

**Submission to the Office of the United Nations High Commissioner for Human Rights**

**on the Rights of the Child and Social Protection**

***January 2023***

Human Rights Watch welcomes the opportunity to provide input regarding Human Rights Council Resolution 49/20 on the rights of the child and social protection. This submission reflects Human Rights Watch’s research on social protection and children in Ghana, Kazakhstan, Nepal, Uganda, and the United States.

The information presented on Ghana, Nepal, and Uganda is in the context of Human Rights Watch research, conducted in early 2021 with the Initiative for Social and Economic Rights (ISER) in Uganda and Friends of the Nation in Ghana, regarding the links between social protection, child labor, and the Covid-19 pandemic. We selected these three countries because each had made significant progress in reducing poverty and child labor in recent decades but lagged behind others in using cash allowances to address the Covid-19 crisis, spending less than their regional peers and covering a smaller proportion of households with children. In all three countries, we found that the unprecedented economic impact of the Covid-19 pandemic, together with school closures and inadequate government assistance, was pushing children into exploitative and dangerous child labor.

Our submission provides examples of gaps and challenges to children’s enjoyment of social protection and their right to social security and offers recommendations for the effective implementation of universal social protection for children.

**Ghana**

In 2008, Ghana initiated a cash transfer program called LEAP (Livelihood Empowerment Against Poverty), targeting very poor people, particularly in households with orphans or vulnerable children, the elderly and people with extreme disabilities. But by 2020, the program reached only 5 percent of the country’s population.[[1]](#footnote-1) A 2014 impact evaluation of LEAP found that it contributed to a range of positive impacts for beneficiaries, including a reduction in child labor, a 7 percent increase in school enrolment, a 10 percent decrease in school absenteeism, lower household debt, and a 34 percent increase in enrolment of children under 6 in the national health insurance system. It also stimulated local economies, with every *cedi* distributed through LEAP contributing to an estimated increase in local income of 2.50 *cedis*.[[2]](#footnote-2) In 2012, the government tripled the size of the payments, after an impact evaluation found that irregular and insufficient payments limited the program’s impact.[[3]](#footnote-3)

Despite Ghana’s efforts, it still lagged behind its peers. Before the pandemic, Ghana spent less than half of the regional average on social protection programs, including cash transfers.[[4]](#footnote-4) Its pandemic response also lagged behind. Globally, countries increased their cash transfer coverage on average by 240 percent during the pandemic, but Ghana’s Covid-19 relief fund expanded the number of individuals receiving cash transfers by only 5 percent.[[5]](#footnote-5)

A 2018 simulation by the United Nations University found that if Ghana adopted a universal child allowance program, it could make additional strides in reducing child poverty. A payment of just 6.3 *cedis* per month ($1.08) for every child, amounting to 1 percent of GDP, could lift 202,000 children out of poverty, resulting in a 6 percent child poverty reduction.[[6]](#footnote-6)

Our research in Ghana found that the lack of government assistance during the pandemic contributed to hazardous child labor. Our partner Friends of the Nation interviewed 24 children, ages 11 to 17, in early 2021 regarding the impacts of the Covid-19 pandemic. The children worked at gold mines, in carpentry, fishing, by transporting goods, and selling items on the street. Nearly all of the children interviewed said that the pandemic had negatively affected their family income. Many entered the workforce for the first time to support their families. Some said they decided to work because their families didn’t have enough food.  Many described long working hours, particularly during school closures and lockdowns. One-third of the children interviewed worked at least ten hours a day, some seven days a week.[[7]](#footnote-7)

When asked about assistance from the government, three of the children interviewed said that their family received free water. The remaining 21 children said that their families had not received any government assistance during the pandemic, although researchers were not able to confirm this with the children’s parents or guardians.[[8]](#footnote-8)

**Kazakhstan**

Almost a million people are receiving help from Kazakhstan’s main social assistance program, Targeted Social Assistance (TSA),[[9]](#footnote-9) designed for people with low income, along with benefits for specific groups including for childcare for children up to a year old, and additional benefits for families with four or more children, and for parents or guardians caring for children with disabilities. However, the program is failing to protect many people who need assistance.[[10]](#footnote-10)

Human Rights Watch found that many families in need of support are excluded due to the stringent eligibility criteria, including residence registration and employment requirements, and the low-income threshold. Human Rights Watch interviewed 17 women who had sought or receive help through the program and consulted with social workers and other professionals, activists, and nongovernmental groups that work with people in need of assistance. About half the women interviewed said that the payments help them to cover only a portion of their families’ basic needs and that they have to seek support from other sources, including charities and help from mosques or relatives. Some have taken on debt to cover basic needs.

