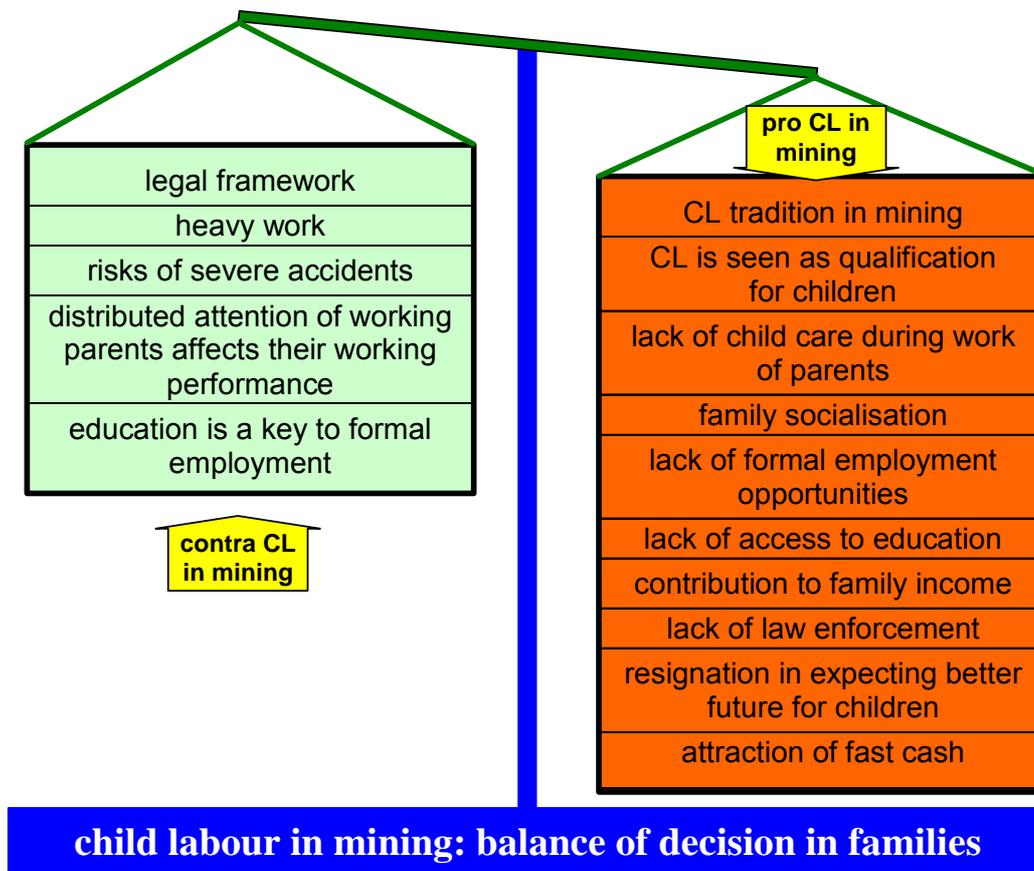
2. “Lessons learned”

From the documents assessed, the following lessons learned have been distilled. They are divided into sub-categories: a) the general understanding of ASM and CL in mining, b) programme planning, c) selection of implementing partners, d) strategy, e) research and diagnostic, f) the government as partner, g) mobilisation of stakeholders, h) direct action and services for children, i) advocacy, j) sustainability and management tools:

for the general understanding of ASM and CL in mining

- CL in ASM is poverty-driven. ASM is a social pressure valve in structurally weak rural and isolated areas where competition for scarce natural resources and agricultural land is harsh. The more restricted the income opportunities, the more ASM is operating and the more children get involved.
- Life styles and attitudes (e.g. on expenditures, values) of those involved in high value ASM such as gold, diamonds and gemstones, are short-term oriented (gambler mentality) which does not fit with concepts of education, life planning, saving and any long term development
- Small-scale mining of gold and gemstones seems to be very attractive to working children, as it seems to promise fast money, social status and adventure (especially for orphans, whose social relations are weak). The attraction of gold and wealth, the nimbus of the few lucky miners and the permanent expectation of the “bonanza” or the rich pocket, moves entire communities. Children, lacking general life experience, are even more susceptible to this vision.
- The nomadic nature of (street) children and families makes it difficult to follow-up on support and services given; members of staff were sometimes unable to trace the homes of some of the resettled children (especially the case for seasonal and rush type mining such as emeralds in Colombia, sapphires in Madagascar, etc.).
- The evaluation reinforced the view that there is a proven relationship between unemployment, underemployment and informal adult labour and the involvement of children in the work force.
- Child employment in mining is related to a culture of poverty in the miners’ families which is characterised by resignation and lost hope for a better future.
- The dissemination of information about children’s rights and community participation in project management may be just lip service if people do not have real access to new opportunities. The children themselves are seeing and experiencing the labour tragedies of their parents and relatives, which are in direct contrast to the lifestyles they see everywhere in the media.
- It is important to understand the reasons why parents employ children in mining. The following diagram graphically shows trade-offs as drawn from the studies of the projects.

Figure 3: Trade-offs as drawn from the studies of the projects



regarding programme planning

- Changes take time and mining is a very traditional business, especially in countries with a long mining tradition such as Bolivia and Peru, knowledge has traditionally passed from one miner to another and from adult to child
- Each project seems to be starting from zero and every tool and instrument is newly developed in each country. With the help of experienced project partners ILO expects to overcome this problem. Still largely untapped is the entire potential for networking between different projects, the use of knowledge multipliers in all phases (from the project identification and assessment to implementation and follow up) and of systematic guidance of projects by written information and available tools. Direct interaction between projects and the establishment of an international centre of excellence (which could provide peer review of project documents and project implementation) would be two potential ways to stimulate an interchange of information and experience.
- The available financial resources are inadequate to cater for the existing vast needs; in order to maintain successful implementation a (regional or sub-sectoral) focussing of intervention may be required.
- Child labour issues can only be solved sustainably, if an integrated approach is followed. (An interesting finding of the ILO report “Social and Labour Issues in Small-scale Mines” (1999) was the low priority respondents gave to child labour when they were asked about the three

most important issues for the mining sector. This low priority given to child labour is indicative of the respondents' perception of the need to address other major issues in mining, notably the improvement of productivity, the improvement of safety and health, and the provision of access to credit. This does not mean that child labour in mining should be ignored, quite the opposite. But the incidence of child labour should be seen in a wider context. If it is approached in isolation, its long-term elimination is unlikely.

- Poverty of families, local tradition and the lack of education has a decisive influence on the decision of families to send their children to work in mines. As long as families struggle with survival, and as long as child work is traditionally considered to be part of the socialization process, the decision on the micro-level (the family) is somehow pre-determined. This has to be taken into account in designing Action Programmes. Complementary action is crucial. For instance, income generation and awareness-raising components should be implemented simultaneously in order to effectively prevent children from working and being sent to work.)
- Community involvement at the design stage of a programme is a difficult, but nevertheless promising approach to guarantee relevance of an intervention. This is getting particularly difficult in unstable communities (new settlements or seasonal villages) where the child labour problem is extremely urgent.
- Involvement of the beneficiaries is necessary right from the planning stage
- All involved should be aware of any potential conflicts of interest e.g. in:
 - decision-making;
 - regulatory issues;
 - issues related to corruption, etc.
- Donor agencies and funding programmes in the context of small-scale mining or large-scale mining, should adopt a multi-sectoral approach in their programmes. For example, environmental programmes in mining areas should always pay attention to core labour standards and to major occupational safety and health issues. Currently, there are projects, funded by various donors, which disregard such aspects and tend to concentrate on a narrow focus i.e. environmental, health or increased production.
- A project on child labour in mining should be integrated at an early stage into existing child development frameworks and existing poverty reduction frameworks.
- It is recommended that action plans should be made so as to take into account a possible 'Gold Rush' situation and that innovative ways to control and check incoming migration to the existing SSM areas shall be designed. In highly speculative mining (gold and gemstones) it is imperative to foresee the implications of potential migration and fluctuation of the target group (see case of Tanzania).

regarding the selection of implementing partners

- Some issues for future in-depth studies are identified in the following. First of all, it has become evident that the expertise of the implementing agency plays a decisive role in making a mining programme effective. Some of the topics to be examined in detail thus include:
 - What are the criteria for selecting partners in mining projects?
 - What mining- and children- specific experience do these partners have?

