

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2020, Afghanistan made minimal advancement in efforts to eliminate the worst forms of child labor. The National Security Council approved a National Anti-Trafficking in Persons Action Plan, which mandates steps to eliminate the criminal practice of bacha bazi—a form of commercial sexual exploitation of boys—by those in positions of power. In addition, it achieved its first indictment of a government employee, a school headmaster, for bacha bazi crimes uncovered in investigations of the Logar province school system in 2019 and 2020. This indictment, along with numerous other prosecutions, convictions, and stringent prison sentences achieved during the year, are indicative of a nascent shift away from a culture of impunity toward one of greater accountability for these crimes. Furthermore, the Ministry of Labor and Social Affairs established 10 new Child Protection Action Network units, and Child Protection Units within the Afghan National Police recruitment centers operated in all provinces. However, despite new initiatives to address child labor, Afghanistan is assessed as having made only minimal advancement because it continued a practice that delays advancement to eliminate child labor. In 2020, the government arrested, detained, and prosecuted children for terrorism-related crimes, including some younger than age 12, who had been forcibly recruited by non-state armed groups. Furthermore, authorities considered some child trafficking victims, especially those engaged in bacha bazi or armed conflict, as criminals, housing them in juvenile detention centers and subjecting them to torture and other forms of ill treatment rather than referring them to victim support services. Children in Afghanistan are subjected to the worst forms of child labor, including in commercial sexual exploitation, armed conflict, and forced labor in the production of bricks and carpets, each sometimes as a result of human trafficking. Afghanistan’s labor inspectorate is not authorized to impose penalties for child labor violations, and the government lacks sufficient programs to eliminate the worst forms of child labor. In addition, Afghan law does not sufficiently criminalize forced labor, debt bondage, or the commercial sexual exploitation of girls.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Afghanistan are subjected to the worst forms of child labor, including in commercial sexual exploitation, armed conflict, and forced labor in the production of bricks and carpets, each sometimes as a result of human trafficking. (1-3) Table 1 provides key indicators on children’s work and education in Afghanistan.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	7.5 (673,949)
Attending School (%)	5 to 14	41.8
Combining Work and School (%)	7 to 14	4.6
Primary Completion Rate (%)		85.6

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2010-2011. (5)

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

Afghanistan

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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

Sector/Industry	Activity
Agriculture	Farming, including harvesting poppies (2,6-10)
	Herding (2,7,9,10)
Industry	Carpet weaving† (2,7,11-13)
	Construction, including gravelling, paving, and painting (2,7,10,11,14,15)
	Coal, gold, and salt mining† (16-18)
	Brickmaking (2,10-12,19-21)
	Working in metal workshops, including in the production of doors, windows, and water tanks (10,12,22,23)
	Working as tinsmiths and welders† (10,11,13)
Services	Domestic work (9,13,24,25)
	Transporting water and goods, including across international borders (7)
	Street work, including peddling, vending, shoe shining, carrying goods, and begging (7,10,13,26,27)
	Collecting garbage† (10,13,14,26,28)
	Washing cars (7,10,11)
	Selling goods in stores (10,11,22)
	Collecting and selling firewood (7,10,29)
	Repairing automobiles (10,14,30)
	Tailoring in garment workshops (10,21)
	Pushing loads on a wheelbarrow (<i>krachiwani</i>) (10,11,31)
	Working as waiters in restaurants (10,11,32)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including in the production and trafficking of drugs, and pickpocketing (2,3,10,23,26,32-38)
	Domestic work, sometimes as a result of human trafficking (24,33)
	Commercial sexual exploitation, sometimes as a result of human trafficking (10,33,39-42)
	Forced labor in begging and the production of bricks and carpets, and for use as assistant truck drivers, each sometimes as a result of human trafficking (1,3,12,13,23,32,33,43-45)
	Recruitment of children by non-state armed groups for use in armed conflict, sometimes as a result of human trafficking (46-48)
	Recruitment of children by state armed groups for use in armed conflict. (46,47)

† 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.

