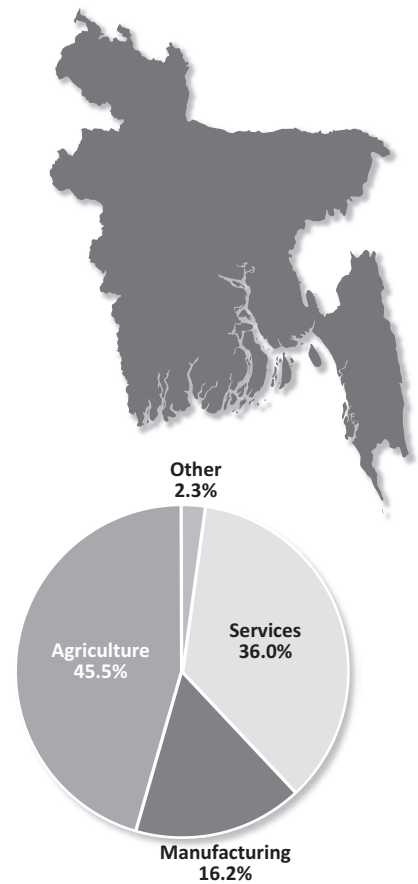


Bangladesh

The Government of Bangladesh recently approved its National Child Labor Eradication Policy which aims to develop and harmonize programs and policies to combat the worst forms of child labor. However, children continue to perform hazardous work in agriculture and domestic service. Gaps also remain in child labor legislation, data collection, and enforcement.

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	13.6%
Attending School	5-14 yrs.	76.9%
Combining Work and School	7-14 yrs.	10.1%



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Bangladesh are exploited in the worst forms of child labor,³⁴⁴ especially in agriculture.³⁴⁵ Children working in agriculture may be exposed to risks such as dangerous machinery and tools, harmful pesticides, and carrying of heavy loads. According to the Bangladesh Bureau of Statistics children engage in hazardous work which includes welding, carpentry, rickshaw pulling, and automobile repair.³⁴⁶ Children face dangers drying fish and milling spice. These activities can make them vulnerable to harmful chemicals, the possible loss of fingers in dangerous machines, and working long hours in the hot sun.³⁴⁷ Children are also involved in the production of salt, soap matches, bricks, cigarettes, footwear, steel, furniture, glass, leather, poultry, ornaments, and metals, ornaments, and textiles.³⁴⁸ The dangers children face producing these goods may include working in cramped conditions for long hours, exposure to hazardous chemicals, low lighting, and

working with sharp objects. Children also process shrimp, which has reportedly led to arthritis, urinary tract infections, back injuries, repetitive strain, muscle inflammation, fungal infections, and diarrhea.³⁴⁹ Other reports have indicated that large numbers of children work in dangerous conditions in the ship-breaking industry, dismantling large ships into smaller pieces.³⁵⁰ They may lack the physical strength required to perform this arduous task and may be sickened by hazardous substances contained in the ships.³⁵¹ Although evidence is limited, there is reason to believe that the worst forms of child labor are also used in the production of jewelry, plastic, rice, and rubber.³⁵²

According to a survey by ILO, there are more than 421,000 children, mostly girls, working as domestic servants in private households in Bangladesh. Some child domestics work in exploitive conditions³⁵³ and are vulnerable to abuse, including sexual abuse.³⁵⁴ Children are also found working on the streets, vending, begging, portering and some are employed in hotels and restaurants.³⁵⁵ Children working on the

streets are exposed to severe weather, accidents caused by proximity to vehicles, and vulnerability to criminal elements.






Bangladeshi children are also engaged in other worst forms of child labor. A 2009 Government of Bangladesh report estimates that as many as 20,000 children are exploited in the commercial sex industry; some are trafficked internally and to India and Pakistan for sexual exploitation.³⁵⁶ Boys and girls, often those living on the streets, are exploited in illicit activities, including smuggling and trading arms and drugs.³⁵⁷

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code establishes the minimum age for work at 14 and the minimum age for hazardous work at 18.³⁵⁸ The Labor Code provides an exception for children age 12 to 13 to participate in light work and restricts the types of job they can do. It also limits the hours children ages 14 to 18 can work.³⁵⁹ However, the Government’s Labor Code is limited to the formal employment sector, which does not include agriculture or home-based work, and it does not define occupations or sectors which are hazardous in nature.³⁶⁰ Additionally, the low minimum age for compulsory education makes children particularly vulnerable to the worst forms of child labor, as children are not required to be in school after age 10, but are not legally permitted to work either.

