



**Organisation
internationale
du Travail**

**COMBATTING CHILD LABOR IN THE COBALT SUPPLY CHAINS
IN THE DEMOCRATIC REPUBLIC OF CONGO (COTECCO)**

**GUIDE ON CISTEMA COORDINATION
MECHANISMS**

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INTRODUCTION

To deal with the prevalence of Child Labor, the Government of the Democratic Republic of Congo (GoDRC) is providing considerable efforts to keep under control this scourge, with the support of his partners (civil society and private sector). It is within this framework that he set up the national committee to fight against the worst forms of child labor (NC-WFCL) in 2011. This committee produced the National Action Plan (NAP) to fight against the worst forms of child labor (WFCL) for the 2012-2020 period. This plan serves as a basis for the development of sectoral frameworks to combat Child Labor (CCL) in the various sectors of the economy.

The persistence of Child Labor (CL) in artisanal mines constitutes an opportunity for the establishment of this sectoral framework in the mining sector. To this end, the National Ministry of Mines set up, in 2016, the Inter-Ministerial Commission in charge of monitoring of the Child Labor issue in Artisanal Mines (CISTEMA). In 2017, this commission drew up the national sectorial strategy to combat child labor in artisanal mines for the period (2017-2025) to which is attached the operational plan in November 2019, funded by the International Labor Office (ILO) through the project “Combating Child Labor in the Cobalt Supply Chains”, ” COTECCO”. To consolidate this work, the Ministry of Mines signed Ministerial Decree No. 00122 of March 6, 2020 establishing, organizing and functioning CISTEMA as a legal framework for coordination.

CISTEMA aims to be a coordination framework at all territory levels (national, provincial and local), for monitoring and facilitating the efforts of both the State and private actors involved in the fight against Child Labor in artisanal mines (FCLAM). These efforts are envisaged as a set of complementary and interdependent elements to eradicate CL in artisanal mines by 2025, taking into account the factors which are at the basis of the persistence of this phenomenon, in particular socioeconomic.

To support the Ministry of Mines in the implementation of CISTEMA, the COTECCO project, funded by the United States Department of Labor (USDOL), initiated the drafting of this coordination mechanism guide, among all stakeholders impacted by mining activities, in order to support and develop a common understanding of activities that protect children.

This CISTEMA coordination mechanisms guide is a document of orientation and integration of all programs and institutions. It aims at creating synergies between actors and improving the results of actions carried out in the copper and cobalt supply chain in the protection of children impacted by mining activities.

A. PURPOSE OF THE GUIDE

The overall objective of the "CISTEMA Multi Actor Coordination Mechanisms Guide" is to improve the interaction between the actors of the Government (at national and provincial levels), civil society, government's partners, the private sector involved in the FCLAM.

The specific objectives to it are the following:

- Define the fundamental principles of coordination;
- Determine the fundamental coordination actions;
- Define and categorize FCLAM activities;
- Establish stakeholders' role and responsibilities;
- Determine the process for monitoring activities.

B. WHO IS CONCERNED?

This Guide concerns all stakeholders involved directly or indirectly in the FCLAM activities at all levels: international, national, provincial and community.

C. THE COORDINATION MODALITIES OF FCLAM:

Real coordination and articulation between actors requires much more than agreeing on the principles of common action. Each of the institutions and each of the professional actors involved must agree to modify their own mode of operation, to create the framework of a transversal logic of actions and put in place common modalities of action between institutions and specialized professional actors.

Depending on the environment, several actors bear the responsibility of taking care of children, guaranteeing their well-being and protecting their rights, in particular:

- Their parents and members of their families (nuclear, extended, etc.);
- Individuals and groups belonging to various “communities” (more broadly, any adult or formal or informal entity that may come into contact with a child in a given environment);
- A plurality of institutions (governmental and non-governmental, public and private) and their staff, covering specialized sectors of protection (social welfare, health, education, security, justice, etc.) and constituting spaces frequented by children (schools; hospitals; cultural, sports and recreational centers; social protection centers; police station; prison, etc.).

