

In 2011, Afghanistan made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government of Afghanistan and the UN signed an agreement in which the Government pledged to prevent the recruitment of minors into the national armed forces. The Government provided some training to the Afghan National Police (ANP) on this policy and investigated some cases of child recruitment. Despite this policy and these efforts, 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. Children in Afghanistan remain engaged 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, 2012.(1)

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

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Afghanistan are engaged in the worst forms of child labor. Such worst forms include recruitment and use of children for military purposes by the ANP and non-state armed groups, forced labor in the production of bricks and dangerous work in agriculture.(3-8) Children work in agriculture in Afghanistan, including in the cultivation of poppies for opium production.(5, 9) Children working in agriculture may apply pesticides, use dangerous machinery and tools and transport heavy loads. There is limited evidence that children also raise livestock or shepherd animals, risking injury from animals. A study found that some children raising livestock may be physically abused and sexually harassed by animal owners.(10)

Children engage in exploitative work in home-based carpet weaving. They work long hours with their families and use dangerous tools and equipment, carry heavy loads and breathe harmful chemicals and wool dust.(5, 6, 11) Children work as auto mechanics and as blacksmiths in metal workshops.

These occupations expose them to occupational injuries such as cuts and burns.(6, 12) Children mine coal which may lead to respiratory illnesses or injuries from explosions.(13, 14) Children also work in gem mining operations.(5, 12) In urban areas, some children belong to begging gangs or engage in street vending.(5, 15) Children working on the streets are vulnerable to severe weather, traffic accidents and crime. Children also work as domestic servants, which may require them to work long hours, perform dangerous activities and endure physical and sexual exploitation.(5, 12, 16) Children reportedly work in construction sites.(17) There is also limited evidence that children gather, distribute and sell firewood, making them vulnerable to animal attacks, falls, car accidents and abuse from landowners.(10)

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.(5-7, 18, 19)

Children are used in illicit activities related to narcotics, including opium smuggling across borders.(12, 20) Children are recruited and used for military purposes by non-state groups as well as by the ANSF, including the ANP.(3-5, 8, 21) A June 2012 UN report documents isolated cases in which the local ANP in the eastern and southern regions of Afghanistan recruited children through intimidation; a February 2011 UN report indicates that local level ANP offices recruited children on school compounds. Anecdotal evidence reported by the UN indicates that children serving in the ANP were exposed to combat.(4, 21, 22) Non-State armed groups, such as the Haqqani Network, Hezb-i-Islami, Tora Bora Front, Jamat Sunat al-Dawa Salafia and the Taliban, recruit child soldiers; the Taliban reportedly uses

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children as suicide bombers.(3, 4, 23-27) Armed groups 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.(3-5, 7, 23, 26, 28)

Afghanistan is a source and destination country for trafficking.(7, 23) Trafficking within Afghanistan is more prevalent than transnational trafficking. Afghan children are trafficked internally for forced labor, including debt bondage, in the brick industry, forced begging, sexual exploitation, child soldiering and domestic service. In addition, there is limited evidence that children are trafficked for forced labor in the carpet industry.(7, 23, 29) Boys are trafficked to Iran and Pakistan for sexual exploitation, paramilitary training, drug smuggling and domestic service.(7, 23, 29) Boys are reportedly trafficked to Saudi Arabia for forced begging and street vending.(7) Girls are trafficked internationally, particularly to Pakistan, for prostitution and forced domestic service.(7, 29) Girls from other countries are trafficked to Afghanistan for commercial sexual exploitation.(23, 29)

Afghanistan is plagued by insecurity and violence and this has led to grave abuses against children.(8) These include the recruitment and use of children in armed conflict, the killing and maiming of children in attacks or combat and attacks on schools.(8, 30) These conditions make it more difficult for children to attend school on a regular basis. According to the Ministry of Education (2007), while enrollment has risen since the fall of the Taliban, there are significant gender and geographic disparities.(31, 32) According to reporting from 2007, only one-fourth of all school buildings are classified as “useable.”(32) The lack of access to adequate education makes children particularly vulnerable to child labor.

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for employment, including hazardous employment, at 18.(33) 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.(33)

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.(33) However, the Government of Afghanistan has not defined hazardous working conditions and occupations prohibited for children.(17) In addition, the Labor Code does not prescribe penalties for child labor violations.(17)

	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	14
	Free Public Education	Yes

The Constitution prohibits forced labor.(34) The Decree of the President of the Islamic Republic of Afghanistan Concerning the Enforcement of the Law on Combating Abduction and Human Trafficking specifically prohibits trafficking in persons, both domestically and internationally.(29, 35) The law prescribes stronger penalties for trafficking of children than trafficking of adults.(29)

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.(24, 36)

According to the Constitution, children and adults in Afghanistan are entitled to free education through the university undergraduate level.(34) Children in Afghanistan are required to attend 4 years of primary school and 3 years of secondary school, until approximately age 14.(5) The potential discrepancy between the years of schooling required and the minimum age for light work may make children age 14 particularly vulnerable to the worst forms of child labor as they are not required to be in school nor are they legally permitted to work.