- What do partners have to do to enhance their capacity regarding children working in mines?

Within this context, it is important to examine how far implementing partners have adapted and implemented successful approaches and experience documented elsewhere. The ILO Global Report “A Future without Child Labour” (2002) for instance indicates a number of good practice examples in dealing with hazardous work. The interventions include technological innovations to replace the hazardous substance or process, regular medical check-ups (e.g. through mobile clinics), and training for children and parents in what constitutes an occupational hazard and how to reduce exposure to it. These interventions do not necessarily involve total withdrawal of children from work. But they are a first step to reduce hazards for children involved in mining. One of the main underlying questions is:

- Which strategy do partners follow to explicitly address problems related to child labour in mining?
 - One approach would be to involve occupational safety and health specialists in mining projects, either at regional or national level.
 - The availability and compatibility of official counterpart agencies and the actual project implementers should be carefully examined and assessed.
 - Training and upgrading of skills of implementing partners should be envisaged right from the beginning.

regarding the strategy

- Think national, act local. Missing decentralised structures in many countries are a severe challenge to involving the authorities into programs on community level.
- Ownership of the project is a key issue; shared management and local leadership is a must
- Generally speaking, increased knowledge exchange and networking are fundamentally important in the development context.
- Better coordination between different action programmes as well as regional or global networking should be envisaged for exchange of information and tools (TOR’s and methodology for baseline studies, questionnaires, training materials, M&E system, curricula etc.)
- Regarding the above-mentioned different patterns of child labour different stakeholders will have been addressed and different measures to be taken. The following table specifies these approaches.

Table 8. Child labour patterns and preventive measures to be taken

Child labour pattern	Specific features	Key stakeholders to address	Measures to be taken to prevent this form of CL
Bonded child labour	<ul style="list-style-type: none"> ▪ contracting children as cheap workforce ▪ giving away children due to economic limitations, paying back of debts etc. 	<ul style="list-style-type: none"> ▪ employer ▪ family 	labour inspections, enforcement, where necessary, awareness-building, provision of educational infrastructure, rural development to provide for formal employment, ASM direct actions (modernization, normalization, mechanization etc.)
Child labour within family context	<ul style="list-style-type: none"> ▪ ASM as family occupation (everybody takes part); ▪ Children working as child laborer with or without salary to contribute to the family income ▪ Perception of child labour as “educational skill training” ▪ Children replacing adult family members on work space while injured 	<ul style="list-style-type: none"> ▪ family 	awareness-building, provision of educational infrastructure, rural development to provide for formal employment, ASM direct actions (modernization, normalization, mechanization etc.)
“Self-employed” child labour	<ul style="list-style-type: none"> ▪ Situation of orphans (esp. AIDS/HIV orphans)³⁷ ▪ “Out to survive” Maltreatment, malnutrition ▪ “The challenge of gold and money” 	<ul style="list-style-type: none"> ▪ children 	labour inspections, enforcement where necessary, provision of education backed up with scholarships for children

regarding research and diagnosis

- In particular the migratory and rush type mining has very rapidly changing features. In Ilakaka (Madagascar) the village had 60 inhabitants, only 2 years later during the dry season 120.000 miners were living there (thousands of them children)--a number which went down to about 60.000 one year later. In the wet season only 20.000 miners lived there. The auto-organization of the village was very rapid: shortly after the beginning of the rush the first informal gas stations have been established, doctors offered their services, the church was opened. All this, without (or even in spite of) interventions of the government. This high degree of auto-organization of the sector was as well highlighted in studies of ILO projects. Nevertheless this rapid development influences the results and credibility of studies on such an area, which poses extreme challenges to child labour elimination (because children related services such as recreational facilities, kindergarten, schools etc. are the last to be established). The studies have to be taken as snapshots with limited validity and reliability of the data.

³⁷ especially a problem in Central and Southern African mining countries such as Zambia, and Zimbabwe. Latest numbers from Namibia for instance point out that over 20% of the population under 15 years of age are orphans (radio feature on AIDS in Southern Africa in Germany, hr1).

- A comprehensive ex-ante situation analysis is crucial in order to focus the intervention on the specific needs and conditions of children working in mines. In future in-depth studies, it is therefore recommended to look at the following key points:
 - What is the quality of the information on the target group?
 - How is data collected in the respective area? (National, regional or local census, qualitative vs. quantitative data, participatory approaches, ...)
 - What are the main constraints to data collection? (Lack of expertise or methodology for data collection, lack of information sharing amongst partners, spatial mobility of target group, informal character of children's occupation, ...)
 - Which strategy do partners follow to address the lack of data? (Training in data collection, use of alternative sources of information, knowledge and information exchange amongst partners, ...)
- The extent and nature of other child labour in the region should be quantified, as well as the consequences of CL in mining on the health of the children.
- The relationship between the products produced and the sales chain should be analysed more carefully.
- While there may be a tendency to avoid looking at the financial aspects of small-scale mining (i.e. the distribution of profit in the production chain, etc.) but in order to have sustainable results, this needs to be addressed. The production chain should be identified (and analysed) at the very beginning of projects.
- The diagnostic report should be performed by the project implementing team as the process of gathering the required information creates important links and is the basis for confidence with the target group.

regarding the government as partner

- Stick and carrot strategy has to be applied, meaning: inspection/management of the sector on the one hand, and assistance to the miners on the other hand. Especially informal miners should be made aware that the government is watching them. And governmental authorities have to confront themselves with the grim reality of ASM (by keeping an eye on the dirty backyard). Punitive action by itself would only drive the ASM further into informality and is neither advisable nor justified³⁸.
- Strong and sustained commitment of government is a must for sustainable effects
- The degree of organisation of the ASM sector is generally very low. The fact that the miners are considered self-employed and operate informally limits their unionisation. Even cooperatives are rare and not functioning in terms of such key principles as solidarity, share of risk etc. Associations are mostly missing in ASM. Therefore the governments face enormous difficulties in dealing with the sector. This underlines the importance of governments fostering community empowerment and contributing to the organisation of the sector.
- Create joint inspection teams (CL, OSH, mining)

³⁸ A Brazilian high ranked official told the author during an inspection of ASM operations: "These people are Brazilians, they are working hard, and there is no point in hindering them to make their living". This could be guiding principle for inspections, which should focus more on the cooperation principle, than on confrontation.

regarding mobilisation of stakeholders

- Awareness is not enough, motivation and mobilisation is required, as most of the families know, they should provide for access to education for their children.
- In certain families and communities, programme staff met with resistance when they offered support; this was the case especially where people benefited from the exploitation.
- The APs make the problem visible in the municipalities, leading to the empowerment of the communities involved and shared responsibility among certain sectors of civil society.
- Linking information on CL direct action to international campaigns (Convention 182 etc.) and national programmes is advised.
- Unionisation has proven to be difficult due to self-employment of families in a very competitive environment (even mining cooperatives have mostly failed or have been restricted only to soft issues excluding the exploitation and mineral concentration, in which division of labour could generate enormous optimisation in capacity and performance). Nevertheless the capacity of collective bargaining has risen after successful projects to eliminate child labour.

regarding communication

- A communication strategy must be a key element of the project approach.
- Messages should focus on positive effects of the elimination of child labour and make alternatives to it visible.
- Any communication has to be carefully designed towards the specific target group and their communicative habits and capabilities.

regarding the education, training and recreation

- CL and education are two sides of the same coin
- a combination of child care, pre-school, primary, non formal, secondary education and vocational training is promising the most sustainable results
- children's clubs raise the self esteem of the children and complement educational services in completing the daily schedule without child labour.
- vocational skills training needs to respond to the market and be combined with assistance in entry to that market. It is absolutely important to scan employment opportunities beforehand³⁹.
- Recreation and play based upon a pedagogic model helps to keep children busy during the day and contributes positively to their human development
- in the case of migratory mine or brick workers, it is imperative to harmonise the schooling schedule with the migration periods of the miners. Should this not be possible, intermediary examinations shall be held which have to be accepted by the other school.
- Operating hours for child care centres or "crèches" have to be synchronised with the work schedule of the families. Extra ways to drop and fetch the children may expand the acceptability of the system.

