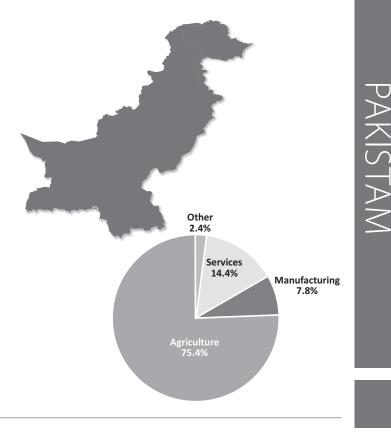
Pakistan

The Government of Pakistan participated in several projects in 2010 that aim to eliminate the worst forms of child labor. Children, however, are still engaged in the worst forms in agriculture and are subject to bonded labor, often in brick making. Significant gaps remain in the legal framework and in enforcement efforts to address the issue.

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	10-14 yrs.	15.9*
Attending School	10-14 yrs.	68.6
Combining Work and School	10-14 yrs.	1.8

* Population of working children: 2,844,995



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor⁴⁵²²

Children in Pakistan are engaged in the worst forms of child labor, primarily in agriculture, and are subjected to bonded labor, often in brick making.⁴⁵²³ In agriculture, they may engage in unsafe and unhealthy activities such as using dangerous machinery and tools, carrying heavy loads and applying harmful pesticides. Children also work in manufacturing activities that can be harmful to their health. For instance, children who produce glass bangles are exposed to high temperatures and toxic chemicals.⁴⁵²⁴ Children are found working in dangerous conditions in the carpet weaving, informal construction, transport, leather tanning, deep sea fishing and surgical instrument industries.4525 In the carpet weaving industry children often work long hours and are vulnerable to physical and sexual abuse.4526

Children in urban areas are often employed as domestic servants.⁴⁵²⁷ Such work may involve long hours and exposure to physical and sexual exploitation by employers.

Children of Afghan refugees, who live along the borders of Pakistan, are frequently involved in street work including rag picking. Some collect medical waste.⁴⁵²⁸ These children may be exposed to multiple dangers including severe weather and criminal elements, or may be involved in vehicle accidents.

Some children in Pakistan are forced to work as bonded laborers, often in brick making. This practice also occurs in carpet weaving, agriculture and coal mining.⁴⁵²⁹ Entire families are sometimes forced into debt bondage after borrowing money from a landowner.⁴⁵³⁰ Often, bonded laborers are unable to pay their debts. Their movements may be restricted by armed guards and they may be subjected to violence or resale.⁴⁵³¹

Child trafficking continues to be a problem with children kidnapped, rented, or sold for work in agriculture, domestic service, prostitution or begging.⁴⁵³² Girls who are sold into forced marriages are sometimes subsequently trafficked internationally for prostitution.⁴⁵³³ Disabled children are sold or kidnapped and taken to countries such as Iran where they are forced to beg.⁴⁵³⁴ Despite concerted efforts to eliminate the practice, evidence suggests that boys are still trafficked to the Gulf States to work as camel jockeys.⁴⁵³⁵

There are reports of children being used by nonstate militant groups in armed conflict.⁴⁵³⁶ Nonstate groups kidnap children or coerce parents into giving away their children to spy, fight or die in suicide attacks.⁴⁵³⁷ Reports indicate that children as young as 11 are recruited by pro-Taliban insurgents and trained as suicide bombers.⁴⁵³⁸

Children along the border with Afghanistan are used in illegal smuggling operations. They carry heavy loads of small arms, drugs and household goods across the border.⁴⁵³⁹ Occasionally there are dangerous encounters with law enforcement, and some children have been shot and killed by border police.⁴⁵⁴⁰

Children are reportedly working in the production of incense, textiles, tobacco, sugar cane and gemstones as well as the process of stone crushing.⁴⁵⁴¹

Devastating floods ravaged Pakistan in the summer of 2010, destroying homes, schools and medical facilities.⁴⁵⁴² The floods wiped out infrastructure and caused an economic catastrophe that increased children's vulnerability to child labor.⁴⁵⁴³ The 2010 floods also forced families to abandon their homes, leaving children unable to access schools.⁴⁵⁴⁴

