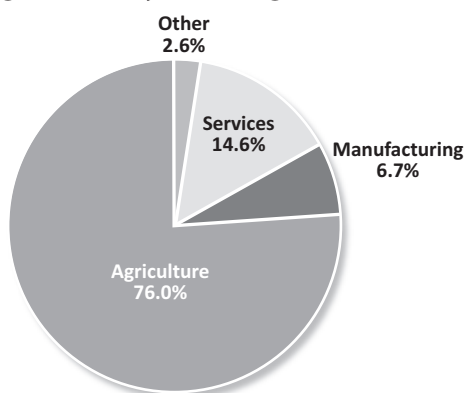


In 2012, Pakistan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed the Human Rights Act, increased access to education for children ages 5 to 16 through the Right to Free and Compulsory Education Act, and launched the Waseela-e-Taleem initiative under the Benazir Income Support Program. In addition, the Punjab provincial government passed the Punjab Bonded Labor System Act and launched a 5-year \$2 million project to combat the worst forms of child labor. Despite these efforts, Pakistan continues to lack sufficient legal protections for working children. While provincial government units drafted legislation to protect children from the worst forms of child labor in response to a government-wide decentralization effort, only one province passed such legislation while the Federal law remains in effect in the remaining provinces. These laws fall short of meeting international standards. Enforcement efforts remain weak. Children continue to engage in the worst forms of child labor in dangerous forms of agriculture and are subject to bonded labor.

Statistics on Working Children and Education

| Children | Age | Percent |
|---------------------------|------------|------------------|
| Working | 10-14 yrs. | 13.0 (2,449,480) |
| Attending School | 5-14 yrs. | 72.3 |
| Combining Work and School | 10-14 yrs. | 1.6 |
| Primary Completion Rate | | 66.8 |

Working Children by Sector, Ages 10-14



Sources:

Primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from LFS Survey, 2010-2011.(2)



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Pakistan are engaged in the worst forms of child labor including bonded labor, primarily in dangerous forms of agriculture.(3) Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(4)

Children also work in hazardous manufacturing activities. In factories, children are susceptible to industrial accidents.(5) Children who produce glass bangles are exposed to high temperatures and toxic chemicals and suffer from severe joint pain and lung problems.(6-8) There is limited evidence that children weave cloth using power looms. Children working with power looms suffer respiratory disease, work long hours, and face physical and sexual abuse.(9) In the carpet weaving industry children also work long hours and are vulnerable to physical and sexual abuse.(3, 9) Some children are found working in hazardous conditions in the informal construction, transport, leather tanning, and surgical instrument industries. Although evidence is limited, children are reportedly involved in deep-sea fishing.(7, 10-13) While tanning leather, children are exposed to toxic chemicals and dyes and often contract respiratory diseases and sustain chemical burns.(7) Such work also makes them susceptible to eye and lung diseases.(14)

Children in urban areas are often employed as domestic servants and may be subjected to extreme abuse. Reports indicate that some child domestic servants have even been killed by their employers.(15, 16)

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Children scavenge for medical waste to recycle, which exposes them to deadly diseases such as HIV/AIDS, tuberculosis, and malaria.(7)

There is limited evidence that children are involved in the stitching of soccer balls and in shrimp processing.(12, 17, 18) Some children in Pakistan are forced to work as bonded laborers, often in brick making. This practice also occurs in carpet weaving, agriculture, glass bangle making, fish raising, and coal mining.(3, 12, 14, 16) Entire families sometimes become bonded after borrowing money from a landowner.(19) Often, bonded laborers are unable to pay their debts. Their movements may be restricted by armed guards and they may be subjected to violence or resale.(20) Children bonded in coal mining often use donkeys to haul coal to the surface and are vulnerable to multiple dangers, including sexual abuse by miners.(14)

