

In 2012, Afghanistan made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government of Afghanistan established the High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling and approved the National Action Plan on Trafficking in Persons. The Government also worked to reduce the numbers of children illegally entering the Afghan National Police (ANP) and Afghan Local Police (ALP) through the establishment of Child Centers in the western provinces of Afghanistan. While these centers have prevented some children from joining the ANP, children continued to be recruited and used for military purposes by non-state groups, as well as by the Afghan National Security Forces (ANSF), including the ANP and the ALP. Children in Afghanistan continue to engage in other worst forms of child labor, including forced labor in the production of bricks and dangerous work in agriculture.



Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable
Primary Completion Rate		Unavailable

Sources:

Primary completion rate: UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis, 2013.(2)

Prevalence and Distribution of the Worst Forms of Child Labor

Children in Afghanistan are engaged in the worst forms of child labor. Such worst forms include the recruitment and use of children for military purposes, forced labor in the production of bricks, and dangerous work in agriculture.(3-9) Children work in agriculture in Afghanistan, including in the cultivation of poppies for opium production.(9, 10) Children working in agriculture may use dangerous tools and transport heavy loads.(11, 12) There is limited evidence that children also raise livestock or shepherd animals. A study found that some children raising or herding livestock may be physically abused by animal owners, and girls may be sexually harassed when herding far from home.(13) Children herding livestock may suffer injuries such as being bitten, butted, gored, or trampled by animals.(14)

Children engage in exploitative work in home-based carpet weaving. They work long hours with their families, use dangerous tools and equipment, carry heavy loads, are exposed to dangerous chemicals, and inhale harmful wool dust.(5, 9, 15, 16)

Children work as auto mechanics and as blacksmiths in metal workshops. These occupations expose them to occupational injuries such as cuts and burns.(5, 17) Children reportedly work on construction sites.(18) Children mine coal, which may lead to respiratory illnesses or injuries from explosions.(19-21) There is limited evidence that children also work in gem mining operations.(9, 17)

Children also work as domestic servants.(9, 16) Employers may require them to work long hours and perform strenuous tasks without sufficient food or shelter. Additionally, they may be isolated in private homes and are susceptible to physical and sexual abuse.(9, 16, 22, 23)

There is limited evidence that children gather, transport, and sell firewood, sometimes far from home, making them vulnerable to animal attacks, falls, car accidents, sexual abuse, or abuse from landowners.(13) Children also travel long distances and carry heavy loads in the collection of water.(24)

Children also work in brick factories for long hours in extreme heat or cold, under unhygienic conditions and in polluted environments. Some of these children labor in conditions of debt bondage.(5, 6, 16, 25-27)

Children are used in illicit activities related to narcotics, including drug smuggling across borders.(16, 17, 26, 28)

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Children are recruited and used for military purposes by non-state groups.(3, 4, 7-9, 29, 30) Reported instances of children serving in the ANSF, including the ANP and the ALP, declined during the reporting period. In most cases, it was reported that children altered their national identity cards to reflect an age of 18 or older, and at times with the knowledge of government officials.(3, 8, 9, 29, 30) Non-state armed groups such as the Haqqani Network, Hezb-i-Islami, Tora Bora Military Front, Jamat Sunat al-Dawa Salafia, and the Taliban recruit child soldiers; the Taliban and the Haqqani Network use children as suicide bombers.(3, 4, 26, 30-36) During 2012, the UN verified incidents involving the abduction of 66 boys and verified that the cases were attributed to the Taliban, some pro-government militias, and the ALP.(30) Armed groups, as well as other actors, also reportedly use children, especially boys, in commercial sexual exploitation, including *baccha baazi* (boy play). These children are required to dance for them and are often sexually exploited.(3, 4, 9, 16, 26, 30, 34)

Afghanistan is a source and destination country for trafficking in persons. Trafficking within Afghanistan is more prevalent than transnational trafficking.(16) Afghan children are trafficked internally for forced labor, including debt bondage in the brick industry, forced begging, commercial sexual exploitation, and domestic service. In addition, there is limited evidence that children are trafficked for forced labor in the carpet industry.(16) Also, anecdotal evidence suggests that some girls find themselves forced into commercial sexual exploitation by their husbands.(6, 37) Children are trafficked transnationally to Pakistan, Iran, and Saudi Arabia for commercial sexual exploitation, forced begging, and drug smuggling. Boys are also trafficked to Pakistan for paramilitary training and to Iran for forced labor in the agriculture and construction sectors.(6, 16) Girls are trafficked internationally to other countries, particularly to Pakistan, Iran, and India, for commercial sexual exploitation and forced domestic service.(6, 16) Girls from other countries are trafficked to Afghanistan for commercial sexual exploitation.(16, 31)

Afghanistan is plagued by insecurity and violence; this has led to grave abuses against children.(29) These include the killing and maiming of children in attacks on schools.(7, 38) These conditions make it more difficult for children to attend school on a regular basis. According to the Ministry of Education (2011-2012), while enrollment has risen since the fall of the Taliban, there are significant gender and geographic disparities.(39)