While education is free and compulsory through age 16, access to education is still limited. In conflict zones, schools and infrastructure are often damaged.⁴⁵⁴⁵ Children displaced by conflict also have limited education access in displaced persons camps and communities to which they have fled.⁴⁵⁴⁶

Laws and Regulations on the Worst Forms of Child Labor

Under the 1991 Employment of Children Act, children of any age may be employed, provided that those under age 14 are not employed in occupations or processes deemed hazardous by the Government.⁴⁵⁴⁷ Four occupations and 34 processes appear on the Government's hazardous list. They include manufacturing, mixing, and applying pesticides and insecticides; working at railway stations or ports; carpet weaving; construction; working in the glass bangle industry; and manufacturing cement, explosives, and other products that involve the use of toxic substances.⁴⁵⁴⁸ Brick making, a sector in which many child laborers work and some bonded child laborers work, is not specifically included on the list of prohibited hazardous occupations or processes. Further, the list only prohibits occupations and processes for children under age 14, leaving children ages 15 to 17 unprotected from dangerous or harmful work. The Government also lacks protections for children involved in domestic service and street work.

(see and	C138, Minimum Age	✓
SUITOR	C182, Worst Forms of Child Labor	✓
٢	CRC	\checkmark
	CRC Optional Protocol on Armed Conflict	\checkmark
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	~
	Palermo Protocol on Trafficking in Persons	\checkmark
	Minimum Age for Work	No
	Minimum Age for Hazardous Work	14
	Compulsory Education Age	16
	Free Public Education	Yes

Bonded labor, forced labor and human trafficking are prohibited by law. The Bonded Labor System Abolition Act (BLSA) of 1992 eliminates the liability of bonded laborers to repay their debt and frees property tied to this debt.⁴⁵⁴⁹ Part II of the Constitution of Pakistan outlaws all forms of forced labor.⁴⁵⁵⁰ The Prevention and Control of Human Trafficking and Smuggling Ordinance 2002 prohibits the trafficking of children internationally for exploitative activities.⁴⁵⁵¹ The Government uses Sections 17 through 23 of the Emigration Ordinance to prosecute internal trafficking cases.⁴⁵⁵²

The Penal Code prohibits prostitution of anyone under age 18.⁴⁵⁵³ Pakistan's laws do not specifically prohibit child pornography, but the Penal Code outlaws the circulation of any "obscene material."⁴⁵⁵⁴

Pakistan does not have military conscription. The minimum voluntary recruitment age is 17.⁴⁵⁵⁵ The Pakistan Penal Code bars anyone other than state forces from recruiting and arming men, and the Anti-Terrorism Act addresses the issue of forced conscription.

The proposed Child Protection Bill 2009 would criminalize child pornography and internal child trafficking as well as many other crimes against children.⁴⁵⁵⁶ A draft Employment and Services Conditions Act 2009 has also been developed that would, if enacted, make it unlawful to employ children under age 14 in any sector.⁴⁵⁵⁷ These laws have yet to be adopted.⁴⁵⁵⁸

In 2010, Khyber Pakhtunkhwa became the first of Pakistan's provinces to pass comprehensive legislation, the Child Protection and Welfare Act, which provides for the care, protection, welfare, training and education of at-risk children.⁴⁵⁵⁹

In April 2010, Pakistan passed the 18th Amendment to the Constitution, which guarantees free and compulsory education to children through age 16.⁴⁵⁶⁰

Institutional Mechanisms for Coordination and Enforcement

The Federal Ministry of Labor and Manpower chairs the National Steering Committee on Child Labor which includes representatives from government ministries, employers' groups, and workers' organizations.⁴⁵⁶¹ Provincial coordination committees along with Child Labor Resource Cells conduct research, build capacity, and coordinate child labor activities at the provincial level.⁴⁵⁶²