³⁹ In the case of stone quarrying in Nepal limited employment opportunities have led to only limited effectiveness of the vocational training component.

- “Peer coaching” of vulnerable adolescents has shown very high acceptability and effectiveness and creates further social linkages.

regarding the direct actions

- Banning CL in ASM requires the creation of new jobs or opportunities for income generation
- Creating income opportunities alternative to mining empowers the women, raising their self-esteem and contributing to a better gender equality.
- in countries without a long mining tradition or where, during transitional times, professional knowledge on mining has been lost (such as Madagascar and Central African countries) or is neither developed nor accessible, provision of training materials may be helpful.⁴⁰
- Income generation components take a very long time. Especially when financing investments with credit, it may take 5-10 years to generate sustainable results since, in mining, revolving funds have to revolve a couple of times before an operational level is achieved. Financing operational capital with credit may require shorter periods for payback.
- In areas where there are conflicts or guerrilla activities,⁴¹ mining enterprises tend to keep investments as low as possible and employ more labour in order to limit the vulnerability of the operation and potential losses through attacks. This limits the willingness of the entrepreneurs to mechanise and modernise production.
- The demand for assistance often exceeds the capacities of the implementing agencies.

Projects should also work to improve overall operations of small-scale mines, through increased productivity, better OSH, less environmental impact so that small-scale mining can be carried out profitably, safely and in a stable environment by adult workers.

In sum, the greatest potential lies in application of the concept of sustainable communities and livelihoods that include small-scale mines, where viable, and that do not allow the use of child labour. This broad approach to poverty reduction and the elimination of child labour in small-scale mining communities is likely to be attractive to a broad range of donors.

regarding advocacy and services for children

- Health care and child-related services should start directly after birth
- Health workers have to be specially trained to detect and deal with occupational health problems, especially those related to mining.
- Efforts must be directed to stopping children from dropping out of school, as the resulting low levels of school achievement make it extremely difficult to re-enter formal schools at their age level or to access or succeed in vocational training.
- Special care needs to be taken in selecting beneficiaries so that it does not appear arbitrary to families, schools and communities. The selection criteria should be properly followed and the

⁴⁰ E.g. the ILO OSH guide ILO for small open cast mines

⁴¹ such as in the gold mining sector in Colombia or the gravel mining in Nepal

target group as defined by the criteria should not be larger than the programme is able to support.

- Some children drop out of the programme because they could not resist going back to work or because they lack the minimal support from their relatives that is required.
- Vocational training should be recognised, certified and transferable.

regarding sustainability

- Even when programmes are designed to be sustainable, informal ASM and associated child labour may reappear unless the macro-economic background changes.
- As a number of cases have shown the risk that even after a successful project implementation the target group may fall back into traditional practices (including the employment of children in ASM) it is important to ensure continuity and follow-up of the activities after external support has ended.
- In several cases children were still involved in hazardous work, especially after school and over weekends, in order to supplement family income; this underlines the demand for full-time involvement of the children in educational and recreational programmes.
- If rehabilitated children are sent back to the same environment of poverty where they came from without the environment having changed for the better, the gap between the home situation and the rehabilitation facilities may be substantial, making the transition difficult for the children.
- The results of studies and direct actions should be disseminated.
- Action Programmes should be linked with other programs.
- Local ownership and sustainability of actions is achieved by self- or co-financing of services by the target group or clients⁴².
- Achievements by projects which aim to address child labour in mining are rather fragile and threatened by political instabilities, economic pressure, changes in world market prices, which can endanger the decision of parents to provide education and recreation for their children instead of employing them in mining

regarding the management tools

- M&E system has to involve the perception of the target group (children, families etc.) in the system of indicators and has to incorporate them into the M&E process making them not only subject but object of the M&E – in addition to the Methodology to Assess the Impact of IPEC Country Programmes proposed by Michael Hopkins in the Annex 1 of the Seven country Synthesis Report 2001.
- Include the child labour and ASM issue in regional and local development planning

⁴² In the case of Nepal educational costs in the quarrying are covered by a small tax recovered from the trucks buying gravel. “Creches” in the brick industry are jointly financed by the brick kiln owner (building the shed for the crèche) and the brick makers’ families (paying for the salary of the caretakers)

- Organize local and regional exchange visits
- Lessons learnt from conflicts of interest or weaknesses in previous projects should be shared openly.

3. Regional differences encountered

The contexts in which the different projects operate show important regional differences. These influence the individual foci of a project as well as the envisaged partnerships. For example,

- Africa is typified by young societies in tradition, threats from a large number of regional and local conflicts, a high number of HIV/AIDS orphans, extremely weak governments, a high degree of corruption and apathy, a mining sector which is spreading out in an uncontrolled way.
- Latin-America is typified by a long mining tradition and has mining-related policies in place
- Asia has an active private sector related to ASM and rather stable governments. In South Asia the traditional stratifications of the society often link the elimination of child labour with a fight against social exclusion⁴³

The following summary of regional differences is drawn from presentations made at the April 2004 meeting of the CASM network in Washington D.C.:

BOX 2 Lessons learned from Africa and Asia

Lessons learned from Africa:

- Need to fully understand the community culture and traditions
- Local ownership and process are critical
- Orphans (HIV/AIDS, conflicts, etc) means a growing proportion of children in population
- inappropriate livelihood opportunities for school leavers and declining quality of educational facilities
- gradual (stepwise) approach to child labour elimination is needed--instead of mounting goal posts, try to understand the socio-economics

Lessons learned from Asia:

- NFE training and socialisation help in changing the mindset of children and parents
- Involvement of local government makes a difference
- Generating local funding for schooling is possible
- Unionisation of workers is necessary and possible
- Children's action on raising awareness is successful
- Elimination of most hazardous forms of child labour should be first priority
- IPEC projects should increase literacy and income earning capacity of adult workers, particularly female workers
- Children's activities through their groups has greater potentiality for raising awareness and mainstreaming children to school and building their self-esteem
- Apprenticeship opportunities should be created for child labourers in collaboration with employers and trade unions