The Penal Code of 1860 prohibits compulsory labor and the Labor Code prohibits parents or guardians from pledging their children’s work in exchange for a payment or benefit.³⁶¹ Those who violate the law are subject to penalties which include imprisonment.³⁶²

The Suppression of Violence against Women and Children’s Act of 2000 criminalizes the trafficking of children and establishes strict penalties and fines for violators.³⁶³ The Penal Code of 1860 criminalizes the prostitution of young girls under the age of 18, in contrast to the Children’s Act of 1974, which only criminalizes the prostitution of girls under the age of 16.³⁶⁴ The conflicting age thresholds may leave girls ages 16 to 17 vulnerable to exploitation and may cause problems for effective enforcement and prosecution. In addition, both laws fail to protect boys from child prostitution.

	C138, Minimum Age	No
	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	✓
	Minimum Age for Work	14
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	10
	Free Public Education	Yes

Institutional Mechanisms for Coordination and Enforcement

The Government of Bangladesh has established a Child Labor Unit in the Ministry of Labor and Employment (MOLE) to monitor, coordinate, and supervise child labor programs.³⁶⁵

An inter-ministerial anti-trafficking committee oversees national efforts to combat human trafficking. This committee, chaired by the Ministry of Home Affairs (MOHA), convenes monthly to monitor trafficking issues.³⁶⁶

The Office of the Chief Inspectorate of the Department of Factories and Establishments under MOLE is responsible for implementing and enforcing labor laws, including child labor provisions.³⁶⁷ The ministry has approximately 150 inspectors.³⁶⁸ The inspectors work from 31 offices across the country and each one conducts from 5 to 100 monthly inspections, depending on his/her rank.³⁶⁹ An inspector with a lower rank is expected to conduct more inspections than an inspector of a higher rank.³⁷⁰ In 2009, a total of 51,337 labor inspections were conducted in Bangladesh, an increase of over 10,000 from the previous year. However, the inspections resulted in only 770 labor violation cases filed.³⁷¹ A specific

number of cases are not available because the Government does not disaggregate data on labor violations.³⁷² Nonetheless, research indicates that the number of cases uncovered is very small relative to the magnitude of the child labor problem.³⁷³

MOHA is the principal agency designated to enforce the country's forced labor and anti-trafficking laws.³⁷⁴ MOHA maintains an anti-trafficking police unit in each of Bangladesh's 64 districts and provides trafficking training to members of the National Police Academy and other public officials.³⁷⁵ MOHA also maintains a special Anti Trafficking of Human Beings Unit comprised of 12 police officers charged with investigating all forms of trafficking.³⁷⁶ From February 2009 to February 2010, MOHA conducted 26 trafficking investigations and rescued 30 child victims from trafficking situations.³⁷⁷

Government Policies on the Worst Forms of Child Labor

In March 2010, the Government of Bangladesh established a policy framework for the elimination of the worst forms of child labor through approval of the National Child Labor Eradication Policy 2010.³⁷⁸ The policy serves as a guiding instrument for the formulation of future laws and policies regarding child labor. The policy also calls for the formation of a National Child Labor Welfare Council to monitor the child labor situation at a national level.³⁷⁹

The Third National Plan of Action for Children (2005-2010) commits the Government to carry out a variety of tasks to eliminate the worst forms of child labor, with a particular focus on child domestic workers, migrants, refugees, and other vulnerable groups. The commitments include introducing regulations, ensuring working children's access to education, and strengthening the labor inspectorate.³⁸⁰ The Government's 2009 Poverty Reduction Strategy Paper (PRSP) includes a strategic goal to protect child laborers and eliminate the worst forms of child labor. The 3-year PRSP seeks to accomplish this through raising awareness of child labor, drafting minimum wage and other protective standards, creating a child-friendly code of conduct for employers, and improving educational opportunities for working children.³⁸¹ It is estimated that the PRSP will cost approximately

\$51 billion to implement although the Government has not yet appropriated funding to support its implementation.³⁸² While trafficking is mentioned as an ancillary item in a number of government policies including the PRSP and the Third National Plan of Action for Children, the Government lacks a National Plan of Action to combat trafficking.

