

In 2013, Afghanistan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Afghanistan announced the adoption of a list of 29 jobs/working conditions prohibited for children. The National Directorate of Security's (NDS) anti-trafficking in persons/smuggling unit hired 37 new personnel for provincial offices, almost doubling the personnel already in place. The Government's Ministry of Interior (MOI) and Ministry of Defense issued directives to prevent the recruitment and sexual abuse of children by the Afghan National Security Forces (ANSF) and began installing the Afghan Human Resources Information Management System (AHRIMS), which will include information on the age of every member of the ANSF. The Government also began participating in a project to combat child labor in the carpet sector. However, children in Afghanistan continue to engage in child labor, including in agriculture, and the worst forms of child labor in the forced production of bricks. Children also continued to be recruited and used for military purposes by non-state groups, as well as by state groups including the Afghan National Police (ANP) and the Afghan Local Police (ALP). The Government does not have a coordinating mechanism to address child labor, sufficient inspectors to enforce child labor laws, or programs to eliminate child labor in sectors where it is prevalent.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Afghanistan are engaged in child labor, including in agriculture, and the worst forms of child labor in the forced production of bricks.(1, 2) Children continue to be recruited and used for military purposes by non-state groups, as well as by state groups.(3)

Data on key indicators on children's work and education 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.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		Unavailable

Source for primary completion rate: UNESCO Institute for Statistics, 2014.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from ENCOVI Survey, 2014.(5)

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 (1, 6, 7)
	Tending livestock (8, 9)
Industry	Home-based carpet weaving (1, 10-12)
	Construction, activities unknown† (9)
	Coal mining and gem mining*† (1, 13-15)
	Brick making (2, 10, 11, 16, 17)

Afghanistan

MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Services	Repairing automobile† and blacksmithing† (13)
	Domestic service (1, 10, 11)
	Gathering firewood, transporting water and goods (18, 19)
	Street work, including vending, shoe shining, carrying goods and begging (1, 11, 20, 21)
	Collecting garbage (11, 19)
Categorical Worst Forms of Child Labor‡	Drug trafficking (1, 10, 11, 13, 22)
	Commercial sexual exploitation (10)
	Child soldiering, as a result of forced or compulsory recruitment (1, 3, 23-28)
	Commercial sexual exploitation, brick making, begging, agriculture, construction, domestic service, and carpet weaving* as a result of human trafficking (2, 10, 12, 16, 19, 29-31)

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

† 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.

Children are used for military purposes by both state and non-state groups.(1, 3, 23-28) During 2013, the UN verified the use of 97 children in armed conflict from across various regions of the country.(32) In three-fourths of the cases, non-state groups were involved in using children, while in the remaining one-fourth of cases, state groups were involved. Specifically, the UN verified the recruitment and use of 14 children by the ALP, 5 children by the ANP, and 1 child by the Afghan National Army (ANA).(32) The ANP and ALP continued to use children at checkpoints as messengers and tea boys.(3) The UN also verified that two boys recruited by the ALP directly took part in military operations.(33) Non-state-armed groups such as the Haqqani Network, Hezb-i-Islami, Tora Bora Military Front, Jamat Sunat al-Dawa Salafia, and the Taliban use children as soldiers; the Taliban and the Haqqani Network use children as suicide bombers and to plant improvised explosive devices.(1, 3, 11, 23, 34)

Armed groups, including the ANP, as well as other actors, also use children, especially boys, in commercial sexual exploitation, including *bacha baazi* (boy play). These boys are used as dancers dressed in female clothing and are often sexually exploited.(1, 23)

Afghanistan is a source, transit, and destination country for trafficking in persons. Trafficking within Afghanistan is more prevalent than transnational trafficking.(10) 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.(10, 16) Girls are trafficked internationally to India for commercial sexual exploitation and forced domestic service.(16) Girls from other countries are trafficked to Afghanistan for commercial sexual exploitation.(10, 29)

