In 2015, Afghanistan made a moderate advancement in efforts to eliminate the worst forms of child labor. The President ordered the creation of a committee to prevent and prosecute Government officials involved in the commercial sexual exploitation of boys. The Government also prevented children from enlisting in the Afghan National Defense and Security Forces. However, children in Afghanistan are engaged in the worst forms of child labor, including in armed conflict and the forced production of bricks. Afghanistan's labor inspectorate is not authorized to impose penalties for child labor violations, and the Government lacks programs to eliminate child labor in certain sectors in which it is prevalent.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Afghanistan are engaged in the worst forms of child labor, including in armed conflict and the forced production of bricks.(1-7) Table 1 provides key indicators on children's work and education in Afghanistan. Data on some of these indicators are not available from the sources used in this report

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	7.5 (673,949)
Attending School (%)	5-14 yrs.	41.8
Combining Work and School (%)	7-14 yrs.	4.6
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010-2011.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including harvesting poppies (10-13)
	Herding* (12, 14, 15)
	Carpet weaving† (12, 15-17)
In alcontract	Construction,* activities unknown (12, 18)
Industry	Coal, gem,* and salt* mining† (14, 19-22)
	Brick making (1, 12-14, 17, 23)
	Domestic work (6, 12, 17)
	Transporting water and goods, including across international borders (12, 14, 24, 25)
Comisos	Street work, including peddling, vending, shoe shining, carrying goods, and begging (6, 12, 17, 26)
Services	Collecting garbage† (6, 17, 25)
	Washing cars* (12, 13)
	Selling goods in stores* (12, 25)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including in the trafficking of drugs (6, 12, 27, 28)



MODERATE ADVANCEMENT

Table 2. Overview of Children's Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Use in armed conflict, sometimes a result of forced recruitment (5-7, 13, 28)
	Domestic work as a result of human trafficking (4, 28, 29)
	Commercial sexual exploitation, sometimes as a result of human trafficking (25, 26, 28, 30-33)
	Forced labor in the production of bricks and carpets,* and in begging, each sometimes as a result of human trafficking (1-4, 25, 28, 29)

^{*} Evidence of this activity is limited and/or the extent of the problem is unknown.

In Afghanistan, children are most commonly trafficked internally for labor exploitation in carpet weaving, brick making, domestic work, commercial sexual exploitation, begging, and drug smuggling. (4, 29) Children are also trafficked transnationally, primarily to Pakistan, Iran, India, Saudi Arabia, and Greece. Boys are used for forced labor in agriculture, construction, begging, drug smuggling, and commercial sexual exploitation, while girls are used for commercial sexual exploitation and domestic work. (4, 28, 29) Evidence points to the trafficking of children for commercial sexual exploitation and debt settlement, including bonded labor in the production of bricks. (3, 4, 12) There are reports indicate that girls from other countries—including Iran and Pakistan—are trafficked to Afghanistan for commercial sexual exploitation. (4, 28)

Non-state groups, such as the Taliban and *Da'esh* (also known as the Islamic State of Khorasan Province), recruited children for use in armed conflict, to plant improvised explosive devices, or to act as suicide bombers. (5, 6, 13, 28) The Taliban use some schools for child recruitment and military training. (7) Limited evidence indicates that the *Da'esh* trained children as young age 5 in the use of weapons. (21) The UN has also verified cases of recruitment and use of children by the Afghan National Defense and Security Forces. (7) Low birth registration contributes to the problem because it makes the determination of a recruit's age difficult. (34)

Children, especially boys, are subject to commercial sexual exploitation throughout the country. The practice of *bacha bazi* (boy play), in which men keep young boys for social and sexual entertainment, is particularly prevalent.(32, 35) In many cases, these boys are dressed in female clothing, used as dancers at parties and ceremonies, and sexually exploited.(32, 36) A national inquiry conducted in 2014 found that most boys were ages 13–16.(32) Reports indicate that some government officials, including members of the Afghan National Police, Afghan Local Police, and the Afghan Border Police, have boys for *bacha bazi* and also have them work as tea servers or cooks in police camps.(32, 35, 37)

Based on a 2013 report by the Afghanistan Independent Human Rights Commission, about 6 million children are out of school. Barriers to education for children include distance from school, school-related fees, lack of security, and not being allowed by parents to go to school, particularly for girls.(12) Attacks on schools continued in 2015; and 68 schools in Nangarhar province were closed due activities of groups affiliated with *Da'esh*.(7)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Afghanistan has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
WITO IN	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	√
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C 182.

