

## TRACKING TRENDS IN ETHIOPIA'S CIVIL SOCIETY (TECS)<sup>1</sup>

### POLICY BRIEF 13

#### Charities working with children

**Issue** Children are the focus of much charitable work in Ethiopia. Although comprehensive data on the number of organisations working for and with children and young people is not available, TECS investigations showed one child focused International Non-Governmental Organisation (INGO) with 58 partners working in six different regions and one of the largest networks has 81 members working on child and youth issues covering all regions. The spectrum of work is also extensive including: education programmes (basic education, access to education for the disadvantaged and creating safer environments for school pupils); welfare and protection programmes such as those for the disabled and orphans; maternal and child health and services devoted to specific issues of welfare such as trafficking, child labour, child marriage, female genital mutilation and child violence. Education and the welfare of children are fundamental to the future development of Ethiopia and it is therefore important to find out how these organisations have been affected by Proclamation 621/2009 and its guidelines, to document key challenges and changes in strategy and to look at the nature of the partnership between charities and the Government in work with children and young people.

#### The approach

Interviews were conducted with eight charities and one key informant with substantial ChSO experience of child related programmes. Two of the organisations were networks another two were Foreign charities and the remaining four Ethiopian Resident charities. Ethiopian charities were not included owing to the small pool of such organisations and the reluctance of those approached to participate. In addition to interviews, annual reports, organisational profiles and other relevant documents were consulted.

---

<sup>1</sup>The Development Assistance Group (DAG) was established in 2001 to foster information sharing, policy dialogue and harmonise donor support to Ethiopia in order to enable the country to meet the targets set in the Millennium Development Goals (MDGs). DAG also assists in the preparation, monitoring and evaluation of the country's Poverty Reduction Strategy (PRS). DAG currently comprises 26 donor agencies providing development assistance to Ethiopia within the Paris Declaration principles of aid effectiveness and harmonization. Disclaimer: This briefing note is based on research commissioned by DAG members through the Tracking Trends in Ethiopia's Civil Society (TECS) project. The researcher was Ezana Amdework. The views presented in this briefing note are those of the researchers and Atos Consulting and do not necessarily represent the views of DAG members.

## The benefits of the Proclamation

The respondents noted the legal framework for charities and the attempt to standardise regulations as one of the key benefits of the Proclamation along with the legal recognition given to income generating activities (IGA) although it should be noted none of the organisations interviewed actually engage in IGA. Despite criticisms of the 70/30 guideline on the allocation of administrative and operational costs, some organisations said that the guideline had made charities more cost conscious and that this would help to improve the efficiency and the image of ChSOs. One respondent commented: "Certain unwarranted expenditures related to meeting, trainings and the like are no longer being made. Many charities have, in fact, currently adopted a policy of having only 'cost-free' meetings."

## The challenges of the Proclamation and its guidelines

### Child rights

The restriction on work on child rights for Foreign and Ethiopian Resident charities was cited as the most significant challenge. Interviewees explained how they understood issues of child welfare and protection to be inextricably linked with rights. Organisations working on child trafficking, child labour and juvenile justice mentioned this but also those engaged in health, education and the delivery of basic services. Respondents stressed that service provision and capital investment alone cannot bring about long term improvements in the situation of children. One commented: *"we...bring about child development through a holistic approach... we have to create awareness on the child's right to have education (and) not to be subjected to corporal punishment in the family, community and school, in addition to providing access to education...In short child rights and child development are inseparable."*

Our organisation used to engage...in interventions aimed at protecting children and... work to promote child friendly justice in the criminal justice system. Our interventions included the establishment of child protection units in the police system, training of justice sector officials on Child Rights issues and establishment of child friendly courts. Since our registration as an Ethiopian Resident Charity, we have ceased engaging (in) the above activities.

The organisations also pointed out that the unfavourable publicity that ChSOs had received when the Proclamation was first implemented had made their work much harder. One informant commented on how local community members had become suspicious of the organization and uncooperative.

At least two of the organisations in the study had undergone a major shift in their areas of operation on registering as an Ethiopian Resident Charity. For instance, one organisation spoke of its experience in enhancing access to basic education for children. Among the strategies it followed were promoting a children's Parliament and providing trainings for teachers. Following its registration the organisation was

informed by the Agency that these activities were not within the organisation's mandate. The charity has since ceased these activities. Another charity shifted its focus away from working on child rights, particularly children in conflict with the law, to child development and now concentrates on livelihood improvement, access to education and support to orphans and vulnerable children.