Boys across the country are subject to commercial sexual exploitation through the practice of *bacha bazi*, which typically entails keeping a male or transgendered child for the purpose of sexual gratification. Although *bacha bazi* is prohibited by the Trafficking in Persons Law, the Penal Code, and the Ministry of Defense Protection of Children in Armed Conflict Policy, a significant challenge remains in ensuring accountability. (51) Perpetrators of this crime include police commanders, military members, tribal leaders, warlords, members of organized crime groups, clergy, and other men, typically with some authority or financial influence, who conspire to make boys available for sex. (52,53) In some cases, these boys may also be forced to serve tea or dance at parties. (54,55) The practice is pervasive in the country, and orphans, runaways, school dropouts, and other marginalized youth are particularly at risk. (33,56,57) Some boys are sold into the practice by their families, and others are abducted from the street, including by police officers. (40,41,59) Members of the Afghan National Police (ANP), the Afghan Local Police (ALP), the Afghan National Army, the Afghan Border Police, and checkpoint commanders exploit boys for *bacha bazi*. Some victims serve tea and conduct errands for government officials, but these everyday tasks take place within the anthropological and underlying criminal context of *bacha bazi*, namely the regular sexual assault of minors—a categorical worst form of child labor that is insidiously and particularly prevalent in corridors of power and authority. (32,33,40,41,51,52,56,60-61)

In 2020, the use of boys for *bacha bazi* remained prevalent. (62,63) For example, at least 10 boys between the ages of 14 and 19 were alleged to have been sexually exploited while working as bodyguards or drivers for an Afghan National Defense and Security Force (ANDSF) commander in the central Highlands region. (64) In Kandahar, a 13-year-old boy was reportedly sexually assaulted as a *bacha bazi* crime by seven members of

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

the ANP, resulting in the death of the child, and these officers were convicted of and sentenced for these crimes. (62,65) In Helmand province, a human rights organization received reports of the continued practice of *bacha bazi* by the members of the ANP. (62) During the reporting period, there was also a meaningful increase in the number of other allegations of the recruitment of children by ANDSF, ANP, and ALP (which was disbanded in September 2020) for not only use in armed conflict (as bodyguards, checkpoint guards, and drivers), but also for the purposes of *bacha bazi*. (64)

According to media and NGO reports, many of these cases went unreported or were referred to traditional mediation, which often allowed perpetrators to re-offend. Cases were further under-reported because the stigma associated with these crimes prevented the vast majority of child victims from bringing cases forward to law enforcement or seeking care, especially when the alleged perpetrators were members of the police force. (63)

In 2020, armed groups and Afghan Government-affiliated military entities recruited children for engagement in combat and security operations, including 172 by the Taliban, 5 by the ANP, 4 by the Afghan National-Army Territorial Force, and 8 jointly by the ALP and pro-government armed groups. (46,66) Low rates of birth registration and the falsification of identity documents contributed to the problem by making it difficult to determine a recruit's age. (62,67,68) Observers reported that some officials accepted bribes to produce false identity documents that indicated that the recipient boys were older than age 18. (33,62) Even newly introduced biometrics efforts have not enabled Child Protection Units to entirely restrict children from enlisting in the police force. (62) Nevertheless, the Child Protection Units at ANP recruitment centers prevented the recruitment of at least 187 children. (3,69,70) Moreover, the Ministry of Defense prevented the recruitment of more than 5,000 children into the ANDSF throughout the country during the reporting period. (71)

Afghan children are victims of human trafficking both domestically and internationally. There were widespread reports of child laborers being subjected to sexual violence within Afghanistan. (10,11,14,26) In Afghanistan, children are also subjected to human trafficking to settle their family's debt, sometimes as a result of their parents' drug addiction, by being forced to produce bricks or illicit drugs. (33,43,48) Some children migrate unaccompanied to engage in child labor. (67,72) Boys, especially those traveling unaccompanied, were particularly vulnerable to human trafficking, including for work in agriculture and construction. (60,67,73) Traffickers in Iran exploit Afghan children in forced labor as beggars and street vendors and in forced criminality, including drug trafficking and smuggling of fuel and tobacco. (33)

