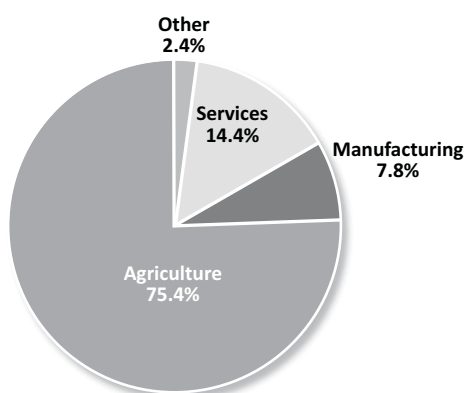


In 2011, Pakistan made no advancement in efforts to eliminate the worst forms of child labor. Although the Government continued to implement programs to address the problem, it continued to lack sufficient legal protections for working children. There is no minimum age for work and the minimum age for hazardous work is 4 years below the international standard age of 18. Enforcement efforts remain weak. Efforts to combat exploitative child labor were complicated in 2011 when federal-level agencies charged with coordinating the national response to the worst forms of child labor were dissolved during a process of dispersing many government functions to the provinces. Children continue to engage in the worst forms of child labor in dangerous forms of agriculture and are subject to bonded labor.

### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	15.9 (2,844,995)
Attending School	5-14 yrs.	68.6
Combining Work and School	7-14 yrs.	1.8
Primary Completion Rate		67.1

### Working Children by Sector, ages 7-14



#### Sources:

**Primary completion rate:** Data from 2010, published by UNESCO Institute for Statistics, 2012.(1)

**All other data:** Understanding Children's Work Project's analysis of statistics from LFS Survey, 2007-2008.(2)

### Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Pakistan are engaged in the worst forms of child labor including bonded labor, primarily in dangerous forms



of agriculture.(3) Children working in agriculture may engage in unsafe and unhealthy activities such as using dangerous machinery and tools, carrying heavy loads and applying harmful pesticides.(4)

Children also work in hazardous manufacturing activities. In factories, children are susceptible to industrial accidents.(5) Children who produce glass bangles are exposed to high temperatures and toxic chemicals and suffer from severe joint pain and lung problems.(6, 7) There is limited evidence that children weave cloth, including with power looms. Children working with power looms suffer respiratory disease, work long hours, and face physical and sexual abuse.(8) In the carpet weaving industry children also work long hours and are vulnerable to physical and sexual abuse.(3, 8) Some children are found working in dangerous conditions in the informal construction, transport, leather tanning, deep-seas fishing, and surgical instrument industries.(7, 9-11) While tanning leather, children are exposed to toxic chemicals and dyes and often contract respiratory diseases and sustain chemical burns.(7) They are also susceptible to eye and lung diseases.(12)

Children in urban areas are often employed as domestic servants and may be subjected to extreme abuse. Reports indicate that some child domestic servants have even been killed by their employers.(13-15)

Children are also involved in street work and service industries.(3, 16) Children working on the street may be exposed to multiple dangers, including severe weather, criminal elements and vehicle accidents. Children scavenge for medical waste which exposes them to deadly diseases such as HIV/AIDS, tuberculosis and malaria.(7)

There is limited evidence that children are involved in the stitching of soccer balls or are engaged in shrimp processing.(11, 16, 17) Children are reportedly working in the production of incense, cotton, wheat textiles, tobacco, sugar cane, gemstones, as well as the process of stone crushing.(18) Some children in Pakistan are forced to work as bonded laborers, often in brick making. This practice also occurs in carpet weaving, agriculture, fish raising and coal mining.(3, 11, 12, 15, 19) Entire families sometimes become bonded after borrowing money from a landowner.(20) 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.(21) Children bonded in coal mining often bring donkeys underground to haul coal to the surface and are vulnerable to multiple dangers, including sexual abuse by miners.(12)

Child trafficking continues to be a problem with children kidnapped, rented or sold for work in agriculture, domestic service, prostitution or begging.(15, 21) Girls who are sold into forced marriages are sometimes subsequently trafficked internationally for prostitution.(15) Disabled children are sold or kidnapped and taken to countries such as Iran, where they are forced to beg.(22, 23)

