

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Pakistan has been a member of ILO-IPEC since 1994.³³⁰¹ In 1990, Pakistan was a signatory to the Declaration of the South Asian Association for Regional Cooperation (SAARC), which urged member countries to eliminate all forms of child labor by the year 2010.³³⁰² As a member state of the SAARC, Pakistan also signed the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution in January 2002.³³⁰³

In March 1998, the government established a Task Force on Child Labor to formulate policies and strategies for the elimination of child labor and bonded labor in Pakistan.³³⁰⁴ In May 2000, the Federal Cabinet approved the National Policy and Action Plan to Combat Child Labor, which defines the policies, strategies, activities and responsibilities of different agencies as well as the time frame and funding resources for the elimination of child labor.³³⁰⁵ Pakistan Bait ul-Mal, a government welfare agency, operates 68 non-formal education centers throughout the country, targeting children aged 14 and younger who have been exposed to hazardous labor.³³⁰⁶

A number of ILO-IPEC Action Plans have further formalized activities to combat child labor. These action plans have coordinated the various efforts to eliminate child labor on the part of government organizations, NGOs, trade unions, employers' bodies, and other interested parties.³³⁰⁷ From August 1997 to the present, a USDOL-funded project has been underway to remove child workers from the soccer ball stitching industry in the Sialkot district and rehabilitate them.³³⁰⁸ Since the project began, the incidence of child labor in the soccer ball stitching industry in Sialkot has been significantly reduced, and the ILO-IPEC monitoring system established has been replicated in other industries that rely heavily on labor from child workers, including carpet-weaving and surgical instruments

³³⁰¹ ILO-IPEC, *All About IPEC: Programme Countries*, [online] 2003 [cited August 6, 2003]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm.

³³⁰² ILO, *The Effective Abolition of Child Labour: Review of Annual Reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work*, Geneva, April 23, 2001; available from <http://www.ilo.org/public/english/standards/relm/gb/280/pdf/gb280/pdf/gb-3-2-abol.pdf>.

³³⁰³ Under this convention, the governments commit themselves to regional cooperation to address various aspects of prevention and criminalization of the trafficking of women and children for commercial sexual exploitation, repatriation and rehabilitation of victims of trafficking. Each member state government has yet to ratify the convention. See *SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution*, (January 5, 2002); available from <http://www.saarc-sec.org/publication/conv-trafficking.pdf>.

³³⁰⁴ Child Labour Unit, *National Policy and Action Plan to Combat Child Labour*, Government of Pakistan, Ministry of Labour, Manpower and Overseas Pakistanis, Islamabad, May 20, 2000, 9.

³³⁰⁵ The *National Policy and Action Plan* calls for immediate eradication of the worst forms of child labor and the progressive elimination of child labor from all sectors of employment. It further seeks to prevent children from entering the work force by offering education as an alternative. See *Ibid.*, 7,11.

³³⁰⁶ The centers assist in withdrawing children from hazardous work environments and providing them with informal and primary education, vocational training, medical care and stipends for income generation activities. Each center reportedly has approximately 120 children enrolled. See U.S. Embassy- Islamabad, electronic communication to USDOL official, March 16, 2004. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Pakistan*, Washington, D.C., March 31, 2003, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18314.htm>. See also Child Labour Unit, *National Policy and Action Plan*, 45.

³³⁰⁷ ILO, *The Effective Abolition of Child Labour: Review of Annual Reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work*, Geneva, August 14, 2002; available from <http://www.ilo.org/public/english/standards/relm/gb/docs/gb283/pdf/pb-3-2-abol.pdf>. See also Child Labour Unit, *National Policy and Action Plan*, 44.