Child trafficking continues to be a problem with children kidnapped, rented, or sold for work in agriculture, domestic service, and begging and trafficked into commercial exploitation.(16, 20) Girls who are sold into forced marriages are sometimes subsequently trafficked internationally into commercial exploitation.(16) Disabled children are sold or kidnapped and taken to countries such as Iran, in which they are forced to beg.(16, 21, 22)

There are reports of children being used by non-state militant groups in armed conflict and some evidence that Afghan and Pakistani children are trafficked across the border for use by these groups.(6, 16, 22-24) Non-state groups kidnap children or coerce parents into giving away their children to spy, fight, or die in suicide attacks.(16, 22, 25, 26) These children are subjected to physical, sexual, and psychological abuse.(16) Reports indicate that children as young as age 12 are recruited by pro-Taliban insurgents, trained as suicide bombers and trafficked between Afghanistan and Pakistan.(3, 16, 27)

Children along the border with Afghanistan are used in illegal smuggling operations. They carry heavy loads of small arms, drugs, and household goods across the border.(22, 24) There are reports of children working on the streets but specific information on hazards is unknown.(3, 8)

While education is free and compulsory through age 16, access to education is still limited. In conflict and flood zones, schools and infrastructure are often damaged.(3, 15, 28) Families and teachers have fled and internally displaced persons are housed in former schools.(29) In some areas, schools are attacked and sometimes destroyed by militant groups opposed to secular education and the education of girls.(3, 22, 30) Children

displaced by conflict also have limited access to education in displaced persons camps and in the communities to which they have fled.(28) Pakistan is also recovering from multiple natural disasters and a deteriorating security situation that has weakened the economy, driving some children out of school and into dangerous work.(24, 31)

Laws and Regulations on the Worst Forms of Child Labor

The 18th Amendment to the Constitution, passed in 2010, devolved all child welfare and labor issues from the national level to the provincial government units. Until each province repeals or adopts a replacement law, federal laws on child protection and labor are in force.(12) Under the 1991 Employment of Children Act, children of any age may be employed, provided that those under age 14 are not employed in occupations or processes deemed hazardous by the Government.(11, 12, 24) The Road Transport Workers Ordinance prohibits children under age 18 from working in the road transportation sector.(32) As of 2002, 29 occupations and 34 processes appear on the Government's hazardous list of prohibited occupations or processes. They include manufacturing; mixing and applying pesticides and insecticides; working at railway stations or ports; carpet weaving; deep-sea fishing; construction; working in the glass bangle industry and manufacturing cement, explosives, and other products that involve the use of toxic substances.(11, 13) Brick making and domestic service, sectors in which many child laborers work, are not covered by the list of prohibited hazardous occupations or processes.(24) Further, the list only prohibits occupations and processes for children under age 14, leaving children ages 15 to 17 unprotected from dangerous or harmful work.(12, 32) The Government also lacks protections for children involved in street work.

Punjab is the only province to have passed a law on the employment of children. This law mirrors the existing national laws.(12) Each of the remaining four provinces proposed new draft legislation pending approval by the provincial governments. Reportedly, this draft legislation prohibits work for children under age 14 and hazardous work for children under age 18 in all four provinces.(24) Under the current laws, children remain vulnerable to the worst forms of child labor.

Bonded labor, forced labor, and human trafficking are prohibited by law. The Bonded Labor System Abolition Act (BLSA) of 1992 eliminates the liability of bonded laborers to repay their debt and frees property tied to this debt.(6) In 2012, the Punjab provincial government passed the Punjab BLSA becoming the first province to pass such legislation

as required by the 18th Amendment.(16) Part II of the Constitution of Pakistan outlaws all forms of forced labor.(33) The Prevention and Control of Human Trafficking Ordinance 2002 prohibits the trafficking of children internationally for exploitive activities; however, it does not address trafficking within Pakistan.(14) The Government uses the Penal Code and Sections 17 through 23 of the Emigration Ordinance, which address fraudulent immigration, to prosecute internal trafficking cases.(34, 35)