CISTEMA is developing a broad concept of child protection in mining through a holistic, integrated and intersectoral approach. It sets up coordination mechanisms between:

- The formal dimension of FCLAM which organizes roles, relationships, resources and activities that are essential for the protection of the rights of the child;
- The non-formal dimension, i.e. any entity that can come into contact with the child in the mining environment, including children themselves, families, communities and social actors;
- The national and provincial levels, including the territorial through an inclusive mechanism inducing synergies of actions in its various levels and sectors.

Within the framework of this guide, we focus our analysis on the arrangements between the actors which allow new forms of coordinated collective actions, in particular collective actions of FCLAM that CISTEMA will promote.

D. WHAT DOES FCLAM COORDINATION MECHANISM MEAN?

A FCLAM coordination mechanism (FCLAM-CM) is considered as a set of integrated and interdependent elements of actors, services, capacities, policies and laws, under the responsibility of the Ministry of Mines, that aimed at the protection of the child impacted by the mining activities. It promotes the construction of synergies of actions for an environment that protects the rights and well-being of children in mining operations. Its purpose is to ensure that all children, in all circumstances and in all places, have fundamental protection of their rights and well-being.

E. LEGAL FRAMEWORK

The existence of legal and regulatory provisions on child protection (Constitution, Mining Code, Labor Code, Family Code, Child Protection Law, ILO Convention 182) and the stakeholders' participation approach, in the development of the NSS-FCLAM (2017-2025) as well as its operational plan, constitute the legitimate and legal basis which motivated the National Ministry of Mines to promulgate, on March 6, 2020, a Ministerial Decree N° 0012/ CAB.MIN/ MINES/ 01/2020 legalizing CISTEMA as a legal framework for coordinating FCLAM activities and projects in the DRC.

This coordination framework should generate a multi-sectorial synergy for the implementation of the NSS-FCLAM as operationalized in November 2019.

1. THE FUNDAMENTAL COORDINATION PRINCIPLES:

FCLAM-CMs are complex and dynamic sociological systems impacted by mining, of which states bodies are not the only key players. Therefore, it is necessary to understand the fundamental principles and the synergies that drive them.

Regarding the functioning of a FCLAM-CM, we identify four fundamental principles in which all actors, formal and non-formal, are called to play a role. These principles can be summed up as follows:

- 1) **Knowledge management relating to children's needs and problems:** the situation of their rights and their protection (concepts, methods, mechanisms, etc.);
- 2) **The production and monitoring of policies, laws and standards** serving as frameworks and reference instruments for child protection actions;
- 3) **The development of the FCLAM offer**, namely the implementation of policies / laws and the development of services and practices (social and professional) which concretely ensure the protection of the child;
- 4) **Social participation**, including the participation of children, families, communities and civil society actors.

These principles distinguish one selves by the operations that drive them and the effects they produce. Nevertheless, they are largely interdependent in the actors' facts and practices. Thus, knowledge management reinforces the 3 other principles. The protection offer development is based on the production of reference instruments (legislation, policies, and standards) and their application. In return, it stimulates the monitoring and readjustment of this framework. As for social participation, its purpose is to interfere with other processes in order to allow non-formal actors to value their contribution and influence the strategic orientations, decision-making and implementation of FCLAM actions.

SYNERGIES OF ACTIONS

The dynamics of these principles are based on numerous synergies. These can be classified into three categories:

- Synergies between levels of intervention: international, national, regional, local, community, family, individual;
- Synergies between the sectors of activities included in the FCLAM or associated with its operation: health, education, social assistance, security, justice, work, culture, leisure;
- Synergies between actors: State institutions and Civil Society Organizations (CSOs), international agencies and organizations, communities, families, children.

2. IMPROVING FCLAM PRACTICES

The FCLAM coordination will consist in ensuring stakeholders' and activities' alignment with the NSS-FCLAM by a joint effort in order to achieve a common goal. The dedicated coordinator is the ministry of mines at the national level and provincial governors at the provincial level.