There are reports of children being used by non-state militant groups in armed conflict and some evidence that Afghan and Pakistani children are trafficked across the border for use by these groups.(6, 23, 24) Non-state groups kidnap children or coerce parents into giving away their children to spy, fight or die in suicide attacks.(15, 23, 25, 26) These children are subjected to physical, sexual and psychological abuse.(15) Reports indicate that children as young as age 11 are recruited by pro-Taliban insurgents, trained as suicide bombers and trafficked between Afghanistan and Pakistan.(27)

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.(23)

While education is free and compulsory through age 16, access to education is still limited. In conflict and flood zones, schools and infrastructure are often damaged.(14, 28) Families and teachers have fled and internally displaced persons are housed in former schools.(29) In some areas, schools are attacked and sometimes destroyed by militant groups opposed to secular education and the education of girls.(3, 23, 30) Children displaced by conflict also have limited education access in displaced persons camps and communities to which they have fled.(28) The 2010 flood also devastated the economy which

has driven some children out of school and into dangerous work.(31)

## Laws and Regulations on the Worst Forms of Child Labor

The 18<sup>th</sup> Amendment to the Constitution, passed in 2010, devolved all child welfare and all labor issues to the provinces. Until each province repeals or adopts a replacement law, federal laws on child protection and labor are in force.(11) Punjab is the only province to have passed a law on the employment of children. This law mirrors the existing national laws.(11) The devolution of child welfare and labor issues to the provinces may allow for gaps in legislation and enforcement between provinces and may leave children vulnerable to the worst forms of child labor.

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

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 of Pakistan.(10, 11) The Road Transport Workers Ordinance prohibits children under age 18 from working in the road transportation sector.(32) 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.(10) 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.(11, 32) The Government of Pakistan also lacks protections for children involved in domestic service and street work.

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.(6) Part II of the Constitution of Pakistan outlaws all forms of forced labor.(33) The Prevention and Control of Human Trafficking Ordinance 2002 prohibits the trafficking of children internationally for exploitative activities; however, it does not address trafficking within Pakistan.(12) The Government of Pakistan uses the Penal Code and Sections 17 through 23 of the Emigration Ordinance, which address fraudulent immigration, to prosecute internal trafficking cases.(34, 35)

The Penal Code prohibits prostitution of anyone under age 18.(36) Pakistan's laws do not specifically prohibit child pornography, but the Penal Code outlaws the circulation or production of any obscene books, drawings, representations or any other objects.(37, 38)

Pakistan does not have military conscription. The minimum voluntary recruitment age is 17.(27) The law prohibits the involvement of children in armed conflict.(12) Section 122 of the Pakistan Penal Code prohibits any organization other than state forces from recruiting and or arming people.(11) The Anti-Terrorism Act addresses the issue of forced conscription; however, it allows for capital punishment for children 12 years of age and older who are convicted on terrorism charges.(11)

The 18<sup>th</sup> Amendment to the Constitution guarantees free and compulsory education to children through age 16.(39)

### **Institutional Mechanisms for Coordination and Enforcement**

The Federal Ministry of Labor and Manpower formerly chaired the National Steering Committee on Child Labor which includes representatives from government ministries, employers' groups, and workers' organizations.(18) However, the Ministry was dissolved in the devolution of labor issues to the provinces, and it is unclear whether coordination of child labor issues at the national level remains effective.(11) Provincial governments and Labor Ministries are now

responsible for the coordination of child labor issues on the provincial level. Provincial coordination committees along with Child Labor Resource Cells conduct research, build capacity and coordinate child labor activities at the provincial level.(18)

Labor inspection is carried out at the provincial, rather than national level, which has contributed to an uneven application of the labor law.(40) Provincial departments of labor and labor courts perform inspections in industrial areas and markets to identify child labor violations, enforce both national and provincial labor laws and pursue legal action against employers.(6) These bodies do not enforce child labor laws in agricultural settings.(41) 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.(18) 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.(11, 18) In Punjab and Sindh, inspectors are instructed not to inspect a business for 1 year following its establishment. Inspectors must seek permission from employers before labor inspections can be conducted.(12)