³³⁰⁸ Child Labour Unit, *National Policy and Action Plan*, 44. See also ILO, *ILO Partnership to Eliminate Child Labour in the Soccer Ball Industry in Pakistan*, [online] 1997 [cited August 6, 2003]; available from <http://www.itcilo.it/english/actrav/telearn/global/ilo/guide/ilosoc.htm>.

manufacturing.³³⁰⁹ ILO-IPEC has also begun implementing a USDOL funded Time-Bound Program to assist the Government of Pakistan in its efforts to eliminate the worst forms of child labor. The program aims to remove and rehabilitate child workers in the most hazardous sectors over the next 5 to 10 years.³³¹⁰ As of August 2003, ILO-IPEC was supporting over 20 active projects in Pakistan. Among the ongoing ILO-IPEC projects, three of the largest projects continue to focus on the elimination of child labor in the carpet weaving and soccer ball stitching industries. Other projects target the prevention, withdrawal, and rehabilitation of child laborers as well as education and vocational training.³³¹¹

The Government of Pakistan signed a collaborative education agreement with USDOL on January 23, 2002.³³¹² As a result, USDOL awarded a USD 5 million grant for a project designed to withdraw children from the worst forms of child labor in the Punjab, and to provide formal and informal education and training for working children and their younger siblings.³³¹³ As part of the education policy objective of universal education, the government's policy emphasizes vocational training and technical education, as well as the creation of literacy programs for school dropouts and new programs targeting working children.³³¹⁴ To this end, the collaborative education project with the USDOL will address issues linking child labor and barriers to education within the Government of Pakistan's existing National Policy and Action Plan and the Education Sector Reforms Action Plan.³³¹⁵ Due to critical needs in its education system, the Government of Pakistan is receiving intensified support from the World Bank in order to expedite its eligibility for fast track financing for the Education for All program. The Education for All Fast Track Initiative, which is funded by the World Bank and other donors, aims to provide all children with a primary school education by the year 2015.³³¹⁶ The World Bank has provided assistance to several major projects targeting the improvement of primary education, with special emphasis on increased access and better retention for girls, in the north and in Pakistani-controlled Jammu and Kashmir.³³¹⁷ In addition, ADB has supported multiple education projects in the Southern Punjab and the Sindh Province to promote the attendance, access and quality of educational programs, including incentives to keep girls in school.³³¹⁸

³³⁰⁹ Sarah Javeed, F.S. Lavador, and Mohammad Saifullah, *Midterm Self Evaluation of Elimination of Child Labour in the Soccer Ball Industry in Sialkot, Pakistan, Phase II*, hard copy on file, ILO, Islamabad, February 2002, 6. See also ICFTU, *Child Labour in the Manufacture of Surgical Instruments in Sialkot, Pakistan*, ICFTU, [online] 1998 [cited August 6, 2003]; available from <http://www.icftu.org/displaydocument.asp?Index=990916094&Language=EN>. See also ILO-IPEC, *Pakistan - IPEC Monitoring Expertise for Carpet Industry*, [online] 2001 [cited August 6, 2003]; available from <http://www.ilo.org/public/english/standards/ipecc/about/factsheet/facts04pr.htm>. While significant progress has been made in the sporting goods sector, the situation in the surgical instrument and carpet-weaving industries remains essentially unchanged. Large numbers of girls are still involved in the cottage carpet industry. In surgical instruments, large numbers of boys work in offsite filing and polishing centers for a network of subcontractors. See U.S. Embassy- Islamabad, *unclassified telegram no. 6012*, August 27, 2003, 2.

³³¹⁰ This sector-specific program will focus interventions in the following sectors and districts: coal mines (Chakwal, Noshera, and Shangla), leather tanneries (Kasur), glass bangles (Hyderabad), surgical instruments (Sialkot), rag pickers (Lahore, Karachi, Peshawar and Quetta), and deep sea fishing (coastal Balochistan). See U.S. Embassy- Islamabad, *unclassified telegram no. 6012*.

³³¹¹ ILO-IPEC Official, Electronic Communication from IPEC, Spreadsheet of Ongoing ILO-IPEC Projects USDOL, August 16, 2003.

³³¹² USDOL, *U.S. - Pakistan Collaborative Education Agreement Signed*, [online] 2002 [cited August 6, 2003]; available from <http://www.dol.gov/ilab.media/speeches/pakistan012302.htm>.

³³¹³ *Ibid.*

³³¹⁴ Child Labour Unit, *National Policy and Action Plan*, 18.

³³¹⁵ US Government, "USDOL Involvement in Combating Child Labor in Pakistan," *Federal Register* 67 no. 100 (May 23, 2002), 36245.

³³¹⁶ World Bank, *World Bank Announces First Group Of Countries For 'Education For All' Fast Track*, press release, Washington, D.C., June 12, 2002; available from <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20049839~menuPK:34463~pagePK:34370~piPK:34424,00.html>.