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.(6, 37) 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 28 out of 34 provinces.(38) During the reporting period, the Ministry of Justice took the lead in creating an Inter-Ministerial Trafficking in Persons High Commission which addresses trafficking in persons in general.(7) The Ministry of Women's Affairs (MOWA) is responsible for combating the trafficking of girls through policy and advocacy.(7)

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 United Nations 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.(17, 39) The Government also has an Inter-Ministerial Steering Committee on Children and Armed Conflict with representatives from the MFA, the National Directorate of Security and the ministries of Defense, Interior, Justice, Health, Social Affairs, Women's Affairs and Education.(17) In general, the UN-led Task Force is responsible for monitoring the outcomes of the Inter-Ministerial Task Force on Children and Armed Conflict.(39) During the reporting period, the Ministries of Interior and Defense issued directives to prevent the recruitment and sexual abuse of children in the ANSF. The directives included specific sanctions that would be applied to the perpetrators.(21)

MOLSAMD is responsible for enforcing the Labor Code, including laws to combat child labor. It employs 20 inspectors to cover the country's 34 provinces.(12) The number of labor inspectors is not sufficient to enforce Afghan laws on child labor. Labor inspectors did not receive training on child labor during the reporting period. The Ministry of Interior (MOI) is charged with enforcing laws related to hazardous child labor, forced child labor, child trafficking and child sexual exploitation.(12) Specifically, the MOI has an anti-trafficking in persons unit, which employs seven officers dedicated to investigating trafficking in persons. It is unclear how the MOI investigates other worst forms of child labor-related violations. The Attorney General's Office handles trafficking in persons prosecutions.(7, 23) MFA takes the lead on all international trafficking cases.(7, 23)

During the reporting period, the Ministry of Interior trained more than 150 members of the ANP on age assessment procedures in order to prevent the recruitment and use of children in armed conflict.(21) In the western region, the ANP systematically rejected children attempting to enlist in ANP recruitment centers and documented the cases. In addition, the MOI initiated 19 investigations of alleged underage recruitment in the ANSF.(21)

Research did not reveal the number of child labor and trafficking inspections and violations found during the reporting period. In addition, international organizations and NGO officials report that the Government does not distinguish between human trafficking and human smuggling, due in part to the fact that in Dari language, the word for trafficking and smuggling is the same.(7)

Government Policies on the Worst Forms of Child Labor

In January 2011, the Government of Afghanistan and the UN signed an agreement in which the country pledged to prevent the recruitment of minors into the ANA, the ANP, including the Afghan Local Police and the National Directorate of Security.(26, 40) The agreement, in the form of an Action Plan, is implemented by the Government's Inter-Ministerial Steering Committee on Children and Armed Conflict and monitored by the UN's Task Force on Children and Armed Conflict and UNICEF. The Action Plan also includes measures to prevent young boys from being victims of *baccha baazi*.(41)

Since the agreement was signed, there has been little progress toward fulfilling the Action Plan's goals. There has been no dialogue with armed groups to release and reintegrate children and no child specific provisions were added for peace and reconciliation plans.(7)

The Government of Afghanistan's Ministry of Education's National Education Strategic Plan establishes goals to improve access to and the quality of education.(32) The question of whether this plan has had an 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 period, 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

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the provision of vocational training, family reintegration, schooling and literacy training.(16) 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.(42)

Research found no evidence that the Government has implemented or supported programs to assist children involved in armed conflict.

Few children in Kabul have formal birth registrations.(6) This makes it difficult to monitor and enforce laws such as the minimum age for employment and military recruitment. The recent January 2011 Action Plan on Children and Armed Conflict intends to address this problem by strengthening birth registration and age verification measures and investigating perpetrators of underage recruitment. However, the Government has yet to make substantial progress in this area.(23)

Government agencies sometimes refer child trafficking victims to NGO-run facilities or orphanages, or place them with government social service agencies.(29) MOLSAMD supports two shelters in Kabul and Herat 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.(7) In general, the majority of victims in trafficking shelters were boys under age 16.(7) However, there appeared to be no shelters for male trafficking victims from ages 16 to 18. Also, as female victims are not disaggregated by age, it is difficult to determine if underage female trafficking victims are being assisted with services.(7) The MOWA and the MOI also refer trafficking victims to health care facilities where they receive free basic treatment, and MOWA provides free legal services to trafficking victims.(29)

There are currently no programs for children engaging in the worst forms of child labor 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	Revise the Labor Code to specify penalties for child labor violations.	2010, 2011
	Designate hazardous working conditions and occupations prohibited for children.	2009, 2010, 2011
	Increase the age of compulsory schooling to match at least the minimum age for light work.	2011
Coordination and Enforcement	Increase the number of labor inspectors and provide them with training on child labor laws and regulations.	2011
	Make publicly available the number of child labor and trafficking inspections and violations.	2009, 2010, 2011
	Clearly define human trafficking in accordance with international conventions.	2011
Policies	Uniformly administer existing penalties for businesses violating child labor laws and ensure that punishments are a sufficient deterrent.	2011
	Take measures to fully implement the January 2011 Action Plan on Children and Armed Conflict.	2010, 2011
	Assess whether the National Education Strategic Plan has an impact on child labor.	2009, 2010, 2011
Social Programs	Expand government and NGO-run shelters to provide services to all children, including older male child trafficking victims.	2010, 2011
	Collect and make publicly available the data on the age and gender of trafficking victims.	2011

Area	Suggested Actions	Year(s) Action Recommended
Social Programs	Implement rehabilitation and reintegration programs for children affected by armed conflict.	2009, 2010, 2011
	Create programs to address the worst forms of child labor in agriculture.	2009, 2011

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