Provincial departments of labor and labor courts perform inspections in industrial areas and markets to identify child labor violations and pursue legal action against employers.⁴⁵⁶³ These bodies do not enforce child labor laws in agricultural settings.⁴⁵⁶⁴ In Punjab, routine factory labor inspections have been replaced by a self-declaration system whereby factory owners post declarations regarding workplace safety, health and wage issues in their factories. Some of those factories are then chosen at random for inspection.⁴⁵⁶⁵ Because declarations are not mandatory and the review of declarations is the only method used to select companies for inspection, many factories go uninspected and there are no penalties for not complying with the self-declaration policy.4566

The number of labor inspectors or inspections completed throughout Pakistan is unknown, except in the case of Khyber Pakhtunkhwa province, which includes 38 employees including labor inspectors and officers and the assistant director of labor.⁴⁵⁶⁷

The Government does not collect data on the number of violations, children assisted or penalties imposed for those found to commit child labor violations.⁴⁵⁶⁸

There is no evidence that labor inspectors were trained in child labor issues during the reporting period.⁴⁵⁶⁹ The Ministry of Labor reports a lack of funding for salaries, facilities and transportation nationwide, which limits its ability to conduct labor investigations.⁴⁵⁷⁰

According to the International Confederation of Free Trade Unions, inspections do not take place in establishments employing less than 10 people, which is where most child labor occurs. Further, the All Pakistan Federation of Trade Unions reports that labor inspection responsibilities have been transferred to local bodies that are often headed by industrialists or landlords, and the inspectorates are therefore subservient to them.⁴⁵⁷¹ These constraints in the labor inspection system reduce the likelihood that child labor violations will be reported, making prosecution, conviction, and punishment of violators unlikely.⁴⁵⁷²

Bonded labor legislation is enforced by local vigilance committees. They are responsible for implementing the BLSA, assisting in rehabilitating bonded laborers, and helping the laborers achieve the objectives of the law.⁴⁵⁷³ The committees include the deputy commissioner of each district and representatives from the police, judiciary, municipal authorities, workers and employers groups.⁴⁵⁷⁴

District magistrates were originally authorized to implement the BLSA; however, their positions have since been eliminated.⁴⁵⁷⁵ These circumstances contrive to hamper the effectiveness of BLSA enforcement and since the law's passage in 1992, there have been no convictions under the act.⁴⁵⁷⁶

The anti-trafficking unit of the Federal Investigation Agency (FIA) is the lead agency responsible for enforcing transnational traffickingrelated laws.⁴⁵⁷⁷ FIA cooperates with other governments on trafficking cases, operates a hotline for victims, and publishes information on anti-trafficking efforts on its website.⁴⁵⁷⁸ The Government does not collect data on the number of criminal investigations, prosecutions, children assisted or convictions of child traffickers and those using children in other exploitative forms of labor. It is unclear whether children identified in criminal worst forms of child labor are recognized as victims or criminals.⁴⁵⁷⁹ The Ministry of Social Welfare's Child Protection Management Information System (CPMIS) collects data from police, child protection agencies, detention centers and other organizations regarding child trafficking, family care, sexual exploitation, violence against children and juvenile justice.⁴⁵⁸⁰ Data from the CPMIS is not yet available and therefore, the monitoring system's effectiveness can not be assessed.⁴⁵⁸¹

Government Policies on the Worst Forms of Child Labor

The Government of Pakistan's 2000 National Policy and Plan of Action to Combat Child Labor (NPPA) highlights three objectives: withdraw children from hazardous occupations, rehabilitate child laborers and eliminate all forms of child labor.⁴⁵⁸² It outlines a strategy for combating child labor that includes awareness raising, establishing child labor resource centers, conducting surveys to expand knowledge on child labor, strengthening enforcement, expanding education facilities and implementing poverty alleviation measures.4583 The policy outlines resources to be allocated to implementation including \$1.16 million from the Government and a fixed yearly contribution by the quasi-governmental education assistance agency, Pakistan Bait-ul-Mal, and the non-profit Islamic educational trust, the Iqra Fund.⁴⁵⁸⁴ Implementation of the plan is ongoing.⁴⁵⁸⁵