International Conventions and Selected Laws on Child Labor and Education

| | | |
|---|---|-----|
|  | 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 | 16 |
| | Minimum Age for Hazardous Work | 18 |
|  | Compulsory Education Age | 15 |
| | Free Public Education | Yes |

The Penal Code prohibits prostitution of anyone under age 18.(36) Pakistan's laws do not specifically prohibit child pornography, but the Penal Code outlaws the circulation or production of any obscene books, drawings, representations, or other objects.(37, 38)

In 2012, the Government passed the National Commission of Human Rights Act. The Commission will work to ensure that Pakistan is meeting its international treaty obligations including those related to child labor.(24, 39)

Pakistan does not have military conscription. The minimum voluntary recruitment age is 17.(27) The law prohibits the involvement of children in armed conflict.(14) Section 122 of the Pakistan Penal Code prohibits any organization other than State forces from recruiting and or arming people.(12) The Anti-Terrorism Act addresses the issue of forced conscription.(12)

The 18th Amendment to the Constitution guarantees free and compulsory education to children through age 16.(40) In 2012, the Government passed the Right to Free and Compulsory Education Act which provides free and compulsory education to all children from age 5 to 16 years. The Law prescribes penalties for individuals who employ children covered under the Act including fines and/or imprisonment.(41)

Institutional Mechanisms for Coordination and Enforcement

There are no national-level coordinating committees on child labor in Pakistan.(24) Provincial governments and labor ministries are responsible for the coordination of child labor issues on the provincial level. Provincial coordination committees along with Child Labor Resource Cells conduct research, build capacity, and coordinate child labor activities at the provincial level.(24, 42) Work remains to be done to effectively coordinate at the provincial level. Additionally, there is a lack of sharing and coordination nationally amongst provinces.(24)

Labor inspection is carried out at the provincial, rather than national level.(43) Provincial departments of labor perform inspections in industrial areas and markets to identify child labor violations, enforce both national and provincial labor laws and pursue legal action against employers.(6) These bodies do not enforce child labor laws in agricultural settings.(44) In Punjab, routine factory labor inspections have been replaced by a self-declaration system whereby factory owners post declarations regarding workplace safety, health and wage issues in their factories. Some of those factories are then chosen at random for inspection.(42) Because declarations are not mandatory and the review of declarations is the only method used to select companies for inspection, many factories go uninspected and there are no penalties for not complying with the self-declaration policy.(12, 42) In Punjab and Sindh, inspectors are instructed not to inspect a business for one year following its establishment. In addition, inspectors must seek permission from employers before labor inspections can be conducted.(14)

Research has not revealed the number of labor inspectors or inspections conducted throughout Pakistan.(12) The Government of Pakistan does not collect data on the number of violations, children assisted, or penalties imposed for those found to commit child labor violations.(12)

Bonded labor legislation is supposed to be enforced by local vigilance committees. They are responsible for implementing

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the BLSA, assisting in rehabilitating bonded laborers, and helping the laborers achieve the objectives of the law.(45) The committees are designed to include the deputy commissioner of each district and representatives from the police, judiciary, municipal authorities, and workers and employers groups. However, in most districts the committees are non-functioning.(3, 46)

Police lack the necessary personnel, training and equipment to confront the armed guards who often oversee bonded laborers.(14) These circumstances contrive to hamper the effectiveness of BLSA enforcement, and since the law's passage in 1992, there have been no convictions under the act.(16)

The anti-trafficking unit of the Federal Investigation Agency (FIA) is the lead agency responsible for enforcing transnational trafficking-related laws.(42) FIA cooperates with other governments on trafficking cases, operates a hotline for victims, and publishes information on anti-trafficking efforts on its Web site.(47) The Government of Pakistan does not collect data on the number of criminal investigations, prosecutions, children assisted or convictions of child traffickers and those using children in other exploitative forms of labor. Children identified in the smuggling of illicit goods may be treated as criminals rather than victims.(12, 42)