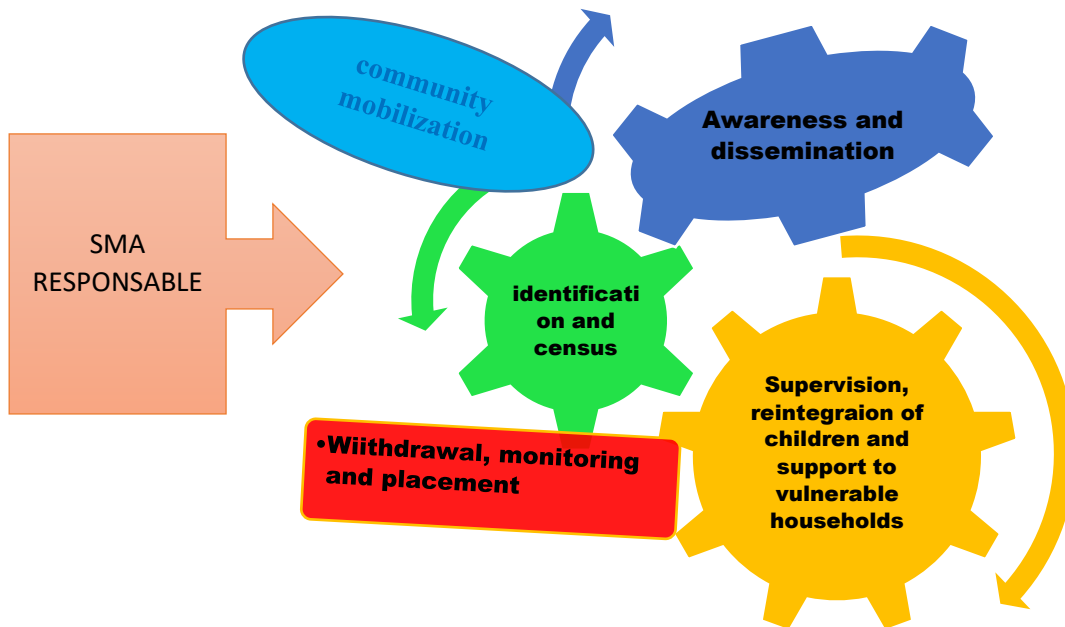
This coordination aims at modifying the environment so that it promotes interactions, as much as possible, between the stakeholders in the FCLAM activities and by harmonizing the different categories of intervention across the board.

This search for coherence and / or convergence is more desirable than involved stakeholders, because these stakeholders can be affected by centrifugal factors resulting from specialization, differentiation and non-integration.

FCLAM's activities are diverse and can be categorized as follows:

- 1) Community sensitization, an activity most often carried out by CSOs and the media;
- 2) The dissemination of laws and measures taken in favor of children protection, an activity carried out by human rights CSOs;
- 3) Social mobilization on the FCLAM activities carried out most often by CSOs, lacking public social services;
- 4) Identification and census of children and vulnerable households impacted by mining activities and victims of CL, activities carried out by NGOs due to lack of effective involvement of the institutions and public authorities concerned;
- 5) The removal, monitoring and placement of children in supervision or social reintegration units, activities devolved to public institutions and by default NGOs;
- 6) Social supervision of listed children and vulnerable households, activities devoted to public institutions such as social centers, social works of religious communities, orphanages, etc. ;
- 7) The social reintegration of children and support for vulnerable households, activities undertaken by international or local NGOs in the absence of dedicated public institutions.

THE OVERALL DIAGRAM LOOKS LIKE THIS:



The envisaged coordination mechanism must integrate these activities into a coherent chain of activities for a social fight against CL in mines.