Some Afghan nationals living overseas subject Afghan boys to *bacha bazi*, for example, in Germany, Hungary, North Macedonia, and Serbia. (74) In addition, some Afghan boys were subjected to commercial sexual exploitation in Greece after paying high fees as they were trafficked into the country. (60,73,75) Although in these particular circumstances, *bacha bazi* takes place outside of Afghanistan, this sexual exploitation of children causes psychological harm to the Afghan migrant victims, making their re-entry back into Afghanistan upon deportation ever the more fraught with issues pertaining to the use of drugs as a coping mechanism, the stigma and ostracization in Afghan society, and ensuing discrimination. (76) Afghan girls are used for commercial sexual exploitation and domestic work in destination countries, primarily Iran and Pakistan. (24)

Girls from China, Iran, and Pakistan are sometimes trafficked to Afghanistan for the purpose of commercial sexual exploitation. (77)

UNICEF estimated that 3.7 million school-age children were out of school in the country, 60 percent of whom are girls, according to the latest available figures in 2019. (78) Barriers to education for children included displacement of populations due to conflict, the use of schools as military bases, attacks on schools, living long distances from schools, school-related fees, lack of security, lack of female teachers in girls' schools, and lack of identity documentation. (3,15,79-81) To mitigate the spread of COVID-19, the government closed schools from March to October 2020. (82) Research indicates that an increase occurred in the recruitment of children for use in armed conflict and child labor, especially in provinces where the level of child protection services were not necessarily adequate in addressing the full extent of the issue. (3,81)




Afghanistan

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 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 government has established laws and regulations related to child labor (Table 4). However, gaps exist in Afghanistan’s legal framework to adequately protect children from the worst forms of child labor, including debt bondage and commercial sexual exploitation.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 13 of the Labor Law (83)
Minimum Age for Hazardous Work	Yes	18	Articles 13 and 120 of the Labor Law; Article 613 of the Penal Code; Article 63 of the Law on Protection of Child Rights (83-85)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Prohibited Jobs for Child Laborers; Article 613 of the Penal Code (84,86)
Prohibition of Forced Labor	No		Article 4 of the Labor Law; Article 37 of the Law on the Elimination of Violence Against Women (83,87)
Prohibition of Child Trafficking	Yes		Articles 510–512 of the Penal Code (84)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 18.2 of the Law on Elimination of Violence Against Women; Articles 510–512, 650, and 652–667 of the Penal Code (84,87)
Prohibition of Using Children in Illicit Activities	Yes		List of Prohibited Jobs for Child Laborers; Articles 1, 7, and 23 of the Counter Narcotics Law (86,88)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 605–608 of the Penal Code (84)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 510–512 of the Penal Code (84)
Compulsory Education Age	Yes	15‡	Article 17 of the Education Law; Article 609 of the Penal Code (84,89)
Free Public Education	Yes		Article 17 of the Education Law (89)

* No conscription (90)

‡ Age calculated based on available information (91)

The Afghan Labor Law’s minimum age provision prohibits those under age 18 from being “recruited as a worker.” (83) However, the law defines “worker” as a person who is “recruited based on a definite contract,” meaning that the minimum age provision does not apply to those in informal employment. Afghan law does not sufficiently criminalize forced labor or debt bondage. (83)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

The Penal Code explicitly prohibits and sets penalties for the use of male or transgender children for *bacha bazi* and prohibits the use of girls for prostitution and pornographic performances. However, the legal framework does not adequately criminalize the use of children for the production of pornography. (85,87)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Child Protection Action Network (CPAN)	Operates as a coalition of government agencies, NGOs, and community and religious leaders. Receives complaints of child labor, investigates such cases, and refers them to NGO and government shelters that provide social services, and coordinate and provide case management. (3,92) Not all provinces have a CPAN chapter. The capacity of CPAN chapters is not uniform or based on need, and the type of intervention depends on members of a particular CPAN chapter and resources available. (32)
Ministry of Labor and Social Affairs (MoLSA)	Responds to complaints of child labor, child trafficking, and child sexual exploitation; refers cases to the Attorney General's Office (AGO) and NGO shelters; and operates a shelter for trafficking victims in Kabul. (32)
Ministry of Interior	Enforces laws related to child trafficking, the use of children in illicit activities, and child sexual exploitation. (32)
National Directorate of Security	Identifies human trafficking victims and refers these cases to the Ministry of Interior. (32)
AGO	Investigates and prosecutes human trafficking, abduction, and sexual exploitation cases. (32)