The Child Protection and Rehabilitation Bureau provides housing for trafficked children, including children returned from working as camel jockeys in the United Arab Emirates and reintegrates child victims of trafficking into their families and home communities. However, government officials lack procedures and resources necessary to identify child victims of trafficking, which hampers these efforts.(14)

Government Policies on the Worst Forms of Child Labor

The Government's 2000 National Policy and Plan of Action to Combat Child Labor highlights three objectives: withdraw children from hazardous occupations, rehabilitate child laborers, and eliminate all forms of child labor.(12) It outlines a strategy for combating child labor that includes awareness raising, establishing child labor resource centers, conducting surveys to expand knowledge on child labor, strengthening enforcement, expanding education facilities, and implementing poverty alleviation measures.(48) The National Commission for Child Welfare and Development is in charge of the ongoing policy implementation. The Commission continues to exist after devolution and was moved under the Ministry of Human Rights in December 2011.(12) The National policy outlines resources to be allocated to implementation, including \$1.16

million from the Government; a fixed yearly contribution by the quasi-governmental education assistance agency, Pakistan Bait-ul-Mal; and the nonprofit Islamic educational trust, the Iqra Fund.(12, 48)

A principal goal of the Government's National Action Plan for Children is to prohibit, restrict, and regulate child labor with an eventual goal of its ultimate elimination.(49) The plan lays out 14 key strategies and actions including harmonizing work between government agencies, NGOs, and donors; promoting research on child labor issues; developing nonformal education for child laborers; providing microcredit for families of child laborers; and conducting national surveys on child labor. The Action Plan also addresses child trafficking and outlines key objectives for its elimination.(49)

Both of the aforementioned plans mandate child labor surveys; however, such surveys have not been conducted since 1996.(24) The lack of recent data hampers the Government's ability to assess the prevalence of child labor and to develop policies or plans for future child labor initiatives.

The FIA has a National Action Plan for Combating Human Trafficking. This plan lays out prevention, prosecution, and protection strategies for ending human trafficking, including child trafficking.(50) It provides for awareness-raising efforts, service provider training, data collection, and the establishment of victims' shelters. The plan also outlines which ministry, agency, or unit is responsible for each action.(50)

The National Education Policy focuses on increasing the literacy rate and providing livelihood skills to children engaged in child labor. The Policy aims to expand nonformal and vocational education programs to children, including child laborers.(51)

The Government has incorporated the elimination of the worst forms of child labor into other development and poverty reduction policies, including its current Poverty Reduction Strategy Paper.(12, 52) The Poverty Alleviation Strategy includes preferential access to microfinance for families of working children.(12)

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

The Government continued to administer the National Centers for Rehabilitation of Child Labor.(12) The centers aim to remove children ages 5 to 14 from hazardous labor and provide them with education, clothing, and a stipend. There are currently 151 centers.(12) During the reporting period,

the centers withdrew children from hazardous labor in brick making, carpet weaving, mining, leather tanning, construction, glass bangle manufacturing, and agriculture.(42)

Pakistan continued to participate in a \$4.14 million, European Commission-funded project to combat the worst forms of child labor; the project ends in 2013.(53) The project, which covers many informal sectors that have bonded and forced child labor, includes plans for a national survey on child labor and strategies to raise awareness and mainstream child trafficking and child labor initiatives into national policies. The Government makes in-kind contributions and dedicates personnel to the project.(6) The project is working with the Government to establish Federal Child Labor Units and Provincial Child Labor Units that will monitor the implementation of a national child labor program.(32)

In 2012, the Punjab Provincial Child Labor Unit began to implement a 5-year, \$2 million project to combat the worst forms of child labor; this project is funded by the Government.(24, 54) The project provides nonformal education and literacy services to children in the worst forms of child labor in four of Punjab's districts. The project also provides livelihood services to target families and improves working conditions.(54)

The Punjab Provincial Government continued implementation of its own \$1.4 million project (launched at the end of 2008) aimed at eliminating bonded labor in brick kilns. This project had helped nearly 7,000 child bonded laborers and provided \$467,000 in micro loans to help free laborers from debt as of the most recent information available.(42) The project also helps bonded laborers to obtain national identification cards.(12) Given the magnitude of the bonded labor situation

in Pakistan, the resources allocated to these programs appear to be insufficient to properly address the problem.