³³¹⁷ World Bank, *Northern Education Project*, [online] [cited August 6, 2003]; available from <http://www4.worldbank.org/sprojects/Project.asp?pid=P037834>. See also Understanding Children's Work, *Project Database*, Inter-Agency Research Cooperation Project on Child Labour (ILO, UNICEF World Bank), [database online] [cited August 6, 2003]; available from http://www.ucw-project.org/cgi-bin/ucw/Project/Main.sql?come=country_res.sql&CountryID=161.

³³¹⁸ ADB, *Primary School Quality Improvement*, [online] 2001 [cited May 19, 2003]; available from <http://www.adb.org/Documents/Profiles/PPTA/30208012.ASP>. See also ADB, *Decentralized Elementary Education Project (Sindh)*, [online] 2002 [cited May 19, 2003]; available from <http://www.adb.org/Documents/Profiles/LOAN/30208013.ASP>.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 14.9 percent of children ages 10 to 14 years in Pakistan were working.³³¹⁹ A recent ILO survey indicated that agriculture was the largest sector in which children work in Pakistan; followed by the informal sector, which included domestic work, street vending, illegal work, and family businesses; and hazardous work, such as in leather tanneries, surgical instruments manufacturing, coal mining, deep sea fishing, and brick kilns. The report also noted that when programs were developed to eliminate child labor in one industry, parents often shifted their children to work in other industries.³³²⁰ In addition, bonded child labor is still used in agriculture, the brick kiln industry, and in the production of carpets.³³²¹ The problem of children working in the informal sector remains sizeable, as there are no laws to monitor employment in illegal or illicit economic activities. Although precise numbers are difficult to ascertain, it is likely that, excluding agriculture, the majority of child workers are employed in the informal sector.³³²² More specifically, the exploitation of children in the sex and drug industries, are growing problems in Pakistan.³³²³ Afghan refugee children residing in urban Pakistan are among the most vulnerable to hazardous and exploitative labor conditions.³³²⁴

Pakistan is a source, transit, and destination country for child trafficking victims.³³²⁵ Children are often trafficked internally and into Pakistan, primarily from Bangladesh, India, and Nepal, for the purposes of sexual exploitation and bonded labor.³³²⁶ Young boys continue to be trafficked from Pakistan to the Persian Gulf region to work as

³³¹⁹ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

³³²⁰ U.S. Department of State, *Country Reports- 2002: Pakistan*, Section 6d. See also U.S. Embassy- Islamabad, *unclassified telegram no. 6012*, 2.

³³²¹ U.S. Department of State, *Country Reports- 2002: Pakistan*, Section 6c. Anti-Slavery International, *The Enslavement of Dalit and Indigenous Communities in India, Nepal and Pakistan through Debt Bondage*, London, 2001, 3; available from <http://www.antislavery.org/homepage/resources/goonesekere.pdf>. See also Anti-Slavery International, *Contemporary Forms of Slavery Related to and Generated by Discrimination: Forced and Bonded Labour in India, Nepal and Pakistan*, London, 2003; available from <http://www.antislavery.org/homepage/resources/goonesekere.pdf>. See also Ali Ercelawn and Muhammad Nauman, *Bonded Labour in Pakistan*, Pakistan Institute of Labor Education and Research, Karachi, 2000, 4-6; available from <http://www.ilo.org/public/english/standards/decl/publ/papers/piler.pdf>. Allegations of widespread child and bonded labor that were brought before the United States Trade Representative in the early and mid-1990s adversely affected Pakistan's trade privileges. In 1996, the United States partially removed the Generalized System of Preferences (GSP) trade benefits from Pakistan due to child labor concerns in three sectors: surgical instruments, sporting goods, and specific hand-knotted carpets. See Office of the United States Trade Representative, *Kantor Recommends Partial GSP Suspension of Pakistan*, [press release] 1996 [cited August 6, 2003]; available from <http://www.ustr.gov/releases/1996/03/96-21.html>.

³³²² Integrated Regional Information Networks, "Pakistan: Focus on Child Labour", IRINnews.org, [online], April 25, 2002 [cited August 11, 2003]; available from <http://www.irinnews.org/print.asp?ReportID=26998>.