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 13 of the Labor Law (38)
Minimum Age for Hazardous Work	Yes	18	Articles 13 and 120 of the Labor Law (38)
Prohibition of Hazardous Occupations or Activities for Children	Yes		List of Prohibited Jobs for Child Laborers (39)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Law; Articles 7.3 and 8.2 of the Counter Abduction and Human Trafficking Law; Article 516 of the Penal Code (38, 40, 41)
Prohibition of Child Trafficking	Yes		Article 8.2 of the Counter Abduction and Human Trafficking Law; Article 516 of the Penal Code (40, 41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 18.2 of the Law on Elimination of Violence Against Women; Article 427 of the Penal Code (41, 42)
Prohibition of Using Children in Illicit Activities	Yes		List of Prohibited Jobs for Child Laborers; Article 23 of the Counter Narcotics Law (39, 43)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Presidential Decree, 2003 (44)
Compulsory Education Age	Yes	15‡	Article 17 of the Education Law (45)
Free Public Education	Yes		Article 17 of the Education Law (45)

^{*} No conscription (44)

Afghan law does not comprehensively protect children from commercial sexual exploitation. While the 2009 Elimination of Violence Against Women Act protects girls from forced prostitution, it does not mention boys. (42) The legal framework does not adequately criminalize the possession or distribution of child pornography specifically or include increased penalties for the possession or distribution child pornography. In addition, although the Penal Code sets forth increased penalties for sex acts with boys, it does not specifically address the practice of *bacha bazi* and the associated sexual exploitation, including touching, massaging, and forced dancing in public and private ceremonies. (41) Pending amendments to the Penal Code include measures that criminalize the practice of *bacha bazi*, including forcing a child to dance. (28)

The Counter Abduction and Human Trafficking Law requires the elements of force, fraud, or coercion for trafficking of a child, which is inconsistent with international standards.(40) Although forced labor and child trafficking are illegal, research did not find criminalization of debt bondage.

Additionally, laws related to illicit activities are not sufficient as the use, procuring, and offering of a child for the production of drugs are not prohibited.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Social Affairs, Martyrs, and Disabled (MoLSAMD)	Respond to complaints of child labor and refer cases to the Attorney General's Office.(47)
Child Protection Action Network (CPAN)	A coalition of Government agencies, NGOs, and community and religious leaders conducts child labor inspections and refers children engaged in hazardous child labor to NGO and Government shelters that provide protection and social services.(6)

[‡] Age calculated based on available information.(46)



MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Ministry of Interior (MOI)	Enforce laws related to child trafficking, the use of children in illicit activities, and child sexual exploitation.(6)
National Directorate of Security (NDS)	Identify human trafficking victims and refer these cases to the Ministry of the Interior.(48)
Attorney General's Office (AGO)	Investigate and prosecute human trafficking and abduction cases.(48)
Ministry of Women's Affairs (MOWA)	Register abduction and human trafficking cases, and provide support to child labor and trafficking victims.(6, 48)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Afghanistan took actions to combat the worst forms of child labor.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors Number of Child Labor Dedicated Inspectors	Unknown 19 (46)	18 (6) Unknown
Inspectorate Authorized to Assess Penalties	Unknown	No (6)
Training for Labor Inspectors Initial Training for New Employees Training on New Laws Related to Child Labor Refresher Courses Provided	Unknown Unknown Unknown	No (6) N/A No (6)
Number of Labor Inspections Number Conducted at Worksite Number Conducted by Desk Reviews	350 (46) Unknown Unknown	Unknown Unknown Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed Number of Penalties Imposed That Were Collected	Unknown Unknown	0 (6) N/A
Routine Inspections Conducted Routine Inspections Targeted	Unknown Unknown	Yes (6) Yes (6)
Unannounced Inspections Permitted	Unknown	Yes (6)
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Unknown	Yes (47)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Yes (6)