Research has not revealed the number of labor inspectors or inspections conducted throughout Pakistan.(11) The Government of Pakistan does not collect data on the number of violations, children assisted or penalties imposed for those found to commit child labor violations.(11)

Bonded labor legislation is supposed to be 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.(42) The committees are designed to include the deputy commissioner of each district and representatives from the police, judiciary, municipal authorities and workers and employers groups, however, in most districts the committees are non-functioning.(43)

District magistrates were originally authorized to implement the BLSA; however, their positions have since been eliminated.(6) Police lack the necessary personnel, training and equipment to confront the armed guards who often oversee bonded laborers.(12) 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.(15)

The anti-trafficking unit of the Federal Investigation Agency (FIA) is the lead agency responsible for enforcing transnational trafficking-related laws.(18) FIA cooperates with other governments on trafficking cases, operates a hotline for victims, and publishes information on anti-trafficking efforts on its Web site.(44) The Government of Pakistan 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. Children identified in the trafficking of illicit goods may be treated as criminals rather than victims.(11, 18)

Prior to devolution, the Ministry of Social Welfare's Child Protection Management Information System (CPMIS) collected data from police, child protection agencies, detention centers and other organizations regarding child trafficking, family care, sexual exploitation, violence against children and juvenile justice.(6) However, the Ministry was dissolved and it is unclear whether the CPMIS is still operational.(11)

The Child Protection and Rehabilitation Bureau provides housing for children returned from working as camel jockeys in the United Arab Emirates and reintegrates child victims of trafficking into their families and home communities. However, government officials lack procedures and resources necessary to identify child victims of trafficking which hampers these efforts.(12)

## **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 highlights three objectives: withdraw children from hazardous occupations, rehabilitate child laborers and eliminate all forms of child labor.(11) 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.(45) The National Commission for Child Welfare and Development is in charge of the ongoing policy implementation. The Commission survived devolution and was moved under the Ministry of Human Rights in December 2011.(11) 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.(11, 45)

In 2008, the Government of Pakistan's National Action Plan for Children was adopted.(46) One goal of this plan is to prohibit, restrict and regulate child labor with a view to its ultimate elimination.(13) 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 microcredit 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.(13)

Both of the aforementioned plans mandate child labor surveys; however, such surveys have not been conducted since 1996.(47) The lack of recent data hampers the Government's ability to assess the prevalence of child labor and to develop policies or plans for future child labor initiatives.

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.(48) 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.(48)

The National Education Policy focuses on increasing the literacy rate and providing livelihood skills for children engaged in child labor. The Policy aims to expand non-formal and vocational education programs to children including child laborers.(11, 49)

The Government of Pakistan has incorporated the elimination of the worst forms of child labor into other development and poverty reduction policies, including its current Poverty Reduction Strategy Paper.(11, 50) The Poverty Alleviation Strategy includes preferential access to microfinance for families of working children.(11) 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.(6)

The Ministry of Labor and Manpower's labor policy focuses on establishing labor courts; developing a registration system for the labor force and increasing the minimum wage.(51) In addition, the policy recommitments the Government of Pakistan to ending hazardous child labor, including work in brick kilns, a sector not mentioned in the list of hazardous labor prohibited by children.(52) This policy does not include specific actions

to be carried out or a timeline for implementation and it is unclear whether implementation of this policy is ongoing due to the elimination of the Ministry of Labor and Manpower.

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

The Government of Pakistan continued to administer National Centers for Rehabilitation of Child Labor to remove children ages 5 to 14 from hazardous labor and provide them with education, clothing and a stipend. There are currently 151 centers.<sup>(11)</sup> Children have been withdrawn through services from the centers from hazardous labor in brick making, carpet weaving, mining, leather tanning, construction, glass bangle manufacturing and agriculture.<sup>(18)</sup>

Pakistan participates in a \$4.14 million European Commission-funded project to combat the worst forms of child labor which ends in 2013.<sup>(53)</sup> The project, which works in many informal sectors with bonded and forced child labor, includes plans for 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.<sup>(6)</sup> The project is working with the Government to establish Federal Child Labor Units and Provincial Child Labor Units which will monitor the implementation of the national child labor program.<sup>(32)</sup>