3. MULTI-ACTOR COORDINATION MODES:

Coordination is one of the key functions of management within an organization. It consists in ensuring a conjunction of efforts towards a common objective for a set of people and tasks. This coordination may require a dedicated coordinator whose goal is to modify the environment so that it promotes as much as possible the interactions between the members of a group, or fall under the current responsibilities of the management. This search for coherence and / or convergence may be desirable as the involved groups or organizations may be affected by centrifugal factors resulting from specialization, differentiation and lack of -integration which lead to duty:

- Combat the undesirable effects of specialization;
- Control or regulate the consequences of differentiation;
- Set up integration processes or factors;

To this end, it is less a question of removing or reducing the tensions arising from differentiation, than managing them through arbitration procedures and conflict resolution in order to achieve integration.

The possible ways to do so:

- ✚ **Mutual adjustment** involves coordinating tasks through simple informal discussions based on negotiation and agreement. Everyone in the discussion is on the same level. There is no hierarchical relationship in this mode of coordination.

- ✚ **Direct supervision** consists of coordinating tasks through orders given by a superior to subordinates. This mode of coordination is suitable for simple tasks. The hierarchical top is the basis of this mode of coordination.
- ✚ **The standardization of work processes** consists of specifying the content in the standard operational procedures. Chain work is an example of standardization of work processes. CISTEMA experts can define the tasks that the stakeholders must perform in the FCLAM chain of activities. Stakeholders must follow the instructions.
- ✚ **The standardization of results** is based on the results to be obtained and not on the way of working. Here the ultimate goal is to reach zero children in mines by 2025.

From CISTEMA's point of view, the dedicated coordinator is the Secretary General for Mines who is a political body of FCLAM. We suggest that he delegate all day-to-day technical and management aspects to a technical secretariat which will be a permanent service for CISTEMA at both national and provincial levels. This technical secretariat will be run by additional staff recruited for this purpose.

4. STAKEHOLDERS' RESPONSABILITIES IN FCLAM:

ON A NATIONAL LEVEL		
STAKEHOLDERS	RESPONSIBILITIES	ROLES
MINISTRY OF MINES / President CISTEMA	<ul style="list-style-type: none"> • Ensure compliance with the laws of the MINING CODE AND ITS REGULATIONS on issues of child protection rights in mines • Coordinate FCLAM initiatives; • Implement the national sector strategy of FCLAM; • Advocate with third parties; • Manage a FCLAM database. 	<ul style="list-style-type: none"> <input type="checkbox"/> Consultation and planning of programs; <input type="checkbox"/> Alignment of projects with NSS-FCLAM; <input type="checkbox"/> Set the main guidelines for FCLAM; <input type="checkbox"/> Periodic monitoring and evaluation; <input type="checkbox"/> Map interventions and stakeholders; <input type="checkbox"/> Collect data and report to stakeholders.
MINISTRY OF LABOR	<ul style="list-style-type: none"> • Ensure compliance with the provisions of the labor Code; • Coordinate general initiatives against CLT; • Support the Ministry of Mines in the implementation of NSS FCLAM; • Inspect the work environment and particularly mining sites. 	<ul style="list-style-type: none"> <input type="checkbox"/> To be in touch with all the ministries and social partners involved; <input type="checkbox"/> Monitoring and evaluation (M&E) of programs in alignment with the national action plan (NAP) to combat the WFCL; <input type="checkbox"/> Collect data and make a general FCL database; <input type="checkbox"/> Report to stakeholders.
MINISTRY OF SOCIAL AFFAIRS	Ensure the care of child victims of mining activities.	<ul style="list-style-type: none"> <input type="checkbox"/> Organize child care services; <input type="checkbox"/> Monitoring of children's social reintegration plans; <input type="checkbox"/> Mobilize child protection mechanisms.