In 2015, MoLSAMD employed 18 labor inspectors. According to the ILO recommendation of 1 inspector for every 40,000 workers in less developed economies, Afghanistan should employ about 200 inspectors to adequately enforce labor laws throughout the country.(6, 49-51) Government officials, NGOs, and UNICEF acknowledge that the number of labor inspectors is insufficient. Labor inspectors do not have legal authority to enforce child labor laws.(6) Business owners are not required to allow unannounced inspections.(6)

MoLSAMD, in cooperation with the Child Protection Action Network (CPAN), can respond to complaints of child labor, investigate cases, and issue warnings or refer the case to the General Attorney's office. A person wishing to file a complaint must specify the legal grounds for labor violations in writing.(47)

The primary mechanism for responding to child labor cases is CPAN. In 2014, 19 CPAN technical advisors conducted 350 child labor inspections across Afghanistan. (46) Updated information for 2015 is not available.

Criminal Law Enforcement

In 2015, criminal law enforcement agencies in Afghanistan took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators Initial Training for New Employees Training on New Laws Related to the Worst Forms of Child Labor Refresher Courses Provided	Unknown Unknown Unknown	Unknown Unknown Yes (6)
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Yes (6)

In 2015, the Ministry of the Interior employed two officers in each anti-human-trafficking unit throughout Afghanistan's 34 provinces; however, the priority of these units is to combat human smuggling, rather than combating the worst forms of child labor. Government officials stated that they lacked equipment and transportation to carry out investigations.(6) In 2014, the Government issued a directive that calls for the enforcement of the Law on Human Trafficking to ensure that victims of human trafficking receive appropriate social services instead of being prosecuted for violations of Afghan law.(35) During the reporting period, however, victims of human trafficking were routinely prosecuted and convicted of crimes. Some Government officials are complicit in the lack of prosecutions of individuals who subject boys to *bacha bazi*.(4) Male child victims of human trafficking, especially those who were engaged in commercial sexual exploitation or were used as child soldiers, were sometimes referred to juvenile detention and rehabilitation facilities, and they did not receive appropriate victim support services.(28, 52) The UN noted that some children, detained in juvenile rehabilitation centers as a result of their association with armed groups, reported being subjected to torture and ill treatment.(52)

In 2015, the President ordered the creation of a committee to investigate and prosecute cases of commercial sexual exploitation of children by security forces. (28) Based on Government statistics for 2015, 41 cases of human trafficking were investigated, leading to 38 prosecutions and 33 convictions; however, it is not known how many of these cases involved child victims. (6)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government of Afghanistan has established coordinating mechanisms to address certain forms of child labor, research found no evidence of an overall mechanism to combat child labor, including all its worst forms (Table 8).

Table 8. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
High Commission for Combating Crimes of Abduction and Human Trafficking	Address human trafficking in general, including child trafficking. Led by the Ministry of Justice and comprising the National Directorate of Security; the Attorney General's Office; the Afghan Independent Bar Association; the Afghanistan Independent Human Rights Commission; the Afghan Women Skills Development Center; and nine Government ministries, including MoLSAMD, the Ministry of Public Health, and the Ministry of Women's Affairs.(6, 48)
Inter-Ministerial Steering Committee on Children and Armed Conflict	Coordinate efforts to eliminate the recruitment and use of child soldiers. Led by the Ministry of Foreign Affairs and monitored by the UN Task Force on Children and Armed Conflict, which comprises UN and NGO members.(53)



MODERATE ADVANCEMENT

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Afghanistan has established policies related to child labor, including its worst forms (Table 9).