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

From 2000 to 2005, the Government participated in a USDOL-funded project that provided alternative learning and employment opportunities for families of exploited and at-risk children. Through the provision of education and vocational training services, the project withdrew and prevented children from hazardous work in construction; production of hand-rolled cigarettes and matches; leather tanning industries; and from child domestic work.³⁸³ The project also supported research, which included a survey on hazardous child labor in Bangladesh.³⁸⁴

UNICEF is collaborating closely with the Government to implement the second phase of a project to set up education centers that provide non-formal education and livelihood skills to over 350,000 working children and adolescents.³⁸⁵ The Government is also participating in a Netherlands-funded project that aims to prevent and eliminate the worst forms of child labor in the informal economy in Dhaka³⁸⁶ and a USDOL-funded ILO-IPEC project to conduct data collection on child labor.³⁸⁷

The Government of Bangladesh, under MOLE, took steps to target children engaged in or at-risk of exploitive labor under its own auspices through a national program which concluded in June 2009.³⁸⁸ This program was implemented by NGOs and targeted 21 sectors in which children work. The project enabled over 30,000 working children to leave hazardous occupations by providing them with additional skills.³⁸⁹ The Ministry of Women also partners with UNICEF on a project to support the Third National Plan of Action for Children.³⁹⁰ These projects are important but lack the resources and the scope needed to reach the large numbers of children engaged in or at risk of the worst forms of child labor.

To combat child trafficking, the Government is

participating in a USAID-funded project that aims to build the capacity of the police to identify and prosecute traffickers, expand public awareness on trafficking, and provide services to trafficking victims.³⁹¹ Additionally, the Government supports six

shelters for women and child trafficking victims and is participating in a Danish International Development Agency-funded child helpline service.³⁹²

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

IN THE AREAS OF LAWS AND REGULATIONS:

- Develop and approve a list of hazardous work, including hazardous occupations prohibited for children.
- Raise the compulsory education age to 14, the established minimum age for work.
- Amend the labor law to provide clear enforcement authority to MOLE beyond the formal employment sector to include both agriculture and home-based enterprises.
- Amend and harmonize the Penal Code of 1860 and the Children's Act of 1974 to include protections for all children (including boys) under the age of 18.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Ensure labor inspections adequately investigate child labor violations.
- Enhance data collection on the worst forms of child labor and make worst forms of child labor enforcement statistics publically available.

IN THE AREA OF GOVERNMENT POLICY:

- Commit adequate funding to implement the 2010 National Child Labor Eradication Policy.
- Enact a National Plan of Action to combat trafficking-in-persons.

IN THE AREA OF SOCIAL PROGRAMS:

- Commit funding and expand the scope of social programs to adequately assist the large numbers of children engaged in or at risk of the worst forms of child labor in Bangladesh.

³⁴⁴ 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 on working children and children combining working and schooling are from 2006. Data on school attendance are from 2007. 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 on children's work 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 "Data Sources and Definitions" section.

³⁴⁵ U.S. Embassy - Dhaka, *reporting*, February 23, 2010, 1. See also U.S. Department of State, "Bangladesh" in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010, section 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136085.htm>.

³⁴⁶ Bangladesh Bureau of Statistics, *Baseline Survey for Determining Hazardous Child Labour Sectors in Bangladesh*, Dhaka, July 2006. See also U.S. Embassy - Dhaka, *reporting*, February 23, 2010, 2.

³⁴⁷ Bangladesh Bureau of Statistics, *Baseline Survey for Determining Hazardous Child Labour*. See also U.S. Embassy - Dhaka, *reporting*, February 23, 2010, 2. See also Bloomberg Businessweek, *How China's Labor Conditions Stack Up Against Those of other Low-cost Nations*, [November 27, 2006 [cited September 21 2010];

available from http://www.businessweek.com/magazine/content/06_48/b4011009.htm. See also Habibur Rahman Bhuiyan Md. Nurual Huda Bhuyian, Matiur Rahim, Kabir Ahmed, K.M. Formuzul Haque, Md. Tariqul Hassan and Md. Nazrul Islam Bhuiyan, *Screening of Organochlorine Insecticides (DDT and Heptachlor) in Dry Fish Available in Bangladesh*, July 29 2008, 115; available from <http://www.banglajol.info/index.php/BJP/article/viewFile/997/1096>.

³⁴⁸ U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 7d. See also Bangladesh Bureau of Statistics, *Baseline Survey for Determining Hazardous Child Labour*, 20, 94, 95, 168. See also Solidarity Center, *The True Cost of Shrimp*, Washington, DC, January 2008, 29, 30; available from http://www.solidaritycenter.org/files/pubs_True_Cost_of_Shrimp.pdf. See also U.S. Embassy-Dhaka, *reporting*, February 5, 2009, question 2d.

³⁴⁹ Solidarity Center, *The True Cost of Shrimp*, 29, 30. See also Siddarth Kara, *On the Trail of Child Labor in Bangladesh*, [online] 2010 [cited November 5, 2010]; available from <http://www.cnn.com/2010/WORLD/asiapcf/08/03/kara.human.traffic.india/index.html>.