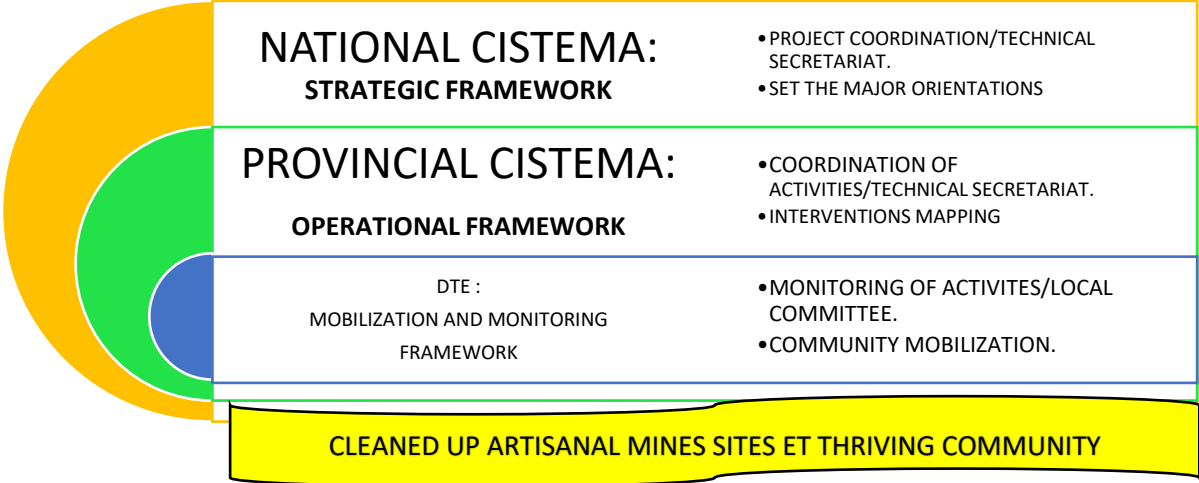
OTHER SECTOR DEPARTMENTS INVOLVED	Develop sectoral support programs for the implementation of NSS-FCLAM.	Ensure the deployment of socio-economic support initiatives for households impacted by mining activities.
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AT THE PROVINCIAL LEVEL		
STAKEHOLDER	RESPONSIBILITIES	ROLE
The Provincial Administration /Provincial Governor	<ul style="list-style-type: none"> • Set up a FCLAM coordination committee • Take measures and carry out actions to ensure that FCLAM is effective in its entity with the involvement of all stakeholders. 	<ul style="list-style-type: none"> <input type="checkbox"/> Consultation and planning at the provincial level; <input type="checkbox"/> Control and evaluation of FCLAM's activities.
PROVINCIAL DEPARTMENT OF MINES/ President CPISTEMA	<ul style="list-style-type: none"> •Coordinate the FCLAM activities ; • Clean up artisanal mining; • Manage a provincial FCLAM database. 	<ul style="list-style-type: none"> <input type="checkbox"/> To be in contact with the stakeholders; <input type="checkbox"/> Report to the provincial governor and to CISTEMA; <input type="checkbox"/> Facilitate the provincial coordination framework of FCLAM; <input type="checkbox"/> Make the mapping of interventions.
Other sectoral Provincial DEPARTMENTS	Develop initiatives supporting FCLAM	<input type="checkbox"/> Participate in FCLAM meetings and report specific actions taken.
The Social Affairs COMMISSIONER	<ul style="list-style-type: none"> •Mobilize resources, communicate and promote technical and financial partnerships in the care of child victims of mining. 	<input type="checkbox"/> Plan and coordinate activities for the social reintegration of children and economic support for households.
CIVIL SOCIETY	<ul style="list-style-type: none"> • Carry out advocacy with state and other institutions; • Promote peace, social justice and the viability of impacted communities in order to represent a counter-power 	<input type="checkbox"/> Disseminate, sensitize, and make pressure on stakeholders in FCLAM.
National NGOs	<ul style="list-style-type: none"> • Contribute to national and local development; • Explain local interests to development partners and the interests of partners in the community. 	<input type="checkbox"/> Play the role of intermediaries between communities and development partners; Use their field knowledge, experience and technical know-how to facilitate the implementation of local development initiatives.
International NGOs	<ul style="list-style-type: none"> • Promote sustainable Development Goals, education for all and the development of the least developed countries through 	<input type="checkbox"/> Awareness, technical know-how and financing of projects for the elimination of CL.

	different approaches (charitable, rights-based, etc.).	
DONORS	Ensure that their funds have a positive impact in line with defined objectives in the most effective and efficient manner possible.	• Ensure that their funds have a positive impact in line with defined objectives in the most effective and efficient manner possible.
Mining industries and artisanal mining sectors	Promote a Responsible Cobalt Supply Chain.	Fund and promote initiatives that aims at eliminating CL.
United Nations Agencies (ILO / ILO, UNICEF, etc.)	Monitor and facilitate the progress made towards decent working conditions for all, in particular in terms of labor law and the elimination of the WFCL	Help the social partners to develop national decent work programs and national action plans to eliminate CL.