A 2017 report by Oxford Policy Management, an international development consulting firm, estimated that TSA exclusion errors were as high as 80 percent, meaning that only 1 out of 5 eligible people received TSA support.[[11]](#footnote-11) In September 2021, UNICEF issued a report analyzing the effectiveness of multiple amendments and changes to the TSA in recent years and concluded that “the changes to the targeting and eligibility criteria created additional bottlenecks for families to access assistance, reducing the effectiveness of social assistance to reach all children and families in need.”[[12]](#footnote-12)

**Nepal**

In 2009-10, the Nepali government introduced a Child Grant program to support vulnerable families with children under five. The program initially targeted families in the Karnali region—a mountainous region with high rates of malnutrition—and Dalit households in the rest of the country, providing monthly payments of 200 rupees ($1.85) per household.

Initial assessments found that the program dramatically increased birth registration and that families reported using the grant for food, clothing, and to meet other basic needs. However, the amount of the grant was too small to make a meaningful difference in households’ overall economic status and only 16 percent of the country’s under-5’s were covered.[[13]](#footnote-13) In addition, UNICEF estimated that the targeting methods used—based on caste and a simple proxy means test—excluded more than two-thirds of eligible children living in poverty from the program.[[14]](#footnote-14) It concluded that a universal option would best reduce the poverty gap and best reach “the poorest of the poor.”[[15]](#footnote-15)

In 2016, the government doubled the size of the monthly benefit to 400 rupees ($3.70) and committed to expand the program to cover all households with children under five. By 2021, the Child Grant program was reaching approximately 737,000 children, representing approximately 25 percent of all under-5’s in the country. The government committed to add an additional 675,000 child beneficiaries each year, to reach 2.8 million children by 2024.[[16]](#footnote-16)

Under the Sustainable Development Goals, Nepal has set a target of allocating 15 percent of total expenditures to social protection by the year 2030.[[17]](#footnote-17) According to a 2021 UNICEF study, if all children in Nepal up to the age of 17 received a small inflation-adjusted child benefit of Rs430 per month by 2035, incrementally increasing from an initial age eligibility of children under five, family poverty could be cut by as much as 16.8 percent at a cost of less than 0.7 percent of GDP a year.[[18]](#footnote-18)

Although the Child Grant program provides important support to families with young children, it covers only 6 percent of Nepal’s children, and does not reach families with school-age children or children who are likely to enter child labor. In 2019-20, the government allocated only 4 percent of the social protection budget to children.[[19]](#footnote-19) In addition, Nepal did not provide any additional cash transfers during the pandemic beyond beneficiaries of the Child Grant program.[[20]](#footnote-20) By contrast, several of its regional neighbors scaled up their use of cash transfers to respond to the Covid-19 crisis. Pakistan, for example, expanded its cash transfer program with additional payments and additional beneficiaries, targeting 14 million families.[[21]](#footnote-21) Bangladesh provided cash assistance to 5 million households as part of its Covid-19 response.[[22]](#footnote-22) India announced several cash transfer initiatives, targeting 200 million women and 87 million farmers, among others.[[23]](#footnote-23)

In Nepal, Human Rights Watch interviewed 25 children between ages 8 and 16 who worked in brick kilns, carpet factories, in construction, as mechanics, rickshaw drivers, carpenters, and as vendors selling tea, cotton candy, masks, and other items. Nearly all of the Nepali children interviewed said that the pandemic had a negative effect on their family income. One-third of the children interviewed worked at least twelve hours a day, some seven days a week. Children reported fatigue, dizziness, and pain in their backs, legs, knees, hands, fingers, and eyes from repetitive motions, sitting for extended periods, or carrying heavy loads.[[24]](#footnote-24)

Of the 25 children interviewed, 13 said that their family had received government food assistance during the pandemic, typically in the form of food packages including rice, dal, soap, and oil. Some said they also received masks or hand sanitizer. Many of the children said they received food assistance just once or twice, though three of the 25 reported receiving it three times or more. Several of the children working in carpet factories said that they received food from their employer. Six of the children said their families had not received any assistance, either from the government or an employer.[[25]](#footnote-25)

**Uganda**

Prior to the Covid-19 pandemic, Uganda allocated approximately 0.14 percent of its GDP to cash transfers, far lower than its East African neighbors, such as Kenya (0.4 percent) and Rwanda (0.3 percent).[[26]](#footnote-26) Its total social protection spending was approximately half of the regional average in Africa, with approximately 80 percent coming from outside donors.[[27]](#footnote-27)

In June 2020, the minister of finance presented the government’s FY2020/2021 budget, dubbed the “Covid-19 budget.” The budget allocation for social protection was increased only slightly, representing only 0.4 percent of the overall government budget. The two main direct cash transfer programs—the Senior Citizens Grant and Northern Uganda Social Action Fund—were projected to cover only 3 percent of the population.[[28]](#footnote-28) Neither program targeted households with children.