³⁵⁰ International Federation for Human Rights, *Childbreaking Yards*, Paris, 2008, 5, 17, 15; available from <http://www.fidh.org/IMG/pdf/bgukreport.pdf>. See also Sandy Tolan, *Babu’s Story: A Child Worker in the Shipyards of Bangladesh*, [June 18, 2009 [cited April 29, 2010]. See also U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 5.

³⁵¹ International Federation for Human Rights, *Childbreaking Yards*, 5, 17, 15. See also Tolan, *Babu’s Story*. See also U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 5.

³⁵² Bangladesh Bureau of Statistics, *Baseline Survey for Determining Hazardous Child Labour Sectors in Bangladesh*, Dhaka, July 2006, 20, 95.

³⁵³ ILO Labour Office- Dhaka, *Baseline Survey on Child Domestic Labour (CDL) in Bangladesh*, December 2006, xiv, 4; available from <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=4647>. See also U.S. Department of State, “Bangladesh,” in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, sections 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119132.htm>. See also UNICEF, *Basic Education for Hard-to-Reach Urban Working Children*, [online] 2008 [cited May 5, 2010]; available from http://www.unicef.org/bangladesh/Education_for_Working_Children_%28BEHTRUWC%29.pdf.

³⁵⁴ U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 5, 7d. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor Convention, 1999 (No. 182) Bangladesh (ratification: 2001)*, [online] 2005 [cited April 29, 2010]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&>

[textbase=iloeng&document=8259&chapter=6&query=%28Bangladesh%29+%40ref&highlight=&querytype=bool&context=0](http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=8259&chapter=6&query=%28Bangladesh%29+%40ref&highlight=&querytype=bool&context=0).

³⁵⁵ U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 7d. See also Bangladesh Bureau of Statistics, *Baseline Survey for Determining Hazardous Child Labour*, 95. See also U.S. Embassy - Dhaka, *reporting*, February 23, 2010, 1.

³⁵⁶ Bangladesh Bureau of Statistics, *Report on Commercial Sexual Exploitation of Children Pilot Survey 2008*, Dhaka, August 2009, preface. See also U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 7d. See also U.S. Department of State, “Bangladesh (Tier 2 Watch List),” in *Trafficking in Persons Report- 2009*, Washington, DC, June 16, 2009; available from <http://www.state.gov/g/tip/rls/tiprpt/2009/index.htm>.

³⁵⁷ Bangladesh Bureau of Statistics, *Baseline Survey of Street Children in Bangladesh*, Dhaka, December 7, 2003, x; available from <http://www.ilo.org/public/english/region/asro/newdelhi/ipecc/download/resources/bangladesh/bgdpubl03eng5.pdf>. See also Coalition to Stop the Use of Child Soldiers, “Bangladesh,” in *Child Soldiers Global Report 2008*, London, 2008; available from http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf. See also ECPAT International, *South Asia Regional Consultation on Prostitution of Boys*, press release, Dhaka, June 8-9, 2006.

³⁵⁸ U.S. Embassy- Dhaka, *reporting*, February 5, 2009, 1.

³⁵⁹ *Ibid.*, 2.

³⁶⁰ Government of Bangladesh, *Written Communication*, submitted in response to U.S. Department of Labor Federal Register Notice (February 24, 2010) “Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor”, Dhaka, April 8, 2010, 3. See also Ministry of Labour and Employment, *National Child Labour Eradication Policy 2010*, Dhaka, March 2010.

³⁶¹ Government of Bangladesh, *Penal Code*, Act No. XLV, (1860); available from http://supremecourt.gov.bd/act_files/act_11.html. See also U.S. Embassy - Dhaka, *reporting*, May 2, 2009, 2.

³⁶² Government of Bangladesh, *Penal Code*. See also U.S. Embassy - Dhaka, *reporting*, May 2, 2009, 2.

³⁶³ Government of Bangladesh, *Suppression of Violence against Women and Children Act*, Act. No. VIII, (2000), article 6. See also U.S. Embassy- Dhaka, *reporting*, February 5, 2009, 2.

³⁶⁴ Government of Bangladesh, *Penal Code*, article 366a. See also Government of Bangladesh, *The Children Act*, Act No. XXXIX (1974), article 42; available from http://www.law.yale.edu/rcw/rcw/jurisdictions/assc/bangladesh/Bang_Child_Act_and_Rules.htm. See also U.S. Embassy - Dhaka, *reporting*, May 2, 2009, 2.

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- ³⁶⁷ U.S. Embassy - Dhaka, *reporting, February 23, 2010*, 4.
- ³⁶⁸ Ibid.
- ³⁶⁹ Ibid., 5.
- ³⁷⁰ Ibid.
- ³⁷¹ Ibid.
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- ³⁷³ Ibid., 6.
- ³⁷⁴ Ibid. See also U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 5.
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