There are reports of children working on the streets, but specific information on hazards is unknown.(5, 9, 40, 41)

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for work and for hazardous employment at 18.(9, 42) A child may work as an apprentice at age 14. According to the Labor Code, children between ages 15 and 18 may engage in light work up to 35 hours per week, but the Code does not specify what tasks are considered as “light types of work”.(9, 42)

International Conventions and Selected Laws on Child Labor and Education

	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	18
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

The Labor Code prohibits the recruitment of children younger than age 18 for work that is harmful to their health or causes physical damage or disability.(42) However, the Government of Afghanistan has not defined hazardous working conditions and occupations prohibited for children.(9, 41) The Labor Code also does not prescribe penalties for child labor violations.(41)

The Constitution prohibits forced labor.(43) The Decree of the President of the Islamic Republic of Afghanistan Concerning the Enforcement of the Law on Combating Abduction and Human Trafficking/Smuggling specifically prohibits trafficking in persons, both domestically and internationally.(44, 45) The law prescribes stronger penalties for trafficking of children than trafficking of adults.(44) Research does not show any laws to prohibit child commercial sexual exploitation, pornography, and use of children illicit activities.

The legal age for military service in the Afghan National Army (ANA) and for service in the ANP is 18. The ANA

and ANP have no compulsory recruitment; recruitment is voluntary.(32, 46)

According to the Constitution, children and adults in Afghanistan are entitled to free education up to and including college.(9, 41) Children in Afghanistan are required to attend 6 years of primary school and 3 years of secondary school, approximately through age 15.(41)

Institutional Mechanisms for Coordination and Enforcement

The Ministry of Labor, Social Affairs, Martyrs, and Disabled (MOLSAMD) leads and coordinates government efforts to address child labor.(5, 47) The Government also participates in the Child Protection Action Network (CPAN) with NGOs and UN agencies. CPAN monitors child rights violations, including child labor, in 51 districts across 28 out of 34 provinces.(41, 48) In January 2012, the Government established the High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling.(16) The Ministry of Justice (MOJ) coordinates this Inter-Ministerial High Commission, which addresses trafficking in persons in general.(6, 16) The Ministry of Women's Affairs (MOWA) is responsible for combating the trafficking of girls through targeted policy and advocacy.(16)

Afghanistan has two coordinating mechanisms to address the issue of children and armed conflict. The Government, led by the Ministry of Foreign Affairs (MFA), participates in a UN Task Force on Children and Armed Conflict, which consists of UNICEF, the UN Assistance Mission in Afghanistan, the Office of the Commissioner for Human Rights, UNODC, the Office for the Coordination of Humanitarian Affairs, UNHCR, WHO, the Afghan Independent Human Rights Commission, and two NGOs. The Task Force's purpose is to prevent the recruitment and use of child soldiers.(18, 49) The Government also has an Inter-Ministerial Steering Committee on Children and Armed Conflict with representatives from MFA, MOJ, MOWA, the National Directorate of Security and the ministries of Defense, Interior, Health, Social Affairs, and Education.(18) In general, the UN-led Task Force is responsible for monitoring the outcomes of the Inter-Ministerial Task Force on Children and Armed Conflict.(18, 34, 49)

MOLSAMD is responsible for enforcing the Labor Code, including laws to combat child labor. It employs 20 labor inspectors to cover the country's 34 provinces.(41) The number of labor inspectors is not sufficient to enforce Afghan laws on child labor.(41) Labor inspectors work in an advisory capacity only, and business owners have the right to refuse an inspector's

visit.(41) Labor inspectors made 152 general inspections in Kabul and four other provinces. Research did not determine whether these included child labor or not.(41) Labor inspectors did not receive training on child labor during the reporting period. In addition, there do not appear to be any mechanisms to reach children involved in the worst forms of child labor in the informal sector.(41)

The Ministry of Interior (MOI) is charged with enforcing laws related to hazardous child labor, forced child labor, child trafficking, and child sexual exploitation.(17) During the reporting period, the U.S. Department of Homeland Security's Immigration and Customs Enforcement agency trained officials from the Afghan MOI and the ANP on how to conduct investigations and identify and arrest traffickers.(23) Specifically, the MOI has an anti-trafficking in persons/smuggling unit, which increased from 7 to 26 officers during the reporting period.(16) However, there was no budget for field-based investigations during the reporting period and officers assigned for field-based investigations were often sent to other locations to perform other duties.(16, 41) It is therefore unclear how the MOI investigates trafficking.(16, 41) MFA also becomes involved in international trafficking cases.(16)

During the reporting period, 11 cases of forced labor identified through inspections were referred to CPAN. While these cases were referred to CPAN, which monitors child labor violations, there was no further information on the details of ages of the victims.(41)