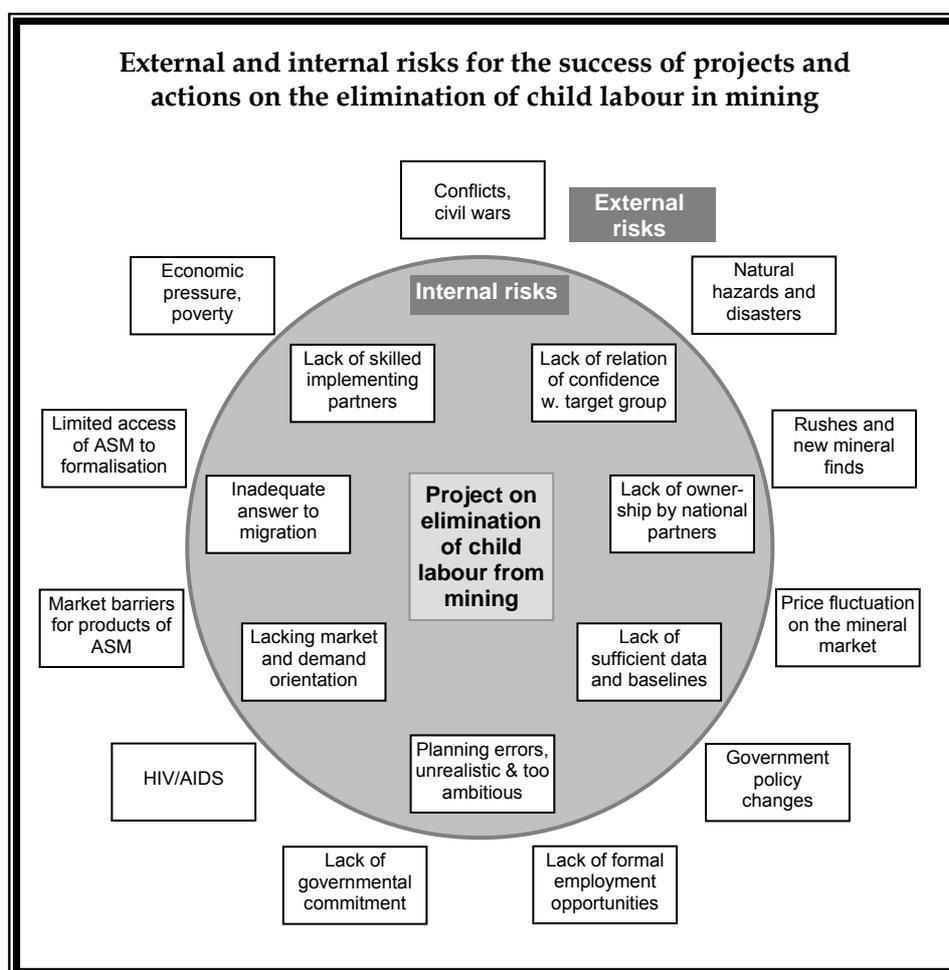
⁴³ In Nepal brick production and quarrying is mostly carried out by dhalids (the cast of the untouchables) and by minorities with a low social status

4. Risks involved in actions against child labour in mining

Through the evaluation of documents and discussions with the responsible staff during the meeting in Washington it became obvious that **none of the identified approaches cited above is, per se, failing to have positive effects on the elimination of child labour in mining.** Problems with the implementation of some of the components relate to a series of external and internal risks, which have not fully been taken into account from the beginning. The summary of the most prominent risks encountered by the projects is given in Figure 4.

It is also worthwhile noting that some of the approaches seem to be more sensitive to the risks than others: i.e. income generation projects with credit components (revolving funds) and vocational training components may be very effective in eliminating child labour by providing formal employment opportunities for the parents allowing them to pay for the education of their children but may as well lead to very limited results if the risks are not properly taken into account.

Figure 4: Most prominent risks encountered by the projects



5. Recommendations and guidance for future action

5.1 For ILO

Recommendation: *General considerations for programs and partnerships*

During the past 10 years many changes have taken place within the framework of development policy, some of which have caused a considerable impact. The concept of sustainable development, for example, has become well-established within the community of donors and the mining industry. Amongst the most relevant recent changes affecting ASM development policy, are:

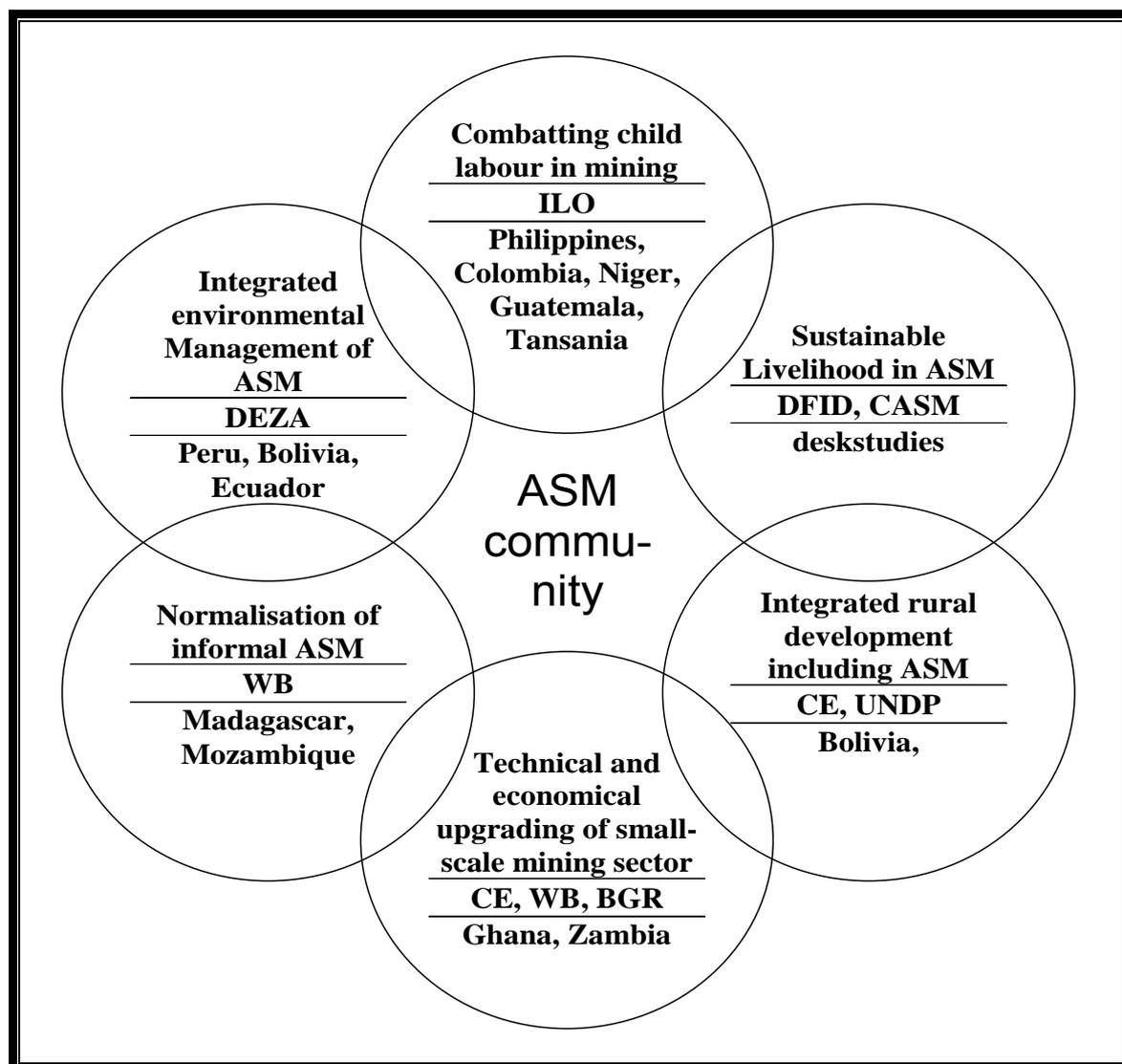
- + The formation of the Community and Small-Scale Mining (CASM) group as a coordination centre for dealing with ASM affairs. This group is co-financed by international donors, principally DFID, and is lodged within the World Bank. CASM functions as a pivot for the exchange of information on small-scale mining, and to assist in coordinating donors for this sector.
- + The Mining, Minerals, and Sustainable Development (MMSD) project which provided the basis for the international mining industry's unified position for sustainable development of mining, was presented at the Rio+10 summit in Johannesburg in 2002.
- + The Yaounde Seminar on Artisanal and Small-Scale Mining in Africa was held in November 2002 under the sponsorship of the United Nations Department of Economic and Social Affairs (UNDESA), United Nations Economic Commission for Africa (UNECA), United Nations Development Programme (UNDP) and the International Center for Training and Exchanges in the Geosciences. It identified best practices and promoted the concept of building sustainable livelihoods for mining communities, setting a goal of: "Contributing to sustainably reducing poverty and improving livelihoods in African Artisanal and Small-scale Mining (ASM) communities by the year 2015 in line with the Millennium Development Goals".
- + The Extractive Industry Review (EIR) as an independent reviewer, has probed into the World Bank Group's support for extractive industry, and has produced a set of recommendations for future intervention in mining in general, and small-scale mining in particular.