In 2011, the Government of Pakistan also participated in the last year of 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.<sup>(49)</sup> The project withdrew and prevented more than 3,000 children from exploitative child labor.<sup>(49)</sup> The project also developed a database of all social safety net programs, microfinance institutions, and business groups in the target region and used the database to refer 150 families to these services.<sup>(49)</sup>

The Government of Pakistan specifically targets bonded laborers for support services and programming. The Ministry of Labor and Manpower provided legal services to bonded

laborers during 2011.<sup>(6, 15)</sup> The project has an annual budget of \$21,000 and has benefited more than 700 bonded laborers since 2005, including children.<sup>(6)</sup> 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 micro loans to help free laborers from debt.<sup>(18)</sup> The project also helps bonded laborers to obtain national identification cards.<sup>(11)</sup> 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 laborers and their families.<sup>(15, 21)</sup> Given the magnitude of the bonded labor situation in Pakistan, the resources allocated to these programs appear to be insufficient to properly address the problem.

The Government of Pakistan participates in a counter-trafficking program that aims to create 18 district task forces to combat trafficking. These task forces will identify trafficking victims, create referral mechanisms to guide victims to appropriate services, and build cooperation between local government, law enforcement and civil society.<sup>(12)</sup> This project also supports a dialogue between Pakistan, Afghanistan and the Islamic Republic of Iran on migration management.<sup>(12)</sup>

In Punjab Province, the Government implements the Education Voucher Scheme, which promotes education for children vulnerable to child labor. The program provides stipends to private schools for students enrolled from low-income areas of Lahore.<sup>(11)</sup> However, this Scheme only reaches a small portion of students and other provinces lack the resources to allow all children to receive a free and compulsory education as assured in the Constitution.<sup>(11)</sup>

While the Government of Pakistan has a number of initiatives to address the worst forms of child labor, their limited reach is insufficient to address the scope of the child labor problem. In addition, there is no evidence of programs specifically targeting child domestics and Pakistan lacks programs to raise awareness of and provide assistance to children being used in armed conflict.<sup>(12)</sup>

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

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Adopt federal and provincial-level laws which clearly prohibit children under age 14 from working.	2009, 2010, 2011
	Adopt federal and provincial-level laws which clearly prohibit children under age 18 from engaging in hazardous work and include brick making as a prohibited occupation.	2009, 2010, 2011
	Enact laws to provide protections for child domestic servants and children working on the streets.	2011
	Adopt amendments to the Pakistan Penal Code to clearly criminalize child pornography and internal child trafficking.	2011
	Amend the Anti-Terrorism Act to recognize children between ages 12 and 18 involved with terrorist organizations as victims rather than criminals.	2011
Coordination and Enforcement	Ensure that the response to the worst forms of child labor can be coordinated nationally within the confines of the devolution process.	2011
	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.	2010, 2011
	Allow labor inspectors to conduct inspections at any time, without notice, including within the first year of an enterprise's establishment.	2011
	Provide adequate funding for labor inspections and inspector training.	2010, 2011
	Create mechanisms that enable consistent enforcement of child labor laws.	2011
	Reassign implementation authority for BLSA enforcement from the district magistrate to an active government agency.	2010, 2011
	Ensure that child victims of the worst forms of child labor are not treated as criminals.	2011
	Collect and publish enforcement data for child labor violations and criminal violation of child trafficking laws.	2010, 2011
Policies	Conduct sectoral surveys on areas with a high-incidence of child labor to increase the knowledge base in these areas and inform policy and program planning.	2009, 2010, 2011
	Amend the 2010 Labor Policy to include specific actions to be carried out, a timeline for implementation, and relevant ministries responsible.	2011

Area	Suggested Actions	Year(s) Action Recommended
Social Programs	Expand government programs to reach a larger number of bonded child laborers.	2009, 2010, 2011
	Expand education programs to provide free and compulsory education as assured in the Constitution.	2011
	Implement programs to raise awareness and provide assistance to children used by terrorist, extremist or other criminal groups to engage in armed conflict, drug trafficking, or other illegal activities.	2011
	Increase the size and scope of government programs to reach children working in the worst forms of child labor including work in domestic service.	2009, 2010, 2011

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