From January to March 2021, Human Rights Watch’s partner, the Initiative for Economic and Social Rights (ISER), interviewed 32 Ugandan children, ages 9 to 16, finding that the unprecedented economic impact of the Covid-19 pandemic, together with school closures and inadequate government assistance, was pushing children into exploitative and dangerous child labor. Children described working long, grueling hours for little pay after their parents lost jobs or income due to the Covid-19 pandemic and associated lockdowns. Many described hazardous working conditions hours in gold mines, stone quarries, fisheries, in agriculture, and construction, and some reported violence, harassment, and pay theft.[[29]](#footnote-29)

Nearly two-thirds of the children interviewed indicated that their family did not receive any form of Covid-19 relief. Twelve of the 32 children said that their family received some food assistance—typically maize flour and beans—but that it sometimes lasted only a few days.[[30]](#footnote-30)

**United States**

Before the Covid-19 pandemic, about 20 percent of US children lived in poverty, compared with the OECD average of 13 percent, illustrative of the US government’s failure to guarantee children’s right to an adequate standard of living.[[31]](#footnote-31) Children of color were most likely to live in poverty.[[32]](#footnote-32)

As a Covid-19 economic relief measure, Congress temporarily expanded eligibility for a child tax credit for 2021 and increased its value, providing most US families with monthly payments of $300 per child under age 6, and $250 per child between 6 and 18. Within months, the expanded credit lifted an estimated three million children out of poverty and the number of families reporting food insecurity dropped by a third.[[33]](#footnote-33) Most families reported using the payments for basic needs, including food, housing, children’s clothing, and other essentials, as well as saving for emergencies.[[34]](#footnote-34)

Columbia’s Center on Poverty and Social Policy estimated that making the child tax credit permanent would cost $100 billion per year, but yield $800 billion annually in societal benefits, and would cut child poverty in the US by 40 percent, with the greatest benefit for children of color.[[35]](#footnote-35) Nevertheless, Congress let the child tax credit lapse in December 2021. In January 2022, as increased payments ended and some families were no longer eligible, the number of US children living in poverty increased by an estimated 3.7 million.[[36]](#footnote-36)

**Cash Transfers: Poverty Targeted vs. Universal Child Allowances**

Cash transfers for families with children have been shown to be very effective in reducing poverty rates, increasing school enrolment, improving children’s health, reducing child labor, and even reducing domestic violence. A rigorous meta-analysis by the Overseas Development Institute of over 200 studies spanning 15 years concluded that cash transfers were a powerful policy instrument with an overwhelmingly positive impact in reducing poverty.[[37]](#footnote-37) Human Rights Watch and other research shows, however, that poverty targeted programs can fall short in protecting rights and exclude those who need them most.[[38]](#footnote-38) When cash transfers are targeted according to economic or other criteria, many eligible households may be left out, while some ineligible households may be included. Accurate means testing is difficult and errors can be significant.[[39]](#footnote-39)

A growing body of research has documented the significant benefits of universal child allowances. For example, a simulation for 14 middle-income countries showed that universal child allowances financed by 1 percent of GDP would lead to a decline of overall poverty by 20 percent, with equivalent if not greater decreases in child poverty.[[40]](#footnote-40) The study estimates that in Indonesia, for example, a universal child benefit of $15 per child per month could reduce the percentage of children living in poverty from 11 percent to 3 percent.[[41]](#footnote-41)

Universal programs typically entail automatic registration for every child at birth. Because they require no means-testing or monitoring for eligibility, administrative costs are lower than for poverty targeted programs. Studies have found no evidence that universal child benefits reduce participation in paid work by adults.[[42]](#footnote-42) Universal programs also may be more consistent with human rights principles of equality and non-discrimination. Because all families with children receive the benefit, they enhance social cohesion and family dignity, increase trust in the government, and avoid stigma.

Human Rights Watch has urged both individual governments as well as international financial institutions, including the IMF and World Bank, to implement universal social protection as a tool to protect human rights, and reduce poverty and inequality.[[43]](#footnote-43)

**Recommendations**

*Human Rights Watch recommends that States:*

* Ensure children benefit from the right to social security, including through the progressive introduction of universal child allowances for all families with children.
* Mobilize domestic resources to extend coverage and progressively reach universal social protection for children. For example, states can use the tax system whether by introducing a wealth tax or ensuring that income is taxed in a progressive fashion, to generate funds to fulfil this goal.
* Conduct regular assessments, both on the adequacy of benefits but also potential barriers people experience in accessing them.
* Ensure that any targeted allowances benefit all families that are eligible, by taking the following steps:
	+ Establish effective communications strategies to ensure that everyone knows about the social protection program, its eligibility criteria, and the means of accessing it;
	+ Make the application process accessible to all, including those with low literacy and/or no internet access;
	+ Ensure that women are able to apply and receive these benefits as heads of households;
	+ Invest in selection mechanisms that do not overestimate incomes of any applicant;
	+ Avoid placing quotas on the number of people who can access a program;
	+ Ensure that people can apply for the program whenever they require it;
	+ Ensure that decisions on selection are as objective as possible;
	+ Eliminate discrimination in decisionmaking;
	+ Keep comprehensive information on selection decisions;
	+ Establish effective grievance mechanisms that enable applicants to appeal unfavorable decisions;
	+ Maintain a comprehensive database of information and statistics to inform planning and identification of beneficiaries for targeted allowances.
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