It has to be questioned whether the prohibition on child rights is in the long-term interests of the health, welfare and education of Ethiopia's children, particularly given that the number of Ethiopian organisations who are permitted to engage in human rights work is diminishing. Ethiopia is signatory to the UN Convention on the Rights of the Child and the Ethiopian Constitution (article 36) guarantees specific entitlements for children. It may be argued that fulfilment of these obligations is the responsibility of all children's organisations operating in Ethiopia.

### **The 70/30 guideline**

Despite the earlier positive comment, most organisations had found this the most challenging aspect and felt that it had not been drawn up with any understanding of how children's services operate; some costs had been wrongly designated as administrative. One organisation related how many of its staff involved in community based programmes, found that teachers, social workers and psychologists had been classified as administrative, despite very clear job descriptions that showed that they were delivering direct services to beneficiaries.

Likewise the categorisation of planning, monitoring and evaluation, reporting and other research related costs (such as baseline and socio-economic surveys etc.) as administrative was felt to be inappropriate as these activities are directly related to programme activities and are the means by which the success or failure of interventions may be assessed, lessons learned and corrective measures taken.

Similarly, categorisation of training and capacity building related costs, such as fuel, training fees and allowances as administration posed a challenge for the HChSOs studied because their activities involve working with several stakeholders other than the children themselves. One interviewee elaborated as follows:

<p>Our work on Early Childhood Care and Education involves creating awareness and providing training on...service delivery, management and administration for teachers and caregivers....most training related costs are categorised as administrative, leading to an inflation of our 30% administrative cost.</p>
---

### **Inconsistent implementation of the guideline**

In common, with many organisations interviewed for other TECS research, the children's organisations commented on the inconsistent application of the guidelines and the regulations governing project approval and licence renewal. For instance, one organisation had applied to the Agency to purchase a three-wheel vehicle instead of a motorbike. The request was denied by one officer and accepted by

another after attention was drawn to the fact that other organisation had been allowed to do so. Organisations also cited examples of different officers categorising similar expenses differently: where one officer specified an item as administrative costs, a second designated the same cost as operational.

Asked about how they coped with this situation, organisations mentioned making visits in person to argue their case rather than relying on a formal paper application procedure. This may be likely to increase discretionary and inconsistent decision making on the part of Agency staff rather than leading to fair and equitable regulation.

As well as improving consistent decision making, the organisations suggested that Agency staff should not only be concerned with regulation but also promoting good practice.

### **Larger organisations find it easier to comply with 70/30**

It was revealed that larger organisations found it much easier to comply with the 70/30 guideline as size affords greater economies of scale in administrative costs. For instance, office rent, salaries for administrative and support staff (secretaries, accountants, administrators, etc.) of one of the organisations was quite small because it was running multiple projects with a large budgets but sharing these facilities. It may be questioned whether the intended aim of the guideline was to favour larger organisations.

### **Concerns of consortia (networks) regarding 70/30**

The two networks interviewed raised concerns of their own. The directive on consortia legitimises supporting network members in the achievement of goals, information exchange and capacity building and the creation of a suitable environment for their members. The networks regard these as their programme activities. The 70/30 directive, however, states that consortia are not implementers and therefore do not have operational costs. According to some, the latter directive has limited consortia to the role of fund raiser; securing and distributing funds to members from which they may deduct a percentage of the 'administration portion' of funds raised for their own expenses. As a consequence consortia are playing reduced roles in capacity building of their members, information exchange, advocating for child rights, and in working for the improved environment for members. A respondent from one network commented: "...Ethiopian Resident and Foreign charities can't establish a consortium with Ethiopian Charities. Networks such as ours, which are composed of members in the former category can't (be) involved in any rights based work...For instance, we no longer focus on child rights related work, such as advocacy on behalf of marginalised children."

### **Limits on capacity building**

Organisations pointed out two ways in which capacity building activities are now limited. The 70/30 guideline categorises most training as administration and there is

therefore a strong pressure to limit capacity building with their own staff but also for Government officials. Secondly, the Agency is opposing capacity building as an activity arguing that this is the role of Government. Interviewees expressed their concern, pointing out that there is demonstrated need for capacity building and awareness raising, particularly on newer government initiatives, among staff of sector ministries and bureaux and a high demand for such trainings from these and other Government personnel, for instance, health extension workers and teachers. Interviewees reported being asked by Government partners to deliver training on the rights of children in conflict with the law, safe schools (corporal punishment), maternal and child health and implementation of the Early Childhood Care and Education policy.