In 2008, the Government of Pakistan's National Action Plan for Children was adopted.⁴⁵⁸⁶ One goal of this plan is to prohibit, restrict, and regulate child labor with a view to its ultimate elimination.⁴⁵⁸⁷ The plan lays out 14 key strategies and actions including harmonizing work between government agencies, NGOs and donors; promoting research on child labor issues; developing non-formal education for child laborers; providing micro-credit for families of child laborers; and conducting national surveys on child labor. The policy also addresses child trafficking and outlines key objectives for its elimination.⁴⁵⁸⁸ Both of the aforementioned plans mandate child labor surveys; however, such surveys have not been conducted since 1996.⁴⁵⁸⁹ The lack of recent data hampers the Government's ability to assess the impact of recently closed child labor programs and to develop policies or plans for future child labor initiatives.⁴⁵⁹⁰

The Federal Investigation Agency has a National Action Plan for Combating Human Trafficking. This plan lays out prevention, prosecution and protection strategies for ending human trafficking including child trafficking.⁴⁵⁹¹ It provides for awareness-raising efforts, service provider training, data collection and the establishment of victims' shelters. The plan also outlines which ministry, agency or unit is responsible for each action.⁴⁵⁹²

The Government of Pakistan has incorporated the elimination of the worst forms of child labor into other development and poverty reduction policies. The current Poverty Reduction Strategy Paper reiterates the commitment to the NPPA and incorporates the reduction of child labor in its target-setting process.⁴⁵⁹³ The 2001 National Policy and Plan of Action for the Abolition of Bonded Labor and Rehabilitation of Freed Bonded Laborers addresses the issue of exploitative child labor.⁴⁵⁹⁴

In May 2010, the Ministry of Labor and Manpower released a new labor policy. This policy focused on establishing labor courts, developing a registration system for the labor force and increasing the minimum wage.⁴⁵⁹⁵ In addition, the policy recommits the Government to ending hazardous child labor, including work in brick kilns, a sector not mentioned in the list of hazardous labor.⁴⁵⁹⁶ This policy does not include specific actions to be carried out or a timeline for implementation.

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government continued to administer National Centers for Rehabilitation of Child Labor to remove children age 5 to 14 from hazardous labor and provide them with education, clothing, and a stipend. There are 292 centers, which have provided primary education to 15,045 students since 1995.⁴⁵⁹⁷ Children have been withdrawn from hazardous labor in brick making, carpet weaving, mining, leather tanning, construction, glass bangle manufacturing, and agriculture.⁴⁵⁹⁸

The Government specifically targets bonded laborers for support services and programming. The Ministry of Labor and Manpower provided legal services to bonded laborers during 2010.⁴⁵⁹⁹ The project has an annual budget of \$21,000 and has benefited more than 700 bonded laborers since 2005, including children.⁴⁶⁰⁰

The Punjab Provincial Government continued implementation of its own \$1.4 million project (launched at the end of 2008) aimed at eliminating bonded labor in brick kilns. This project to date has helped nearly 7,000 child bonded laborers and has provided \$467,000 in microloans to help free laborers from debt.4601 The Sindh provincial government has continued to implement its \$116,000 project (launched at the end of 2005), which provided state-owned land for housing camps and constructed 75 low-cost housing units for freed bonded laborer families.⁴⁶⁰² Given the magnitude of the bonded labor situation in Pakistan, the resources allocated to these programs are insufficient to properly address the problem.

Pakistan participates in a \$5.7 million European Commission-funded project to combat the worst forms of child labor.⁴⁶⁰³ The project, which works in many informal sectors with bonded and forced child labor, includes a national survey on child labor and strategies to raise awareness and mainstream child trafficking and child labor initiatives into national policies. The Government makes in-kind contributions and dedicates personnel to the project.⁴⁶⁰⁴

The Government also participates in a 4.5-year, \$1.5 million USDOL-funded project to provide education and training programs for children in Balakot, Khyber Pakhtunkhwa province who were left vulnerable to hazardous child labor by the earthquake on October 8, 2005.⁴⁶⁰⁵ The project targets 550 children for withdrawal and 2,900 children for prevention from hazardous work. The project establishes rehabilitation centers, which provide nonformal education and rehabilitation to children withdrawn from hazardous labor.⁴⁶⁰⁶ In 2010, this project conducted a needs-assessment of families affected by the devastating floods and began preparations to open a rehabilitation center to serve the needs of this population.⁴⁶⁰⁷