During the reporting period, the national Government launched the *Waseela-e-Taleem* initiative under the Benazir Income Support Program. This initiative will provide financial assistance and livelihood skills to 3 million poor families who commit to enrolling their children into primary school.(24, 55)

The Government participated in a counter-trafficking program that aims to create 18 district task forces to combat trafficking. These task forces identify trafficking victims, create referral mechanisms to guide victims to appropriate services, and build cooperation between local government, law enforcement, and civil society.(14) This project also supports a dialogue between Pakistan, Afghanistan, and the Islamic Republic of Iran on migration management.(14)

In Punjab Province, the Government implements the Education Voucher Scheme, which promotes education for children vulnerable to child labor. The program provides stipends to private schools for students enrolled from low-income areas of Lahore.(12, 56) However, this Scheme only reaches a small portion of students and the other four provinces of Pakistan lack the resources to ensure that all children receive a free and compulsory education as assured in the Constitution.(12)

The Government of Pakistan has a number of initiatives to address the worst forms of child labor, but their limited reach is insufficient to address the scope of the child labor problem. In addition, there is no evidence of programs specifically targeting child domestics, and Pakistan lacks programs to raise awareness of and provide assistance to children being used in armed conflict.(14)

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

| Area | Suggested Actions | Year(s) Action Recommended |
|----------------------|--|----------------------------|
| Laws and Regulations | Establish a minimum age for employment. | 2009, 2010, 2011, 2012 |
| | Create comprehensive prohibitions against additional specific hazardous activities and clearly establish a minimum age for hazardous work at 18. | 2009, 2010, 2011, 2012 |
| | Enact laws to provide protections for child domestic servants and children working on the streets. | 2011, 2012 |
| | Adopt amendments to the Pakistan Penal Code to clearly criminalize child pornography and internal child trafficking. | 2011, 2012 |

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| Area | Suggested Actions | Year(s) Action Recommended |
|------------------------------|---|----------------------------|
| Coordination and Enforcement | Ensure that the response to the worst forms of child labor can be coordinated at both the regional and national levels. | 2011, 2012 |
| | Revise the self-declaration labor monitoring system in Punjab to require employers to post reports on workplace safety, health, and wages and thereby be subject to inspection. | 2010, 2011, 2012 |
| | Allow labor inspectors to conduct inspections at any time, without notice, including within the first year of an enterprise's establishment and within agricultural settings. | 2011, 2012 |
| | Provide adequate funding for training to enable investigators to combat the worst forms of child labor. | 2010, 2011, 2012 |
| | Create mechanisms that enable consistent enforcement of child labor laws. | 2011, 2012 |
| | Ensure that child victims of the worst forms of child labor are not treated as criminals. | 2011, 2012 |
| | Collect and publish enforcement data for child labor violations and criminal violation of child trafficking laws. | 2010, 2011, 2012 |
| Policies | Conduct sectoral surveys on areas with a high incidence of child labor to increase the knowledge base in these areas and inform policy and program planning. | 2009, 2010, 2011, 2012 |
| Social Programs | Expand government programs to reach a larger number of bonded child laborers. | 2009, 2010, 2011, 2012 |
| | Expand education programs to provide free and compulsory education as required in the Right to Free and Compulsory Education Act. | 2011, 2012 |
| | Implement programs to raise awareness and provide assistance to children used by non-state militant groups to engage in armed conflict. | 2011, 2012 |
| | Increase the size and scope of government programs to reach children working in the worst forms of child labor including work in domestic service. | 2009, 2010, 2011, 2012 |

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