Table 9. Policies Related to Child Labor

Policy	Description
National Strategy for Children at Risk	Creates a framework to support at-risk children and their families with new and existing social services, develops a strategic plan to build the capacity of child-based organizations into broader family- and community-based institutions, and guides donors in contributing toward a comprehensive child protection system. Focuses specifically on working children, trafficked children, child soldiers, and other children affected by conflict.(54)
Action Plan for the Prevention of Underage Recruitment	Aims to prevent the recruitment of minors into the Afghan National Security Forces, including the Afghan National Army, the Afghan National Police, the National Directory of Security, and progovernment militia groups. Seeks to ensure the release of children under age 18 from the armed forces and facilitate their reintegration into families and communities.(55)
Road Map Toward Full Compliance of the Action Plan for the Prevention of Underage Recruitment	Supports and expedites implementation of the Action Plan for the Prevention of Underage Recruitment. Identifies 15 priority areas, including criminalization of the recruitment and use of children by national security forces, development of a policy to protect children arrested and detained on national security-related charges, improved age verification procedures, establishment of a national monitoring system, and endorsement of a national birth registration strategy.(6, 52)
National Action Plan on Trafficking in Persons (2014–2015)	Aimed to improve the anti-trafficking legal framework, prevent prosecution of trafficking victims, increase awareness about the trafficking of male children, and improve victim rehabilitation programs for boys.(56)
National Labor Policy	Includes objectives to eliminate the worst forms of child labor, including those in hazardous activities; pass legislation prohibiting child labor; and effectively enforce child labor laws.(17)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Afghanistan funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Social Programs to Address Child Labor

Program	Description
Project to Prevent Child Labor in Home-Based Carpet Production in Afghanistan (2013–2017)	\$2 million, USDOL-funded 4-year, project implemented by GoodWeave. Aims to build market preferences for child labor-free Afghan carpets, contributes to evidence-based knowledge of child labor in the Afghanistan carpet sector, and increases public awareness and engagement on the issue of child labor in the Afghan carpet sector.(57) In 2015, GoodWeave provided educational services, including extracurricular classes, to 134 children, and livelihood and health services to 43 households. With more time dedicated to educational activities, children have less time to engage in child labor in carpet weaving.(58)
Country Level Engagement and Assistance to Reduce Child Labor (CLEAR)*	USDOL-funded capacity-building project implemented by the ILO in at least 10 countries to build local and national capacity of the Government to address child labor. Aims to improve monitoring and enforcement of laws and policies related to child labor and the implementation of the National Strategy for Children at Risk.(59)
Afghanistan Peace and Reintegration Program	Promotes the reintegration of former insurgents back into their communities. Child insurgents are referred to the Ministry of the Interior's child correction centers.(28)
Age Verification of New Afghan National Security Forces Recruits†	Ministry of Foreign Affairs, Ministry of Defense, Ministry of Interior, National Directorate of Security, and UNICEF program that operates child protection units in the Afghan National Security Forces recruitment centers. Aims to ensure that new recruits meet the minimum age requirement of 18 by carefully screening applicants.(60) In an effort to address the use of the fraudulent IDs by children, the process includes an ID check and a requirement that at least two community elders vouch that a recruit is at least age 18 and is eligible to join the Afghan National Security Forces.(61) Implemented by the Afghan National Police in Badghis, Herat, Laghman, Nangarhar, and Nimroz provinces, the pilot program seeks to enforce the Ministry of the Interior National Birth Registration Strategy, which aims to prevent recruitment of children into the armed forces.(28)
Trafficking Shelters†	MoLSAMD-funded, NGO-operated shelter for human trafficking victims. Provides food, clothing, medical care, counseling, psychosocial support, and vocational and academic training. MoLSAMD registers victims and provides reintegration assistance.(6) An additional shelter is available for boy victims of human trafficking in Kabul, funded by the USDOS and operated by Hagar International.(6)
Counter-Trafficking Program	USDOS-funded project implemented by Hagar International in collaboration with the IOM. Provides counter-trafficking training for law enforcement officials in four provinces and aims to facilitate information sharing and collaboration on counter-trafficking activities between government and civil society actors.(35, 62)