The latest themes to be introduced for consideration in small-scale mining are, "poverty reduction", "sustainable livelihoods" and "local economic development". The rather sobering results obtained from the traditional approach to small-scale mining which focuses on providing greater financial investment and on "normalizing" or formalizing the industry, has led to a search for alternatives. These include alignment of small mining projects with regional development programmes with the intention, then, of producing "sustainable livelihoods". This has, in turn, led to amplifying the small-scale mining approach by tying it to rural development, where it is used as an engine for progress in those regions. This is given credence by the fact that the indirect or secondary function of small-scale mining -- even where production is informal, i.e. without legal title or payment of taxes and levies -- is justified by the income it generates. Money is circulated in rural areas, new infrastructure is required, job skills and qualifications are produced, and the over-exploitation of arable farmland is reduced. Additionally, there are the humanitarian benefits, e.g., improvement in the traditionally low levels of work-safety, elimination of the practice of child labour, and the introduction of various other measures to improve the people's welfare.

The basis for these new development policy changes can be further examined under:

- + MMSD paper on ASM:
http://www.iied.org/mmsd/mmsd_pdfs/asm_global_report_draft_jan02.pdf
- + EIR website: <http://www.eireview.org/eir/eirhome.nsf/englishmainpage/about?Opendocument>
- + Yaounde Seminar document: http://www.cifeg.org/serveur_web/PO2003_38.htm
- + IIED publication on ASM, which is currently being prepared.

Figure 5: ASM Community and reviewed projects



Recommendation: Programmatic key issues of ASM projects of different donor agencies and examples

The converging of donor investment in ASM towards policies of poverty reduction, sustainable livelihood and ASM as a key element for sustainable rural development offers a lot of new challenges and opportunities to ILO and the child labour programs in ASM:

- Some of the experiences and tools of other donors and programs could be directly applied and adopted for the benefit of ILO child labour in ASM projects. Examples include:
 - the methodology recently developed by CASM (co-financed by the Austrian trust fund) for assessment of the situation in ASM regions from a sustainable livelihood perspective.
 - the experience of ASM promotion projects could enrich the ILO child labour efforts in ASM regions. When the approaches used by different implementing agencies under different donors and under different development strategies are compared, it is evident that the changes desired

(environmental as well as social or legal) cannot be achieved without some investment from the miners themselves. Such funds can be generated by improvements in the mining operation itself--the so-called win-win options are the most promising--as it is the increased profit from the mining operation which pays for the desired changes in the social, environmental or legal spheres. Not only have donors and implementing agencies acquired considerable experience with these win-win options that could be used for the benefit of the child labour elimination projects in mining, but these types of programme are ideal for incorporating child labour concerns.

- Conversely, ILO/IPEC projects and actions on the elimination of child labour from mining have proven to contribute to broader social and economic development of the mining areas, thereby contributing to the programmatic approaches of other programmes in the ASM sector.
- Child labour projects can adopt and/or modify other elements developed for the ASM sector, such as M&E tools, the normalization of the informal sector, etc.
- Finally, these projects allow new partnerships between ILO child labour projects and the ASM programs of other agencies.

Table 9. Options for future programmes in ASM

Option	Potential partners components	Advantage	Disadvantage
traditional country programmes		<ul style="list-style-type: none"> ▪ best opportunities to influence legal and policy framework due to high political profile of programme and high ranked partners on national level 	<ul style="list-style-type: none"> ▪ difficulties to develop a mining specific profile ▪ implementing partners often not skilled for mining and OSH issues
traditional mining programmes		<ul style="list-style-type: none"> ▪ high mining specific profile 	<ul style="list-style-type: none"> ▪ national governments commitment often limited
donating partner driven CL in mining programme	USDOL, bilateral donor aid	<ul style="list-style-type: none"> ▪ concentration of human and financial resources on mining related CL actions 	<ul style="list-style-type: none"> ▪ difficult in terms of limited flexibility (project strategy is developed long before implementation)
contributing with CL components to joint donor initiatives	WB, bilateral donor aid	<ul style="list-style-type: none"> ▪ broader programs with integrated approach, including income generation etc. possible 	<ul style="list-style-type: none"> ▪ limited role and mandate in project planning ▪ difficult donor coordination ▪ administrative hurdles to start project
contributing with CL know-how to other donors programmes	WB, bilateral donor aid	<ul style="list-style-type: none"> ▪ existing operational framework and project partnerships 	<ul style="list-style-type: none"> ▪ IPEC has only limited means to influence overall intervention strategy
global programme to eliminate child labour in mining		<ul style="list-style-type: none"> ▪ institutionalised inter-project coordination and transfer of know-how ▪ realistic possibility to achieve the goal 	<ul style="list-style-type: none"> ▪

Recommendation: *ILO should consider a global programme to eliminate child labour in mining, cooperating, where possible, with other donor agencies actively involved in ASM, rural development and educational projects.*

Further recommendations relate to communication of child labour-related issues and experiences and networking:

- Promote advocacy for children by **creating awareness of the cost-benefit ratio (1:7) of child labour elimination**. A recently- released study has specified the costs and benefits of actions against child labour. For the complete elimination of child labour worldwide the costs have been estimated at around 700 billion US\$. The benefits of these children being educated and, upon reaching legal age, working in formal employment amounts to around 5000 billion US\$. This study and its results should be widely disseminated and made available for political lobbying and backing of project activities.
- The different projects have developed an impressive amount of experience and products leading to a better understanding of **best practice for the elimination of child labour**. At the moment the projects seem to operate in a quite isolated fashion, thus making it imperative to disseminate these experiences. Even taking into account the language barriers, e.g. between Latin America and Asia, regional networks could be highly beneficial and optimise performance of the projects. ILO should take the lead in promoting **inter-project and inter-stakeholder networking**.
- **Case studies** on successful ILO/IPEC projects in mining **should be communicated publicly** in order to demonstrate the opportunities for successful elimination of children from this sector.
- ILO should take the lead in implementing long term pilot projects with an integrated approach in order to:
 - build social processes and networks
 - share experience
 - create critical masses for change
 - create local momentum
 - create national momentum
- ILO should ensure that mining, especially ASM, is placed by countries on their list of hazardous activities (WFCL). Of those approximately 150 countries which have ratified ILO Convention No. 182, it is not known which States have already prepared such a list, nor how many of the countries has designated mining as WFCL; nor is it known which of the most critical ASM countries have prepared this list. In any case, the Convention requires that ratifying States periodically revisit and revise the lists.
- A network of key experts in action against child labour in mining should be established, based upon the participants at the CASM meeting in Washington D.C. in April 2004.

5.2 For donor agencies, CASM and intergovernmental organisations

Donor agencies, CASM and intergovernmental organisations should:

- formalise commitment to child labour issues and integrate child labour as a cross-sectoral issue in the agencies' cooperation policies
- coordinate interventions related to child labour in close coordination with and making use of the specific know-how of ILO in the sector
- recognise ASM as an important motor for rural development and promote the sector in an integrated manner
- recognise child labour as a key issue in ASM projects
- CASM should take a leading role in coordinating ASM-targeted assistance projects and keep watch over the integration of child labour issues into the approaches

- Collate and make available existing information on ASM and child labour in mining as well as on relevant projects
- Liaise with ILO/IPEC for coordination of strategies and actions against child labour in mining

5.3 For the implementing partners

For direct action against child labour, the implementing partners should open up their view on ASM and focus more on the means for **integration of ASM into rural development**. The main question here is: In what ways can a project strengthen the ASM acting as a motor for regional development? The results of a number of ongoing and recently finalised ASM projects at the grassroots level (EU-funded APEMIN in Bolivia as well as the World Bank-funded ATPEM in Madagascar for instance) show the route to be taken. In addition to providing technical, organisational, and managerial assistance, the integration of ASM into the rural context can be facilitated in the following ways:

- mediating in conflicts arising between the ASM and other groups (e.g. farmers, the local population, medium- and large-sized mining companies, the government)
- networking and establishing practical links between the various groups of the rural population, such as miners and farmers to promote the exchange of local goods and services. This could include food provision, transport, skilled local tradesmen to perform the maintenance, repair and manufacture of simple mining and processing equipment; savings banks, credit banks, etc.
- qualifying and providing training for the mining community in technical, administrative, legal, organizational, environmental, work-safety and social welfare matters.
- reinforcing local industry through expansion of the range of production and creating added-value (diversifying mineral production and processing e.g. smelting and refining; gold and silver smitheries, gem cutting and crafting ornaments; production of mineral fertilizers; manufacture of simple agro-chemicals, pigments or products of the local ceramics industry; coal coking)
- preparing the way for the use of appropriate technologies, by also giving attention to technical and economic factors and the most appropriate degree of mechanization needed in accordance with wage levels and the local job market situation.
- diversifying mining production to include subsoil materials, non-metal raw materials etc.
- professionalizing small-scale mining and small-scale industrial enterprises with the help of marketing processes, the introduction of quality management, establishment of umbrella organizations etc.
- organizing and executing “food for work” programmes in preparation for, or to improve, the social infrastructure (roads, buildings, medical centres, electrification, drinking water supply, waste-water disposal etc.)
- advising the local government to include small-scale mining in its regional planning and to give attention to the welfare of the people in the mining communities
- creating an “enabling environment” for the ASM and associated small-scale industries through investment safeguards, access to legalization, etc.
- strengthening democratic structures and awareness of democratic processes among all levels of the community
- assisting and supporting the establishment of lobby organisations for the ASM sector
- De-politicizing the discussion on, and the promotion of, mining, industrial and rural development, instead accenting the economic good, self-responsibility, sustainability etc.)
- advising decision makers at national level on the structuring of a strategic-political basis and strengthening of the relevant institutions.

From the evaluator’s point of view, this local economic development approach not only decentralises the responsibilities for ASM management but creates new and important alliances for its smooth implementation by the local administration, enabling to have a more balanced perspective on the costs and benefits of ASM activities in the rural community. In addition, this new partnership takes into

account the insight that mining authorities in developing countries -- even those having the political will and after having received external institutional strengthening and support -- are mostly unable to effectively control the multitude of dispersed and isolated mines by themselves. Child labour programs will benefit from including such new elements in their direct actions by the generation of new income opportunities.

Another key issue is the **development of new tools for the preparation, planning, implementation and follow-up of child labour programs**. The most needed tools are:

- Child labour-focussed assessment tool (which could make use of the recently developed material from the “Improvements to the Profiling of Artisanal and Small-Scale Mining Activities in Africa and the Implementation of Baseline Surveys”). Such a tool could include indicators on different types of capital—natural, human, financial, social, and physical—both in general and ASM-specific, and could give benchmarks and advice on methodologies to be applied. Although child labour is already sometimes included, it would require further refinement and focussing to meet the needs of child labour projects. This is important, as many of the studies included in this evaluation mention that the reliable descriptive information and baseline data needed for the design and implementation of projects is lacking.
- Methodology on how to really and effectively involve children and families (in a gender-balanced fashion) in project identification and appraisal, as well as in the implementation and follow up of projects. The children and families should be the object and not only the subject of such actions.
- Monitoring and evaluation tool (see above)
- Teaching module on child labour in mining
- Guidance on direct actions (good practice and lessons learned from ASM projects)
- promotional materials

The relevant results should be fed back to ILO for further dissemination and to enhance the design and coordination with other projects.

5.4 For the partner governments

Partner governments committed to the elimination of child labour in mining should:

- recognise the relation between child labour, ASM and poverty
- recognise costs and benefits of the ASM including those of the informal activities
- give ASM a high profile in national policy as a poverty reduction strategy
- manage the ASM sector, including the informal sector, through control and assistance
- take the leadership in combating child labour in mining
- allocate human, material and financial resources for a long term commitment to Sustainable Livelihood and elimination of child labour in the rural areas
- document ASM and exchange information on ASM, sustainable livelihoods and child labour in mining areas with local administration and civil society
- facilitate access to legal status for informal ASM operations; remove barriers for informal ASM; harmonise legal framework concerning the sector
- include ASM in rural development planning
- provide platforms for community participation in rural development issues
- in countries with a strong ASM on gold and gemstones, provide contingency plans for gold and gemstones “rushes”
- promote the organisation of the ASM sector (in chambers of commerce, associations etc.)
- optimise provision of high quality social services in rural areas (health, schooling, water, electricity)

- cooperate with local administration, NGO, traditional leaders and other stakeholders to combat child labour in mining
- coordinate programs for rural development

5.5 For the large scale mining sector

The large scale mining sector does not generally employ children in its operations. Nevertheless the large scale mining sector has a number of reasons to contribute to the elimination of child labour in ASM:

- In traditional mining countries, ASM is flourishing as a heritage of large-scale operations and the social and environmental legacies they have left behind. In Bolivia, for instance, the ASM sector absorbed the mine workers re-trenched from the closure and privatisation of large scale mines; the related environmental legacies and livelihood problems are well known.
- The mining boom in the 90's focused government attention on large-scale mining, leading to limitations in the access to mining titles and legal status for artisanal and small operators, driving out traditional ASM operators from deposits they prospected, and rendering ASM even more invisible than previously. (For example, the "reform" of the mining sector in Peru eliminated ASM from the legal code.)
- The reputation of mining in general is at stake, as the public does not distinguish between large scale and ASM

The large scale mining sector should consider its role in local sustainable development. The move toward greater corporate social responsibility can encourage increased formal mining employment for local miners with a commensurate improvement in family livelihood, the local purchase of goods and services, education and training for local miners with a special focus on youth, adherence to recognized international labour standards, and promotion of an enabling environment for withdrawal of child labour from ASM (positive examples are Mina Las Cristinas/Venezuela, Mina Inti Raymi in Bolivia and Mina Yanacocha in Peru).

5.6 For trade unions

Even though trade unions normally do not include ASM sector work force they should:

- assist ASM operators in organising and unionising, even if the workers are partly self-employed and belong to the informal sector
- provide a platform for sector organisation
- provide ASM operators with a code of practise regarding employment (including health and safety provisions and minimum ages consistent with the established legal framework and international conventions)

Annex 1

Documents consulted

ILO-papers

EVALUATIONS and PROJECT DOCUMENTS:

Philippines:

- Mid-term Review (2002): Mining in Camarines Norte, Philippines
- Final Evaluation (2004): Mining in Camarines Norte, Philippines (DRAFT)

Colombia:

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- Final Evaluation (2003): Mining in South America
- South America Mining project document

Guatemala:

- AP Evaluation (2000): Stone Quarries Retalhuleu, Guatemala
- Mid-term Evaluation (2003): Stone Quarries Retalhuleu, Guatemala (DRAFT)
- Guatemala Stone Quarries project document

Zambia:

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- Presentations of projects during the workshop in Washington:
 - Nepal
 - Mongolia
 - South America
 - Tansania
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Annex 2

Non-ILO Projects Reviewed

Madagascar: Assistance Technique aux Petites Exploitations Minières (ATPEM), ASM sub-component of a mining sector reform project co-financed by Worldbank (key issues: policy advice, training, pilot measures); targeting ASM operations on gemstones, precious stones and gold

Zambia: Mining Sector Diversification Project (MSDP), EU-funded assistance project to the small and medium-scale mining sector (key issues: income generation in mining, finance, training); targeting on stone, gold, gemstones and non-metallic minerals

Bolivia: Apoyo a la Pequeña Explotación Minera (APEMIN), EU-funded assistance Project to the traditional mining centres of the Bolivian highland (key issues: income generation in mining and non-mining sector, social support, training, financing, marketing); key commodities of target group: tin, tungsten, antimony, stone, gold and silver

Bolivia: Fundación Medmin: Swiss funded (DEZA/SDC) assistance project to a foundation with key action lines related to social and environmental issues of ASM on gold and tin