³³²³ Women's Commission for Refugee Women and Children, *Fending for Themselves: Afghan Refugee Children and Adolescents Working in Urban Pakistan*, IRC, New York, January 2002, 13-15; available from http://www.womenscommission.org/pdf/af_chil.pdf. See also ECPAT International, *Pakistan*, in ECPAT International, [database online] [cited August 13, 2003]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp.

³³²⁴ Women's Commission for Refugee Women and Children, *Afghan Refugee Children and Adolescents in Pakistan's Cities Receive Minimal International Assistance*, IRC, [online] 2002 [cited August 6, 2003], 1; available from http://www.womenscommission.org/archive/02/press_releases/0530.html. See also Women's Commission for Refugee Women and Children, *Fending for Themselves*. See also Women's Commission for Refugee Women and Children, *Situation in Afghanistan and Among Afghan Refugees in Pakistan*, New York, April 30 2002, 48; available from <http://www.reliefweb.int/library/documents/2002/wcrwc-asia-apr.pdf>.

³³²⁵ U.S. Department of State, *Trafficking in Persons Report- 2003: Pakistan*, Washington, D.C., June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/>. See also Human Rights Commission of Pakistan, *State of Human Rights in 2002*, Government of Pakistan, Islamabad, 2002; available from <http://www.hrcp-web.org/h-r-intro.htm>.

³³²⁶ ILO, "Getting at the Roots: Stopping Exploitation of Migrant Workers by Organized Crime" (paper presented at the The UN Convention Against Transnational Organized Crime: Requirements for Effective Implementation, Geneva, February 22-23, 2002), 11; available from <http://www.december18.net/paper44ILOUNICRI.pdf>. See also IOM, "New IOM Figures on the Global Scale of Trafficking," *Trafficking in Migrants - Quarterly Bulletin* 23 April (2001), 3; available from http://www.iom.int/documents/publication/en/tm_23.pdf. See also ECPAT International, *Pakistan*.

camel jockeys, despite recent efforts to dispel this practice.³³²⁷ Adolescent boys are vulnerable to forced recruitments from local madrasas (Islamic schools) by armed groups fighting in neighboring Afghanistan, Jammu, and Kashmir.³³²⁸ It is also reported that some armed groups within Pakistan have children in their ranks.³³²⁹

Education is not yet compulsory at the national level in Pakistan.³³³⁰ However, in 1998 the Ministry of Education set a goal for universal basic education as part of the National Education Policy.³³³¹ In 2001–2002, the gross primary enrollment rate was 72 percent (61 percent for girls and 83 percent for boys), and the net primary enrollment rate was 42 percent (38 percent for girls and 46 percent for boys).³³³² Primary school attendance rates are unavailable for Pakistan. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.³³³³

Child Labor Laws and Enforcement

The Employment of Children Act of 1991 prohibits the employment of children in a variety of occupations, except for family-run enterprises or in schools. The Act defines “child” as anyone below the age of 14 years and “adolescent” as anyone who has reached 14 but not 18 years of age. The law limits the workday of a child to seven hours, including a one-hour break after three hours of labor, and the work must be carried out between the hours of 8 a.m. and 7 p.m. A working child must be given at least one day off per week. It is illegal to require or allow a child to work overtime. Employers are required to maintain an employment register of working children, which labor inspectors examine. This law also prohibits the employment of children in specified occupations and processes that are dangerous or hazardous to the health of child workers.³³³⁴ The Employment of Children Rules, 1995, modified the requirements for employers to maintain a minimum standard of health and safety in a child's working environment.³³³⁵ Violations of these provisions can result in a maximum 1-year prison term and/or a fine of 20,000 rupees (approximately USD 350) for the offender.³³³⁶

³³²⁷ U.S. Department of State, *Country Reports- 2002: Pakistan*, Section 6f. See also Dr. Mohamed Y. Mattar, “Trafficking in Persons, Especially Women and Children, in Countries of the Middle East,” *Fordham International Law Journal* vol. 26 is. 721 (March 2003), Section Id; available from <http://209.190.246.239/iomz.pdf>. See also Anti-Slavery International, *One Year on Children Still Trafficked to UAE as Camel Jockeys*, London, September 1, 2003; available from <http://www.antislavery.org/homepage/news/UAE%20010903.htm>.