During the reporting period, the Ministry of Labor and Social Affairs (MoLSA) established 10 new Child Protection Action Network (CPAN) units, totaling 212 active units. (3) With this increase, CPAN operates in 171 out of 325 districts. CPAN units held monthly meetings and worked on 3,500 cases. This caseload in 2020 represents an increase from 2019, when 2,700 cases were processed. (3) These units can respond to complaints of child labor, investigate cases, and issue warnings or refer criminal cases to the Attorney General's Office. However, a person wishing to file a complaint must specify the precise legal statute for the labor violations in writing, making it cumbersome for some citizens to do so. (92,93) Research also indicates that limited training and resources hinder prompt government actions to complaints about child labor. (3)

Labor Law Enforcement

In 2020, labor law enforcement agencies in Afghanistan took actions to combat child labor (Table 6). However, gaps exist within the authority of MoLSA that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (2)	Unknown (3)
Number of Labor Inspectors	Unknown (2)	Unknown
Inspectorate Authorized to Assess Penalties	No (94)	No (94)
Initial Training for New Labor Inspectors	No (2)	No (3)
Training on New Laws Related to Child Labor	Unknown (2)	Unknown (3)
Refresher Courses Provided	Unknown (2)	Unknown (3)
Number of Labor Inspections Conducted	Unknown (2)	Unknown (3)
Number Conducted at Worksite	Unknown (2)	Unknown (3)
Number of Child Labor Violations Found	Unknown (2)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	N/A	Unknown (3)

Afghanistan

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2019	2020
Routine Inspections Conducted	Unknown (2)	Unknown (3)
Routine Inspections Targeted	Unknown (2)	Unknown (3)
Unannounced Inspections Permitted	Yes (94)	Yes (94)
Unannounced Inspections Conducted	Unknown (2)	Unknown (3)
Complaint Mechanism Exists	Yes (2)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (2)	No (3)

In 2020, the government did not report the number of labor inspectors; however, as of December 2018, MoLSA had 27 inspector positions, 21 of which were filled. (2,3,32) The number of labor inspectors is likely insufficient for the size of Afghanistan’s workforce, which includes more than 7.9 million workers. (95) According to the ILO’s technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Afghanistan would employ about 200 labor inspectors. (96-98) Government officials, NGOs, and UNICEF acknowledge that the number of labor inspectors is insufficient. (96) Moreover, sources indicate that labor inspections take place only in the capital, Kabul. (3)

There is no *de jure* prevention of inspections and unannounced inspections of private enterprises in Afghanistan. (94) However, in practice, reporting suggests that MoLSA has been more inclined to inspect public organizations. This leaves a gap of uninspected worksites in the private sector, as well as in the informal economy. (3,24,32,92,96) Many forms of child labor in Afghanistan occur in the informal sector. (10) In addition, government officials and other stakeholders stated that the government lacked resources, including training, for the enforcement of child labor laws. (32)

Criminal Law Enforcement

In 2020, criminal law enforcement agencies in Afghanistan took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (2)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (2)	Unknown (3)
Refresher Courses Provided	No (99)	Unknown (3)
Number of Investigations	15 (99)	Unknown (3)
Number of Violations Found	17 (99)	Unknown (3)
Number of Prosecutions Initiated	10 (99)	Unknown (3)
Number of Convictions	4 (99)	Unknown (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	2 (100)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (48)	No (3)

In response to the widespread sexual exploitation of children at schools in Logar province in 2019, 20 suspects were arrested and 9 individuals were convicted and sentenced in 2020, as announced by courts in Logar and Kabul. The sentences ranged between 5 and 22 years of imprisonment. (3) Among the indicted individuals, one was a headmaster at a school in Logar province. This indictment of a school headmaster represents the first time the government is holding a civilian government employee legally responsible for alleged crimes in the Logar incident. (71) These arrests and convictions are a departure from prior years of impunity for government officials involved in the criminal practice of *bacha bazi*. (62,71,101)

In addition, the Afghan judicial process has for the first time included anti-corruption measures in the indictment and prosecution of suspected perpetrators of *bacha bazi*. For example, Kandahar’s governor sent seven members