A 5-year \$4.4 million USDOL-funded project to eliminate child labor in smuggling, automobile

workshops, construction, embroidery, agriculture and street vending concluded in September 2010. The project withdrew 8,158 children from hazardous work in these sectors and prevented 7,682 children from entering this type of work.⁴⁶⁰⁸ The project also established early childhood education for children at risk of entering hazardous child labor.4609 In an effort to make school attendance more attractive, the project provided furniture for local schools and trained teachers to provide a healthy and supportive school environment for the children.⁴⁶¹⁰ Programs in place to address the issue of access to education are not widespread enough to address the scope of the problem specifically in conflict areas and the flood zone.

While the Government of Pakistan has a number of initiatives to address the worst forms of child labor, projects focused on street work and agriculture are insufficient to address the scope of the problem. In addition, there is no evidence of programs specifically targeting child domestics.

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Pakistan:

IN THE AREA OF LAWS AND REGULATIONS:

- Adopt the draft Employment and Services Conditions Act of 2009 to prohibit children below age 14 from working.
- Revise the 1991 Employment of Children Act to prohibit children under age 18 from engaging in hazardous work and include brick making as a prohibited occupation.
- Enact laws to provide protections for child domestic servants and children working on the streets.
- Adopt the draft Child Protection Bill to clearly criminalize child pornography and internal child trafficking.

IN THE AREA OF ENFORCEMENT:

- Provide the provincial Departments of Labor the authority to perform labor inspections in establishments with fewer than 10 workers and in agricultural settings.
- Revise the self-declaration labor monitoring system in Punjab to require employers to post reports on workplace safety, health and wages and thereby be subject to random inspection.
- Provide adequate funding for labor inspections.
- Train labor inspectors in child labor issues.
- Create centralized mechanisms for child labor inspection.
- Create centralized mechanisms and reassign implementation authority for BLSA enforcement from the district magistrate to an active government agency.
- Collect and publish enforcement data for child labor violations and criminal violation of child trafficking laws.

IN THE AREA OF POLICY:

- Conduct sectoral surveys on areas with a high-incidence of child labor to increase the knowledge base in these areas, inform policy and program planning and determine the impact of interventions.
- Amend the 2010 Labor Policy to include specific actions to be carried out and a timeline for implementation.

IN THE AREA OF SOCIAL PROGRAMS:

- Expand government programs to reach a larger number of bonded child laborers.
- Target government programs to reach children working in the most prevalent worst forms of child labor including street work, agriculture and domestic service.

⁴⁵²² Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, Child Economic Activity, School Attendance, and Combined Working and Studying Rates, 2005-2010. Data provided are from 2007-2008. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

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⁴⁶⁰¹ U.S. Embassy- Islamabad, *reporting*, *January 26*, 2011, para. 7.1.a.

⁴⁶⁰² U.S. Embassy- Islamabad, *reporting, March 9, 2010*, part 3, page 11.

⁴⁶⁰³ ILO-IPEC Geneva official, E-mail communication to USDOL official, April 20, 2011.

⁴⁶⁰⁴ U.S. Embassy- Islamabad, reporting, March 26, 2010.

⁴⁶⁰⁵ U.S. Department of Labor, *Pakistan Earthquake- Child Labour Response*, Technical Cooperation Project Summary, Washington, DC.

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⁴⁶⁰⁷ ILO-IPEC, Pakistan Earthquake- Child Labour Response, Technical Progress Report, 6.

⁴⁶⁰⁸ U.S. Department of Labor, *Mitigating Child Labour through Education in Pakistan (MCLEP)*, Technical Cooperation Project Summary.

⁴⁶⁰⁹ Save the Children- UK, *Mitigating Child Labour through Education in Pakistan (MCLEP)*, Technical Progress Report, September 25, 2010.

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