In view of the diversity of stakeholders, it is therefore imperative to have a sufficiently skilled technical body to ensure technical coordination of all activities and especially the implementation of NSS FCLAM. Hence the need to provide CISTEMA with a dedicated technical secretariat.

5. GLOBAL INTERVENTION FRAMEWORK:



MONITORING AND EVALUATION OF COORDINATION MECHANISMS:

1. MONITORING:

It consists of systematically collecting and analyzing information to monitor progress against established plans, and verify their compliance with established standards.

It helps identify emerging trends and patterns, adapt decision-making, strategies and guide related to projects or programs management.

The monitoring of activities by CISTEMA is fundamental to ensure the sustainability of this participatory process. It also integrates the interactive communicative process between stakeholders at different levels, national, provincial and local as well as international. It must be done according to criteria previously defined by the actors.

It is therefore important to determine a logical framework defining:

- The expected results for the period;
 - The frequency of transmission of reports and its modalities;
 - The appropriate indicators to measure the FCLAM action carried out.
- Determine the monitoring indicators:

According to the ISO 8402 standard, an indicator is "selected information, associated with a phenomenon, intended to periodically observe its developments with regard to periodically defined objectives". Therefore, an indicator is a factor or variable that provides a simple and reliable means of quantitatively, and sometimes qualitatively measuring achievements and informing changes related to a given operation or activity by describing an element of the situation or a development. It is a decision support tool, the use of which is part of an approach that meets an objective and takes place in a given context. The indicator is only of interest through the choices it helps to make within this framework.

A good indicator should have the following "SMART" characteristics:

- Specific:** Measure only the specific design element (input, activity, direct effect, or impact) for which it is chosen.
- Measurable:** Define the measure so that two people can understand each term of the indicator and measure it the same way at all times.
- Achievable:** Provide reliable data that can be converted into usable information to help decision makers.
- Realistic:** Take into account the capacity of the organization to capture its values.
- Time:** Allow the measurement of a fact within the limits of the lifetime of an operation, taking into account the duration of the measurement (time required) and the timing of it (seasonal variations).
- Process for developing an indicator:**

To develop its indicators, the coordination will align with the national policy on LTEMA. This policy is materialized through SNS-LTEMA. This strategy defined the six axes of orientation for an effective LTEMA:

- Strategic axis 1:** strengthening of the legal and regulatory framework;
- Strategic axis 2:** control of data on child labor in artisanal mines and on artisanal mining sites;
- Strategic axis 3:** Social mobilization and promotion of a communication strategy;
- Strategic axis 4:** Promotion of responsible supply chains for minerals;
- Strategic axis 5:** Protection and care of children;
- Strategic axis 6:** Capacity building of the various Actors.

From these strategic axes, the coordination of the FCLAM will develop the appropriate indicators to measure its actions progress.

2. ASSESSMENT:

To assess means "a systematic and objective evaluation of a project, program or policy, underway or completed, of its design, implementation and results. The aim is to determine the relevance and achievement of objectives, development efficiency, effectiveness, impact and sustainability. An evaluation should provide credible and useful information to integrate the lessons of experience into the decision-making process of beneficiaries and donors".

It is preferable to involve as much as possible the main stakeholders in the evaluation process: the involved ministries, public services, private sector, NGOs and CSOs, community members, local authorities, partners, donors, etc. Participation allows taking into account different perspectives, and strengthens learning and ownership of the assessment results.