The MOI does not keep statistics regarding the number of violations involving the worst forms of child labor or child trafficking as well as the number of prosecutions and convictions.(16, 41) In addition, the Dari language does not distinguish between human trafficking and human smuggling, complicating enforcement and data collection efforts.(16)

During the reporting period, the Government supported an awareness campaign to combat child soldiering. The Ministry of Defense and the MOI distributed materials to personnel, explaining that the use of children under age 18 in the military forces was forbidden and advertised a hotline to report cases.(16)

Government Policies on the Worst Forms of Child Labor

The Government of Afghanistan has committed, through an Action Plan, to prevent the recruitment of minors into the ANA and the ANP, including the ALP and the National Directorate of Security.(34, 50) The Plan is implemented by the Government's Inter-Ministerial Steering Committee on

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Children and Armed Conflict and monitored by the UN's Task Force on Children and Armed Conflict and by UNICEF. The Action Plan also includes measures to prevent young boys from being victims of *baccha baazi* (boy play).(51) During the reporting period, the Steering Committee met to discuss the Action Plan, and the Government of Afghanistan has submitted ongoing monitoring reports to the UN Task Force.(30) There is no further information on the implementation of the Action Plan.

In January 2013, the High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling approved the National Action Plan on Trafficking in Persons, which sets out a timeline for specific actions to be taken by members of the High Commission to address trafficking.(16)

The Ministry of Education's National Education Strategic Plan establishes goals to improve access to and the quality of education.(52) The question of whether this Plan has had an indirect impact on child labor does not appear to have been addressed.

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

During the reporting period, MOLSAMD implemented more than 30 programs to provide services to children at risk, some of which may be children vulnerable to child labor. MOLSAMD also implements awareness raising campaigns(41) MOLSAMD continued to implement a \$24 million, 4-year social protection program, which runs from 2009 to 2013, and is funded by the European Commission. The program includes components to combat child labor through the provision of vocational training, family reintegration, schooling, and

literacy training for the most vulnerable.(53, 54) Additionally, MOLSAMD, through a provincial-level youth department and a district-level youth committee, is currently implementing a UNICEF-funded project for child laborers in the brick kiln sector in Jalalabad.(27)

Few children in Afghanistan have formal birth registrations.(5, 16) The lack of a birth registration makes it difficult to monitor and enforce laws such as the minimum age for employment and military recruitment. The Committee on Children Against Armed Conflict's Western Region Task Force created Child Centers in the western provinces of Afghanistan. Of these, the Badghis and Herat Child Centers prevented children from enlisting in the ANP and the Ghor Child Center prevented children from enlisting in the ANA.(30) Research found no evidence, however, that the Government has implemented or supported programs to remove or rehabilitate children already involved in armed conflict.

Government agencies sometimes refer child trafficking victims to NGO-run facilities or orphanages, or place them with government social service agencies.(16) MOLSAMD has oversight of three shelters for trafficking victims. While NGOs operated the shelters, MOLSAMD was responsible for the registration of victims, safety and security of the facilities, and for the reintegration assistance.(16) In general, trafficking shelters provide assistance to boys under age 16. Research found no evidence of shelters providing services for boys 16 to 18.(6) Also, as female victims are not disaggregated by age, it is difficult to determine if underage girl trafficking victims are being assisted with services.(6, 16)

There are currently no programs for children engaged in the worst forms of child labor, particularly in agriculture.

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

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Designate hazardous working conditions and occupations prohibited for children.	2009, 2010, 2011, 2012
	Specify what tasks are considered as "light types of work" for children ages 15 to 18.	2012
	Revise the Labor Code to specify penalties for child labor violations.	2010, 2011, 2012
	Clarify whether laws exist to prohibit child commercial sexual exploitation, pornography, and use of children in illicit activities.	2012
	Clearly define human trafficking in accordance with international conventions.	2011, 2012

Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Increase the number of labor inspectors and provide them with training on child labor laws and regulations.	2011, 2012
	Enable labor inspectors to have access to businesses for enforcement of laws, including child labor laws.	2011, 2012
	Create mechanisms to protect children currently in the worst forms of child labor in the informal sector.	2012
	Provide a budget to the MOI to enforce laws concerning trafficking.	2012
	Collect data on the number of child labor violations, prosecutions, and convictions.	2009, 2010, 2011, 2012
Policies	Take measures to fully implement the Action Plan on Children and Armed Conflict.	2010, 2011, 2012
	Assess whether the National Education Strategic Plan has an impact on child labor.	2009, 2010, 2011, 2012
	Collect and make publicly available data on the age and gender of forced labor and trafficking victims.	2011, 2012
Social Programs	Implement rehabilitation and reintegration programs for children affected by armed conflict.	2009, 2010, 2011, 2012
	Clarify whether government and NGO-run shelters can provide services to girls.	2010, 2011, 2012
	Expand government and NGO-run shelters to provide services to older boys ages 16 to 18.	2010, 2011, 2012
	Create programs to address the worst forms of child labor in brick production and agriculture.	2009, 2011, 2012

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