Afghanistan is plagued by insecurity and violence; this has led to grave abuses against children.(35, 36) According to a UN report, 124,354 civilians were displaced in 2013 due to armed conflict.(3) Reports note that children who are living in isolated, conflict-affected areas and others who are internally displaced by conflict are at risk of being recruited into non-state-armed groups. Reports also note that children—particularly girls in conflict areas—have limited access to basic social services like education.(3, 19, 35, 37)




The United Nations Assistance Mission in Afghanistan verified that there were 73 incidents of violence targeting education facilities and personnel during 2013, including attacks on schools, teachers, staff, as well as students during the reporting period. These attacks resulted in the killing of at least 11 children and injuring 46 others.(3) In particular, some girls have been intentionally exposed to contaminated water and poisonous gas in schools in the North.(35) These conditions make it more difficult for children to attend school on a regular basis. The Ministry of Education reported the closure of 539 schools throughout the country, which prevented approximately 115,000 children from attending school.(38)

Research found no available current statistics on children's work and education in Afghanistan.

II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	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	

The Ministry of Foreign Affairs translated the Palermo Protocol and submitted it to the Council of Ministers for legal processing. However, the Government has not yet ratified the Protocol.(39)

The Government has established relevant 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	18	Labor Law (40)
Minimum Age for Hazardous Work	Yes	18	Labor Law (40)
List of Hazardous Occupations Prohibited for Children	Yes		List of Prohibited Jobs for Child Laborers (41, 42)
Prohibition of Forced Labor	Yes		Constitution (43)
Prohibition of Child Trafficking	Yes		Decree of the President of the Islamic Republic of Afghanistan Concerning the Enforcement of the Law on Combating Abduction and Human Trafficking/Smuggling (44)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Elimination of Violence Against Women Act (45)
Prohibition of Using Children in Illicit Activities	Yes		List of Prohibited Jobs for Child Laborers; Penal Code (11, 41, 42)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	<i>Legislation title unknown</i> (27)
Compulsory Education Age	Yes	15	Article 43 of the Constitution (43)
Free Public Education	Yes		Article 43 of the Constitution (43)

*No conscription or no standing military.

In February 2014, with support from the ILO, the Ministry of Labor, Social Affairs, Martyrs and Disabled (MOLSAMD) announced a list of 29 jobs and/or working conditions prohibited to children, including mining, begging, agricultural production and processing of narcotics, working for more than 4 hours in the carpet sector, and bonded labor.(41, 42) The President's Office approved the list and authorized MOLSAMD to enforce its provisions. (46) According to the Labor Code, children between ages 15 and 18 may engage in light work up to 35 hours per week as long as it is not hazardous, but the Code does not specify what tasks are considered light work.

Afghanistan

MODERATE ADVANCEMENT

(35, 40) The Labor Code also does not ensure that protections apply equally to children working in the formal and informal sectors (40, 47). Furthermore, the Code does not prescribe penalties for child labor violations.(21, 40) The ILO and MOLSAMD have developed a revised version of the Labor Code, which would strengthen worker protection and provide penalties for child labor violations. The new law is currently under review at the Ministry of Justice and will eventually have to be approved by the Council of Ministers and Parliament.(48)

The Constitution prohibits forced labor; however, legislation implementing the forced labor protection has not been enacted. The 2009 Elimination of Violence Against Women Act protects females from forced prostitution but does not explicitly make mention of males.(45) The Penal Code does not appear to protect children comprehensively from commercial sexual exploitation. Although the Penal Code contains a general prohibition on delinquency, this term is undefined in the Code and the scope of the protection in practice is unclear.(49) 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. The Decree prescribes stronger penalties for trafficking of children and women than trafficking of adult males. However, the Dari language does not distinguish between human trafficking and human smuggling, complicating enforcement and data collection efforts.(10)

The Government of Afghanistan, with support from the ILO, completed a *Handbook on Islamic Labor Law Principles and International Labor Standards*, including those related to child labor. The Handbook harmonizes Islamic law with international labor standards. Once the Handbook is published, the Government will use it to train labor inspectors.