Table 10. Social Programs to Address Child Labor (cont)

Program	Description
Safety Nets and Pensions Support Project (2009–2016)	\$7.5 million World Bank-funded, 7-year project, implemented by MoLSAMD, provides cash support on a case-by-case basis to poor families with children under age 5 in three provinces. Targets highly impoverished families, including children who are at risk of child labor.(6)
Protracted Relief and Recovery Operation (2014–2016)	\$496 million WFP-funded \$496 million, 3-year project, enhances food security and nutrition for 3.7 million beneficiaries in 184 food insecure districts. Assists people affected by conflict, natural disaster, or economic stress by providing food, vouchers, or cash. Provides targeted children with supplementary feeding, supports schools to increase enrollment and attendance, and provides adults with vocational training.(63)

^{*} Program was launched during the reporting period.

The Government opened three new Children Protection Units, bringing the total to seven throughout the country, which prevent the enlistment of children into the Afghan National Defense and Security Forces.(7) Between March 2015 and March 2016, the Government prevented the enlistment of more than 1,100 children.(64)

There is no evidence of programs designed specifically to prevent and eliminate child labor in agriculture or forced child labor in the production of bricks. Research found that shelters and support services for male child trafficking victims older than age 10 were particularly limited.(33)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Afghanistan (Table 9).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws protect all children, including boys, from commercial sexual exploitation.	2013 – 2015
	Ensure that laws clearly prohibit the production, distribution, benefiting from, and possession of child pornography.	2014 – 2015
	Ensure that the definition of child trafficking does not require an element of force or coercion in different stages of human trafficking.	2011 – 2015
	Ensure that debt bondage is criminally prohibited.	2015
	Ensure laws criminally prohibit procuring and offering of a child for illicit activities.	2015
Enforcement	Collect and make publicly available information on labor inspectorate funding; the number of CPAN technical advisors dedicated to child labor inspections; the number of labor inspections, including those conducted at worksites and by desk reviews; the number of child labor violations identified; and whether unannounced inspections were conducted.	2015
	Authorize the inspectorate to assess penalties for violations of Afghan law.	2015
	Ensure that the labor inspectorate receives training on child labor.	2011 – 2015
	Increase the number of labor inspectors responsible for enforcing laws related to child labor to provide adequate coverage of the workforce.	2011 – 2015
	Ensure that the labor inspectorate has legal authority to enforce child labor laws, including by legally requiring businesses to comply with unannounced inspections.	2014 – 2015
	Simplify the child labor complaint mechanism to allow oral complaints and waive the requirement that the individual filing a complaint must specify the legal grounds for the violation.	2015
	Make publicly available data on the training system of criminal investigators, as well as the numbers of investigations, violations, prosecutions, and convictions for all crimes involving the worst forms of child labor.	2011 – 2015
	Ensure that investigators are available to enforce criminal laws involving all of the worst forms of child labor.	2014 – 2015

[†] Program is funded by the Government of Afghanistan.

Afghanistan

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that criminal law enforcement agencies have the necessary equipment and transportation to enforce laws involving the worst forms of child labor.	2012 – 2015
	Ensure that child victims of human trafficking and other worst forms of child labor are correctly identified as victims and are not detained; and ensure that they are referred to appropriate social services, and that children held in juvenile detention or rehabilitation facilities are not subject to mistreatment or torture.	2014 – 2015
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.	2013 – 2015
Social Programs	Institute a birth registration campaign.	2015
	Institute programs to increase access to education and to improve security in schools, especially for girls.	2014 – 2015
	Institute programs to address child labor in agriculture and bonded child labor in brick kilns.	2009 – 2015
	Provide financial support to open shelters for victims of human trafficking and to ensure that sufficient shelter services are available for older male child trafficking victims.	2010 – 2015

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Afghanistan

MODERATE ADVANCEMENT

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Afghanistan

MODERATE ADVANCEMENT

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