### **Adaptations as a result of the 70/30 guideline**

Organisations reported making a number of changes to adapt to the 70/30 guideline. These included: scaling back review and other management meetings that had been part of normal practice; reduction of training for staff, although this was said to have an adverse effect on staff motivation and was contributing to high staff turnover; reducing research and monitoring and evaluation activities and scaling back on community mobilization, awareness raising and capacity building to reduce administration costs. One organisation commented on the reduction in monitoring and evaluation: “without adequate data being collected for these crucial elements of the project cycle, one won’t be able to assess project impact effectively”. Other measures taken to reduce administration included: using existing staff to carry out training for other stakeholders (this was said to detract from the time spent and therefore the quality of programme work) and looking for additional funds to expand programme work and therefore adjust the balance between operational and administrative costs. One interviewee explained: “...our early childhood care and education project had a component where we produced a manual on play method of teaching and provided training on the topic for teachers whose awareness of the method is very limited. However, most of the costs related to this component were categorised as administrative. In order to offset (this we) looked for funding and constructed a building in one of the schools in the project area...”

### **Asset clearance, transfer and liquidation**

This is the subject of a separate directive. Interviewees commented on the lack of consistent interpretation by Agency staff. In one case the charity had applied for disposal of damaged items but was told by the Agency officer that the directive only applied on closure of an organization or termination of a project. Whilst there has been some recent clarifications, the Agency is still unable to deal with these matters in a timely fashion. Four of the organisations interviewed had been waiting a long time for disposal of out of date and broken equipment. One interviewee commented:

We have a large number of items that need to be disposed of...some are low cost such as old computers, printers... (but) there is also an old vehicle... after a year of trying we have been informed that the Agency has recently established a specialized

body ... but we are worried that in the light of the high demand for the service the process might take even longer. It may be better if ...ChSOs themselves dispose of items below a certain price.”

## **Partnership with Government**

The organisations reported extensive partnerships with ministries and Government offices at federal, regional and woreda levels including: Health, Education, Finance and Economic Development, and Women, Youth and Children Affairs. The charities said they obtained significant administrative support ranging from procurement, beneficiary selection, licensing and obtaining land for construction.

We work on a day-to-day basis with the Health and Education Bureaux...For instance, we implemented a health facility support program, where the Health Bureau provided us with an expert who identified items to be purchased. Similarly, when we were carrying out construction work, the relevant government office provided valuable technical support. The same support was obtained in the course of conducting research for one of our programs.

ChSOs on the other hand provide capacity building for professionals (such as health extension workers, teachers and policemen) and in some cases, at the local level, even material support. For instance one organisation provided facilities for selected health centres.

Co-operation with Government was characterised as amicable and fruitful. Several of the charities interviewed mentioned being part of more than one Government initiative at the national as well as regional level and being invited to policy consultations by Government bodies. For instance, one is a member of a taskforce on highly vulnerable children led by the Ministry of Women's Children and Youth Affairs (MoWCYA) and the Care and Support Advisory Group of HAPCO. Similarly another ChSO stated that it has actively participated during the drafting of the first National Plan of Action for Children, and is currently involved in the drafting of the follow up plan.

## **Recommendations**

### **The Agency should:**

- Consider whether children’s welfare can be adequately addressed without reference to the internationally agreed provisions and protections of the UN Convention on the Rights of the Child.
- Reconsider the 70/30 guideline and assess whether the inclusion of monitoring and evaluation and training and capacity building costs for professionals working with children within programme costs could improve the well being of children.
- Undertake training for its staff in order to ensure consistent interpretation of the Proclamation and its guidelines.
- Address the issue of asset disposal. This could be done by working with other

organisations such as the Public Procurement and Property Disposal Service or regulations could be developed to allow ChSOs themselves to facilitate this task.

**The ChSOs working with children should:**

- Use their successful cooperation with line ministries to further engage with Government and the ChSA to demonstrate their developmental role and further understanding about why and how children's rights are fundamental to improving children's welfare.
- Gather evidence to show why they have to work with stakeholders other than children themselves and therefore why training, capacity building and monitoring and evaluation should be categorised as programme costs in order to promote child welfare.

**Donors**

- Support joint ChSA and ChSO activities, such as field visits, annual ChSA/ChSO events to demonstrate the work of children's charities and promote cooperation to further child welfare.

**Prepared by:**

*The TECS team. For information, contact [gemechu\\_desta@hotmail.com](mailto:gemechu_desta@hotmail.com) or [anncondy@yahoo.com](mailto:anncondy@yahoo.com) or [gil.long@btopenworld.com](mailto:gil.long@btopenworld.com) ; [clairefhoward@gmail.com](mailto:clairefhoward@gmail.com) To view other TECS reports, visit [www.dagethiopia.org](http://www.dagethiopia.org) - TECS sub page*