During the reporting period, the Ministry of Interior (MOI) and Ministry of Defense issued directives to prevent the recruitment and sexual abuse of children by the ANSF.(50)

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

Law enforcement agencies in Afghanistan took actions to combat 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)	Enforce laws related to child labor, including hazardous child labor.(11)
Child Protection Action Network	Refer child labor cases to government agencies such as Ministry of Public Health and Women's Affairs, shelters, and various NGOs.(11)
Ministry of Interior (MOI)	Enforce laws related to forced child labor, child trafficking, and child sexual exploitation.(11, 13)
National Directorate of Security (NDS)	Identify human trafficking victims and refer them to MOI.(39)
Attorney General's Office (AGO)	Investigate and prosecute human trafficking and abduction cases.(39)
Ministry of Women's Affairs (MOWA)	Register abduction and human trafficking cases and provide support to child labor and trafficking victims.(11, 39)
Afghanistan Independent Human Rights Commission (AIHRC)	Raise awareness on human trafficking through monitoring of cases and advocacy on the issue. (39)

Law enforcement agencies in Afghanistan took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2013, MOLSAMD employed 20 labor inspectors to cover the country's 34 provinces.(11) The number of labor inspectors is not sufficient to enforce Afghan laws on child labor.(11) Labor inspectors work in an advisory capacity only, and business owners have the right to refuse an inspector's visit.(11) Labor inspectors did not receive training on child labor during the reporting period. Additionally, the Government lacks a mechanism to monitor the informal sector for child labor.(21)

Labor inspectors made 140 general inspections and found 47 children working long hours amid poor conditions in six workplaces. MOLSAMD did not remove children from the workplaces or refer them to relevant social service providers.(11)

Criminal Law Enforcement

In 2013, the Ministry of Interior’s (MOI’s) anti-trafficking in persons/smuggling unit employed 20 officers, but they were not full-time staff and there was frequent turnover.(11) From March to December 2013, the MOI rescued 22 child trafficking victims.(11, 39) The MOI and NGO officials regard the number of officers as insufficient to address the problem.(11, 39) Additionally, there was no budget for field-based investigations during the reporting period, and officers assigned to field-based investigations were often sent to other locations to perform other duties.(10, 11, 21) Therefore it is unclear how the MOI investigates trafficking.(10, 11, 21) During the reporting period, the MOI’s Transnational Criminal Investigative Unit provided training to 20 of its members on trafficking issues. However, government officials and NGOs reported that anti-trafficking training efforts are inadequate.(11)

The MOI usually maintains paper records of criminal investigations, including the number of violations, prosecutions, and convictions and computerized records in Kabul, Balkh, and Herat.(11) However, these records do not specify whether the criminal investigation pertains to an alleged trafficker of adults or of children, and there is no disaggregated information available at the national level.(11)

The Afghanistan Independent Human Rights Commission (AIHRC) assigned a local controller to monitor the trafficking of children at the Spen Boldak border.(51) From January to September 2013, the NDS anti-trafficking in persons/smuggling unit hired 37 new personnel members for provincial offices, adding to the existing 50 personnel members already in place.(51)From January to September 2013, NDS investigated 731 cases of abduction and human trafficking and arrested 20 human traffickers. There is no information about whether the victims were children.(51) During this same time period, the Attorney General’s Office managed abduction and human trafficking cases against 103 children (88 boys and 15 girls) and the Ministry of Women’s Affairs received referrals for 55 cases of abduction and human trafficking. There is no information about whether any of these referral victims were children.(51)

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

Research found no evidence that the Government has established mechanisms to coordinate its efforts to combat child labor, including all its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling	Address trafficking in persons in general, including child trafficking. Composed of various government ministries, NDS, AGO, Afghan Independent Bar Association, and AIHRC.(10, 11, 16, 39)
Inter-Ministerial Steering Committee on Children and Armed Conflict	Coordinate efforts to eliminate the recruitment and use of child soldiers.(10) Led by the Ministry of Foreign Affairs and monitored by the UN Task Force on Children and Armed Conflict, which is composed of UN and NGO members.(10, 34)

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 7).