³³²⁸ Coalition to Stop the Use of Child Soldiers, *Child Soldiers 1379 Report*, London, November 2002; available from <http://www.child-soldiers.org/cs/childsoldiers.nsf/6be02e73d9f9cb8980256ad4005580ff/c560bb92d962c64c80256c69004b0797?OpenDocument>. See also Human Rights Watch, *Child Soldiers and the West Asian Crisis*, [online] [cited August 11, 2003]; available from <http://www.hrw.org/campaigns/september11/children.htm>.

³³²⁹ Coalition to Stop the Use of Child Soldiers, *Child Soldiers 1379 Report*, 72.

³³³⁰ World Education Services- Canada, *Pakistan*, [database online]; available from <http://www.wes.org/ca/wedb/pakistan/pkfacts.htm>. While not compulsory, the Constitution, which was fully restored following the 2002 election of President Pervez Musharraf, stipulates that the government “shall remove illiteracy and provide free and compulsory education within a minimum possible period.” See *The Constitution of the Islamic Republic of Pakistan*, Part II, Chapter 2, 37b; available from <http://www.pakistan.org/pakistan/constitution/part2.ch2.html>.

³³³¹ The policy states that by the year 2003, 90 percent of children in the primary age group shall be enrolled in school. However, enforcement of the compulsory primary education policy is not scheduled to go into effect until 2005 at the earliest. See Child Labour Unit, *National Policy and Action Plan*, 18.

³³³² These figures refer to enrollment in grades one to five. See Federal Bureau of Statistics, *Pakistan Integrated Household Survey*, Government of Pakistan, Islamabad, July 2002, xi; available from <http://www.statpak.gov.pk/depts/index.html>.

³³³³ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

³³³⁴ *Employment of Children Act*, (June 4, 1991), Parts II and III; available from <http://natlex.ilo.org/txt/E91PAK01.htm>. The list of hazardous occupations includes work on trains, in the construction of railways, explosives, carpet weaving and manufacturing where toxic chemicals are used.

³³³⁵ *Employment of Children Rules*, (1995); available from <http://natlex.ilo.org/txt/E95PAK01.htm>. This law was written in exercise of the authority conferred by sections 13 and 18 of the Employment of Children Act, 1991.

³³³⁶ *Employment of Children Act*, Section 14. For currency conversion see FXConverter, [database online] [cited August 6, 2003]; available from <http://www.oanda.com/convert/classic>.

Forced labor is prohibited by the Constitution and the Bonded Labor System (Abolition) Act of 1992, which was meant to abolish the bonded labor system, emancipate bonded laborers, and cancel remaining debts.³³³⁷ Those found in violation of these provisions can face 2 to 5 years imprisonment and fines of 50,000 rupees (approximately USD 901).³³³⁸ Trafficking in persons is prohibited by law.³³³⁹ In August 2002, the Government of Pakistan passed the Prevention and Control of Human Trafficking and Smuggling Ordinance, which prohibits trafficking and assigns strict penalties for individuals or groups found guilty of engaging in or profiting from such activities.³³⁴⁰

Despite the existence of laws on child and bonded labor and the government's commitment to eliminating these forms of labor, the government has been relatively unsuccessful at enforcing existing laws.³³⁴¹

The Government of Pakistan has not ratified ILO Convention 138, but ratified ILO Convention 182 on October 11, 2001.³³⁴²

³³³⁷ *Bonded Labour System (Abolition) Act*, (1992); available from <http://natlex.ilo.org/scripts/natlexcgi.exe?lang=E>. See also U.S. Department of State, *Country Reports- 2002: Pakistan*, Section 6f.

³³³⁸ *Bonded Labour System (Abolition) Act*. For currency conversion, see FXConverter, *FX Converter*.

³³³⁹ U.S. Department of State, *Country Reports- 2002: Pakistan*, Section 6f.

³³⁴⁰ The law specifically makes the smuggling of children for the purposes of unlawful entertainment and sexual abuse a criminal offence. See Staff Reporter, "Law to Check Trafficking in Human Beings Approved," *Dawn* (Karachi), August 29, 2002; available from <http://www.dawn.com/2002/08/29/nat1.htm>.

³³⁴¹ U.S. Department of State, *Country Reports- 2002: Pakistan*, Section 6d. See also U.S. Embassy- Islamabad, *unclassified telegram no. 6012*, 1.

³³⁴² ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited August 6, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.