GLOBAL DIAGRAM FOR AN EVALUATION OF FCLAM'S ACTIVITIES:

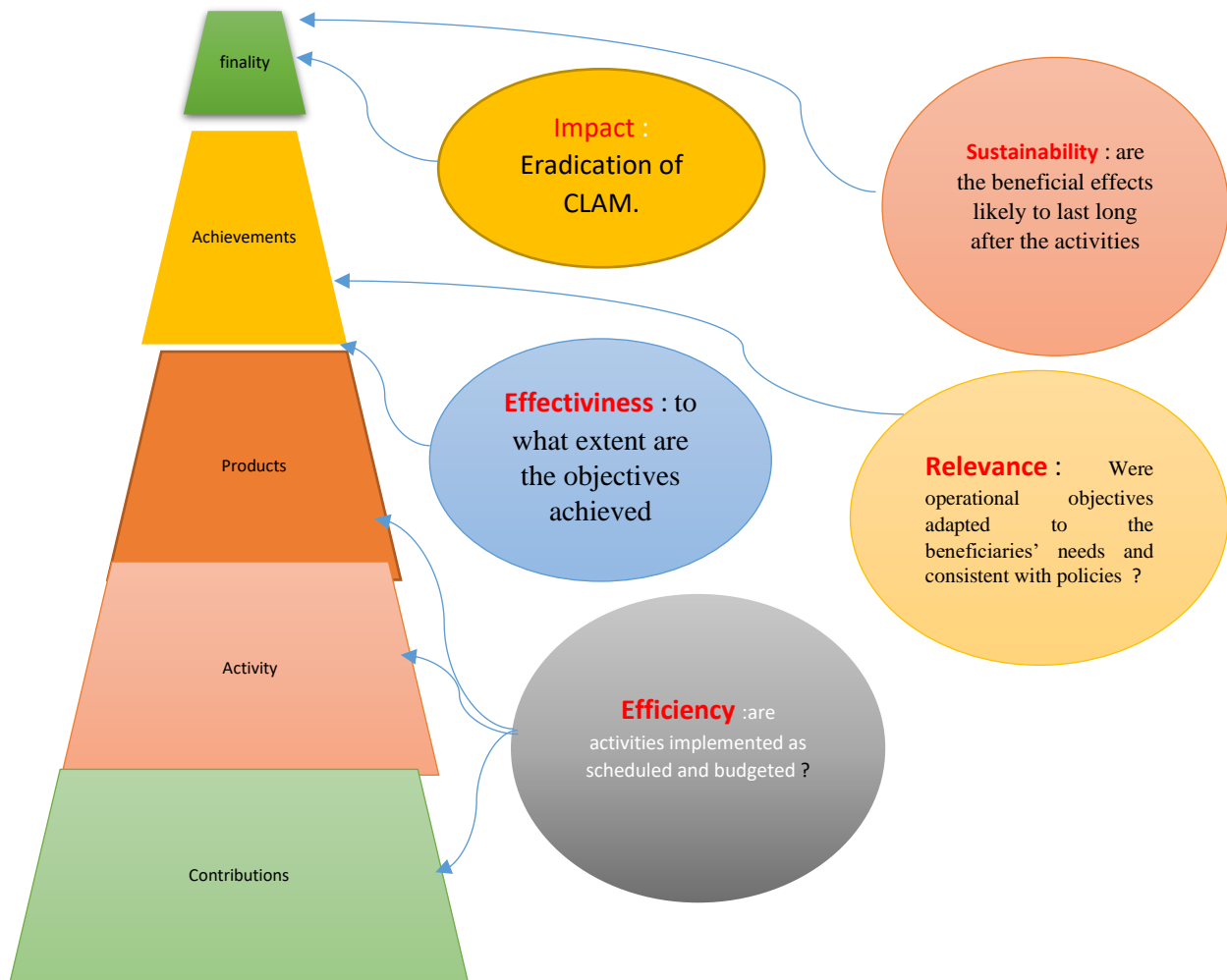


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