Table 7. Policies Related to Child Labor

Policy	Description
National Development Strategy	Outlines policies to achieve Afghanistan’s Millennium Development Goals. Includes the expansion of access to education, protection of children in conflict’s legal rights, and enhancement of the legal and policy framework for juvenile offenders and children in conflict. Also works to improve access to the formal legal system for women and children.(19, 52)

Afghanistan

MODERATE ADVANCEMENT

Table 7. Policies Related to Child Labor (cont)

Policy	Description
National Strategy for Children at Risk (2004)	Creates a framework to support at-risk children and their families with new and existing social services; creates a strategic plan to build the capacity of child-based organizations into broader family- and community-based institutions; and guides donors in contributing toward comprehensive child protection system.(53)
National Strategy for Street Working Children (2010)	Guides and informs MOLSAMD and other relevant ministries, international organizations, and NGOs to provide effective and sustainable interventions like family- and community-based support systems for street children and their families in order to prevent and reduce the number of children working on the streets.(54)
Action Plan for the Prevention of Underage Recruitment	Aims to prevent the recruitment of minors into the ANA and ANP, including the ALP and the NDS.(55-57)
National Action Plan on Trafficking in Persons	Creates a timeline for specific actions to be taken by members of the High Commission to address trafficking.(10)
National Education Strategic Plan (2010–2014)*	Establishes five overarching education goals, including providing access to quality education.(58)
National Social Protection Policy*	Sets policies to improve social protections, reform the pension program, and respond to disasters with the goals of supporting economic growth, enhancing security, reducing poverty, and improving social inclusion and equality.(59)

*The impact of this policy on child labor does not appear to have been studied.

In 2013, the Inter-Ministerial Steering Committee on Children and Armed Conflict and the UN Task Force on Children and Armed Conflict developed and agreed to a new Road Map Towards Full Compliance of the Action Plan of Underage Recruitment in the ANSF, which aims to expedite compliance with the Action Plan for the Prevention of Underage Recruitment. The Government of Afghanistan has yet to formally approve the Road Map for implementation.(33, 57)

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Afghanistan funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Social Protection Program	MOLSAMD program funded by European Commission that combats child labor through the provision of vocational training, family reintegration, schooling, and literacy training.(60, 61)
Project to Prevent Child Labor in Home-Based Carpet Production in Afghanistan†	USDOL-funded, 4-year, \$2 million project implemented by GoodWeave. Aims to build market preferences for child labor-free Afghan carpets; contribute to evidence-based knowledge of child labor in the Afghanistan carpet sector; and increase public awareness and engagement on the issue of child labor in the Afghan carpet sector.(12)
Age Verification of new Afghan National Security Force Recruits‡	The Ministry of Foreign Affairs, Ministry of Defense, MOI, NDS, with the support of UNICEF, operates Child Protection Units within the Afghan National Security Forces recruitment centers in order to screen out applicants who do not meet the minimum age requirement of 18 years.(23, 62) All recruits undergo an ID check, including a requirement that at least two community elders vouch that a recruit is 18 years old and is eligible to join the ANSF, in an effort to address the use of the fraudulent IDs sometimes presented by minors.(50)
Research on Occupational Safety and Health Hazards of Children in the Brick Kiln Sector	Research study on the occupational safety and health hazards of children in the brick kiln sectors. Completed in 2013, the study is being prepared for publication.(63)
Trafficking Shelters‡	International organization and NGO-operated shelters for trafficking victims that are overseen by MOLSAMD and MOI. Additionally, MOLSAMD registers victims and provides reintegration assistance. (10) From January to September 2013, four shelters provided services to 258 child trafficking victims. During the reporting period, MOLSAMD and MOWA, with support from IOM, agreed to establish a shelter for adults in order to separate children from adults.(39)
Juvenile Rehabilitation and Correction Centers*	Thirty-three government-operated centers that provide services to children in conflict with the law.(19, 48)