Peru: Proyecto Gestion Ambiental en la Minería Artesanal (GAMA), Swiss funded (DEZA/SDC) assistance Project supporting the decentralisation of ASM related management issues to the provincial governments, environmental and social support of ASM community in Southern Peru; gold mining

Ecuador: Proyecto Minería sin Contaminación (PMSC), Swiss funded assistance Project on environmental protection, mines safety and social affairs in the minino centre of Portovelo-Zaruma; targeting on gold mining

Ghana: Small-Scale Mining Project (SSMP), Germany co-funded (BGR) assistance project to the Minerals Commission related to marketing, sector assistance and health and safety in the exploitation of gold and diamonds

Annex 3

Selective Summary on ASM specific legislation

from

A PRELIMINARY ASSESSMENT OF SMALL-SCALE MINING LEGISLATIONS AND REGULATORY FRAMEWORKS

E. Bugnosen

Available information shows that small-scale mining legislations are usually part of the general mining legislations of a given country. There are also countries, such as Zimbabwe, Brazil, the Philippines and Ghana that have also enacted additional and separate legislations, solely for small-scale mining. Separate or not, these legislations generally have national applications, except in the case of Brazil, where the separate small-scale mining regulations are enacted by some of the States and are, therefore, applicable only in the particular State.

The rational or justifications behind the enactment of small-scale mining legislations maybe best discerned from the provisions of the specific legislations, which were solely meant for small-scale mining. The justifications which are indicated below provide specific and general concerns:

- a) to curb illegal mining and illegal trading or smuggling of metals and mineral products; to stop supply of gold to the black market
- b) to generally address environmental destruction, or specific environmental concerns such as erosion and siltation of water courses, as in the particular case of the Zimbabwe Mining (Alluvial Gold) (Public Streams) Regulations.
- c) to develop and exploit existing small mineral deposits
- d) to generate more employment opportunities, thereby alleviating living conditions in the rural areas
- e) to contribute additional foreign exchange earnings
- f) to protect and rationalize viable small-scale mining activities
- g) to provide mechanisms of collecting government revenues from the operations
- h) to address mining rights of cultural minorities within their ancestral lands, as in the case of the Peoples Mining Act of the Philippines
- g) to provide equitable sharing of nation's wealth and natural resources
- h) to address the exploitation - by the small-scale mining sector - of a specific mineral product; in the case of Ghana, the it is gold

Safety provisions in small-scale mining are noted to be normally covered by the general mining legislations. Therefore, it normally has the same applications as in large mining operations. There are, however, cases like India, where small-scale mines are exempt from the application of certain safety provisions. The Philippines has come up with a separate safety regulation for small-scale mining; and appears to be the only country to do so.

Licensing of Small-scale Mining

The concept of licensing small-scale mining operations maybe viewed in various ways. Findings show that there are several types or procedures, which were adopted. These are described below:

- a) Informal or undocumented license

This kind of small-scale mining "license" does not provide a written document as such, nor does it involve any formal procedures of application and processing. It is generally in the form of pronouncements or specific provisions in the relevant mining legislations. Apparently, these are provided to accommodate specific groups,

particularly indigenous members of the community and land owners. The principle of informal licensing - as described above - is also generally embraced by many countries (Zambia, Philippines) to legalised extraction of mineral products by landowners, for their own use.

b) Strata licensing

This system provides mining rights only over a certain vertical depth of a mineral deposit or a given area. Countries who embrace this mechanism include Ethiopia, Papua New Guinea, and to some extent, the Philippines. The depth set by Ethiopia is fifteen meters. In the Philippines it is 50 meters, but in case of Papua New Guinea the depth is determined on case to case basis.

c) Group permitting

This system which is actually applied under the Zimbabwe Alluvial Gold Mining Act and the Philippine People's Small-scale mining law provides a permit over a specified area for a group of people. It simplifies the procedures, makes monitoring much easier and at the same time encourages the grouping of small-scale miners into cooperatives or other forms.

d) Licensing by type or name of minerals

This appears to be the most commonly applied system. Apart from separate licences for Quarry minerals, industrial minerals and building materials, specific minerals such as gold, diamond, and precious stones are also licensed separately.

e) Staggered and Exclusive licence

Exclusive licences refers to those which provide an overall right to explore, develop, mine, process and market mineral products. It is believed to be an appropriate licensing method for small-scale mining operations, and is practised in some countries.

A Staggered licence on the other hand provides separate licence for each stage of the mining operations. This is the common system used in licensing large-scale mining operations. It is also adopted, with some variations, by some countries (Zambia, Philippines) in licensing small-scale mining.

One of the major problems in licensing small-scale mining operations is in cases where the mining areas are already covered by other mining rights, usually in relation to large mining projects. These are source of conflicts, and some remain unresolved (Philippines). However, there are also existing and working mechanisms such as tributing arrangements, operating agreements and contract mining which are initiated by the parties themselves, or are done with government assistance, as in the case of Papua New Guinea, wherein the government through the Department of Mines have actually drawn out standard tributing contracts.

Annex 4

Conclusions and Recommendations from the meeting on the Thematic Evaluation of Action on Child Labour in Small-scale mining

held in Washington, DC on 28-30 April 2004 between the International Labour Organization (ILO) and Communities and Small-Scale Mining (CASM)

Conclusions and Recommendations

ILO-IPEC, CASM, the World Bank and other relevant organizations, such as ICEM and IDRC, should build on the meeting in order to forge a lasting working relationship to combat child labour in ASM. Specifically:

1. ILO, CASM, the World Bank and other relevant organizations should together work to ensure that child labour in ASM is addressed in an integrated way within a sustainable development framework.
2. ILO and the World Bank should consult on how best to use the comparative advantage of each organization in ASM, including seeking to engage in joint programmes to eliminate hazardous child labour from all ASM, starting with a follow-up meeting in June 2004 in Geneva.
3. CASM should include child labour issues in its work programmes and integrate them into analytical tools that it may develop, starting at the next AGM in October 2004.
4. CASM should, as soon as possible, post on its web site the outcomes of the Meeting as a start to publicizing the need to address more coherently the elimination of hazardous child labour in ASM.
5. ILO-IPEC, CASM, the World Bank and other relevant organizations should collaborate to develop global and regional research and training programmes on ASM and on child labour to increase the skills and awareness about ASM issues when developing and implementing programmes for the elimination of child labour.
6. ILO-IPEC should publicize widely the benefits of addressing child labour in ASM and provide child labour-related input to ASM methodologies and data gathering.

Washington, DC, 30 April 2004

APPROACHES TO ADDRESSING THE PROBLEM OF CHILD LABOUR

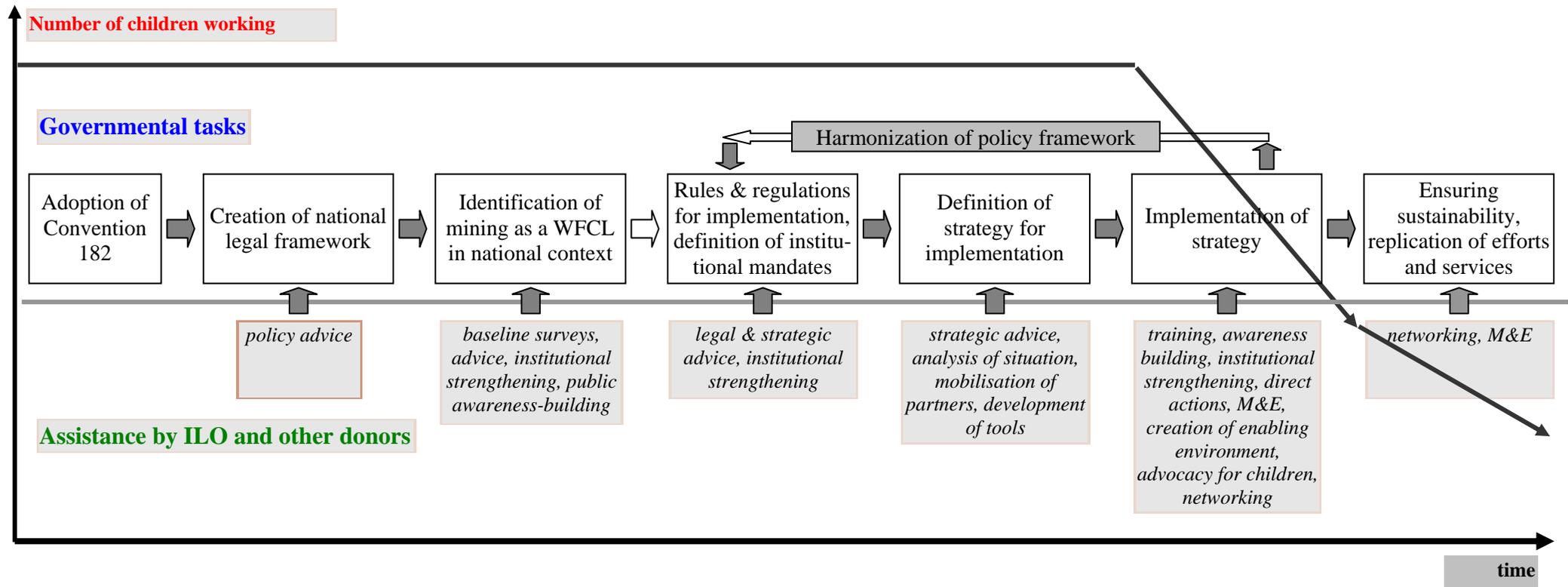
Most child labour projects include: knowledge-building, advocacy and social mobilisation, and services . Interventions can be divided into three main categories:

- Necessary Conditions (“**Necessary conditions**” are measures that create the readiness and a framework for child labour action. These include the laws and policies that give child labour action its authority at the “top”... and the public awareness-raising that gives legitimacy from the “bottom”),
- Building Capacity (“**Building capacity**” is not only for government, employers, unions, and NGOs—those we usually see as key actors on child labour. It is also the children, their parents, and their communities)

- Direct Action (“**Direct action**” involves releasing children from work and reintegrating them into school and family; protecting and educating those who continue to work legitimately; and preventing child labour at its source. Most of this work is directly with children, so its success must be measured directly.)

An analysis of the child labour mining projects yields the following logical framework of an “ideal” approach to child labour in mining within a national context.

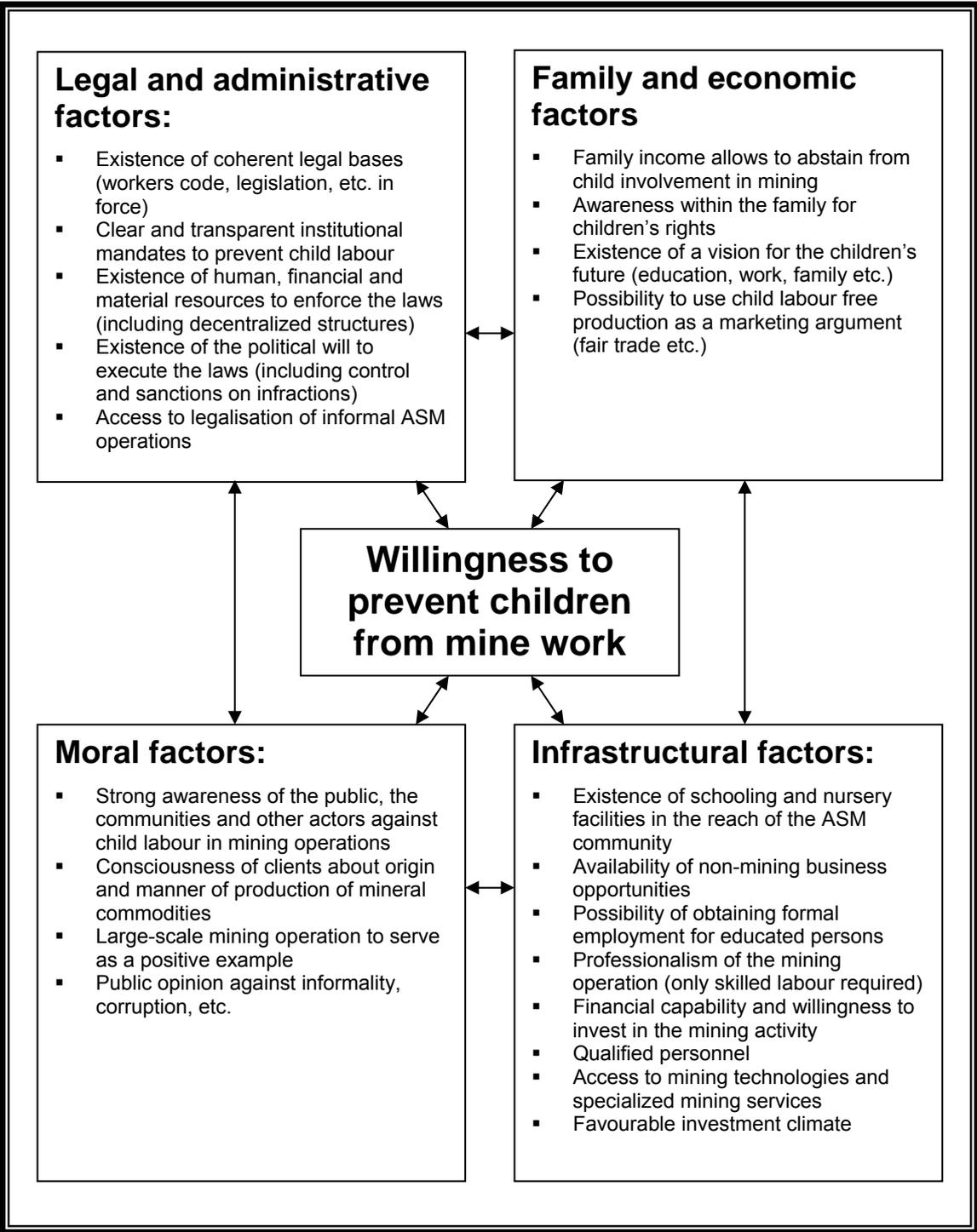
“Chrono-Logic” of a child labour program in mining



Key parameters for the eradication of CL in mining

In the light of the documents provided and the experience of the author, the following illustration summarizes the conditions for the successful elimination of child labour in mining.

The different factors which influence the capacity to prevent child labour in mining



International Programme on the Elimination of Child Labour (IPEC)

IPEC's aim is the progressive elimination of child labour worldwide, emphasizing the eradication of its worst forms as rapidly as possible. It works to achieve this in several ways: through country-based programmes which promote policy reform and put in place concrete measures to eradicate child labour; and through international and national campaigns intended to change social attitudes and promote the ratification and effective implementation of ILO Conventions on child labour. Complementing these efforts are in-depth research, legal expertise, policy analysis and programme evaluation carried out in the field and at the regional and international levels.

Evaluation in IPEC

Evaluation in IPEC is seen as contributing to building the knowledge base through identifying good practices to be used in action against child labour. It demonstrates accountability through showing how IPEC and its partners constantly learn more about the most effective and relevant action. Evaluations in IPEC are done as evaluations of global programmes, including IPEC as a whole; as thematic evaluations for interventions across IPEC within a specific theme; as country programme evaluations for all interventions in a given country; and as project specific evaluations, including the components of a project implemented by an individual implementing partner through an action programme. Ex-post evaluations of specific projects and broader impact assessments provide further knowledge on sustainability and fundamental changes. A combination of evaluations by independent experts and IPEC staff members and partners are used to balance the need to provide external verification of achievement and lessons learned with the need to ensure that lessons from evaluations can be used immediately by other parts of IPEC and its partners.

Further information on IPEC evaluation can be found at <http://www.ilo.org/childlabour>

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