Table 8. Social Programs to Address Child Labor (cont)

Program	Description
Safety Nets and Pensions Support Project*	An MOLSAMD-operated \$7.5 million project that provides cash support on a case-by-case basis to poor families with children under the age of 5 years in three provinces and targets highly impoverished families, including children who are at risk of child labor.(11, 64) In 2013, an additional \$12.5 million was invested in the project.(11, 64)
Protracted Relief and Recovery Operation*†	WFP-operated project that ensures food security and nutritional status for 3.7 million beneficiaries in 184 food insecure districts. Through this project, people affected by conflict, disaster or economic stress are assisted with food, vouchers, or cash; children receive targeted supplementary feeding; schools are supported to increase enrollment and attendance; and adults are provided with vocational training. During the reporting period, this project was extended by 3 years, with an additional investment of \$496 million.(65)

* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Afghanistan.

In 2013, the ANP took steps under the Action Plan for the Prevention of Underage Recruitment to train 150 new staff members on age assessment procedures, launch an underage recruitment awareness campaign, investigate alleged cases of underage recruitment, and document cases of attempted enlistment by children. The MOI and the Ministry of Defense began installing the AHRIMS, which will include information on the age of every member of the ANSF.(50)

Although some prevention efforts are currently underway, research found no evidence that the Government supports programs to remove or rehabilitate children involved in armed conflict. There is also no evidence of programs designed to eliminate child labor in agriculture and forced child labor in the production of bricks.

Generally, trafficking shelters assist boys under age 16. Research found no evidence of shelters providing services for boys 16 to 18.(16) Reliable information on the number of underage girl trafficking victims being assisted with services is not available.(10, 16)

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

Area	Suggested Action	Year(s) Suggested
Laws	Revise the Labor Code to specify penalties for child labor violations.	2010 – 2013
	Amend the hazardous occupations and working conditions list to include protections for child domestics and children engaged in street work.	2013
	Define “light types of work.”	2012 – 2013
	Ensure children working in the informal sector benefit from the same protections as those working in the formal sectors.	2013
	Enact protections to cover all children, including boys, from commercial sexual exploitation.	2013
	Enact legislation to implement the forced labor provision of the Constitution.	2013
	Clearly define human trafficking in accordance with international standards.	2011 – 2013
	Ratify the Palermo Protocol	2013
Enforcement	Increase the number of labor inspectors.	2011 – 2013
	Enable labor inspectors to have access to businesses for enforcement of laws, including child labor laws.	2011 – 2013
	Provide labor inspectors training on child labor laws and regulations.	2011 – 2013
	Develop a mechanism to protect children currently in the worst forms of child labor in the informal sector.	2013
	Refer child laborers identified through labor inspections to services that address their needs.	2013

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Provide a budget for the MOI to enforce laws concerning trafficking.	2012 – 2013
	Increase the number of anti-trafficking trainings for government officials.	2013
	Collect and make publicly available disaggregated data on the age of forced labor and trafficking victims.	2011 – 2013
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.	2013
Government Policies	Take measures to implement fully the Action Plan for the Prevention of Underage Recruitment in the ANSF.	2010 – 2013
	Assess whether the National Education Strategic Plan and National Social Protection Policy have an impact on child labor.	2009 – 2013
Social Programs	Implement rehabilitation and reintegration programs for children affected by armed conflict.	2009 – 2013
	Create programs to address child labor in agriculture and forced child labor in bricks.	2009 – 2013
	Expand government and NGO-run shelters to provide services to older boys, ages 16 to 18, rescued from trafficking.	2010 – 2013
	Initiate a national child labor survey.	2013
	Assess the impact that existing social protection and poverty reduction programs may have on child labor, in the interest of expanding effective programs to further reduce the worst forms of child labor.	2013

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