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

of the ANP—including an influential commander—to trial in Kabul, which purportedly has a less corrupt judicial process than Kandahar. (62,65) The seven members were suspected of sexually abusing a 13 year old boy in Kandahar; one of the seven was given the death penalty, and others were sentenced to lengthy prison terms on charges including rape, as well as *bacha bazi* (two of them receiving sentences of 30 years of imprisonment and the other four were sentenced to 24 years of imprisonment). (62,65,71)

Moreover, in Badakhshan and Kunduz, members of the Afghan National Army were prosecuted and convicted of *bacha bazi*, for which they received sentences of 18 months' imprisonment. (71) In the northern province of Takhar, four members of the Afghan Security Forces were arrested and jailed in July 2020 after being accused of raping two boys—a 13-year-old and a 14-year-old—in a battalion headquarters base. (101) This move to hold police commanders and Afghan Security Forces personnel accountable represents a shift in political attitude towards less tolerance of *bacha bazi* by those in authority. (101)

During the reporting period, the Ministry of Interior sought to bring perpetrators of *bacha bazi* within their own ranks to justice. These internal investigations resulted in 13 employees being charged with committing *bacha bazi*. (71)

To build capacity and increase awareness of *bacha bazi*, the National Directorate of Security carried out 89 seminars in 2020 on child protection, prevention of trafficking in persons, and *bacha bazi*. Trainings were also provided by the Ministry of Justice to about 300 prosecutors, judges, and attorneys pertaining to the penal code's coverage of *bacha bazi* cases. (71)

The Government of Afghanistan publicly established a protection mechanism in cooperation with 32 human rights organizations in Afghanistan to prevent harassment of human rights defenders at the start of the reporting period. This action was in response to the aftermath of the Logar incident, in which the whistleblowers—who were responsible for exposing the widespread sexual exploitation of children—were unjustly detained. (102)

Despite unprecedented meaningful progress in holding government officials responsible for *bacha bazi* crimes, victims of human trafficking were routinely prosecuted and convicted of crimes during the reporting period. (33,103,104) Male victims of child trafficking, especially those engaged in *bacha bazi* or armed conflict, were sometimes referred to juvenile detention or rehabilitation facilities on criminal charges, instead of appropriate victim support services. (3,33,47,106) The government arrested, detained, and prosecuted for terrorism-related crimes children younger than age 12 who had been forcibly recruited by non-state armed groups. Furthermore, authorities housed some child trafficking victims in juvenile detention centers, sometimes for several years. (81) Such children are considered criminals even after being transferred to rehabilitation centers. (33,59) The UN reported that some of these children were subjected to torture and ill treatment. (106,107)

Although information was unavailable for 2020, government officials had previously stated that they lacked equipment and transportation to carry out investigations. (108) In addition, security agencies and the Ministry of Justice did not have a reciprocal referral mechanism to ensure that child victims of human trafficking and other worst forms of child labor receive social services. (3,32)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efforts to address all forms of child labor.

Afghanistan

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission on Protection of Child Rights	Monitors and protects children's rights established under the Law on Protection of Child Rights and strengthens national coordination on child protection. Participants include representatives from the AGO, the Ministry of Education, and other bodies. (109,110) Includes an inter-ministerial technical committee, chaired by the MoLSA Minister, to ensure that the Child Act is operational at the provincial and district levels.(109) In 2020, it ratified the national policy on child protection.
High Commission for Combating Crimes of Abduction and Human Trafficking	Addresses human trafficking in general, including child trafficking. Led by the Ministry of Justice; comprises nine ministries, such as MoLSA, and five other entities. (24,111) Focuses on <i>bacha bazi</i> . (48) Met twice during the reporting period. (3) The Commission stated that ministries did not provide detailed enforcement information, making it difficult for the Commission to issue reports. (112)
Inter-Ministerial Steering Committee on Children and Armed Conflict	Coordinates efforts to eliminate the recruitment and use of child soldiers. Led by the Ministry of Foreign Affairs and monitored by the UN and NGOs. (24) Research was unable to determine whether this committee was active during the reporting period.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that may hinder efforts to address child labor, including implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Labor Policy	Includes objectives to eliminate the worst forms of child labor, such as those involving hazardous activities, pass legislation prohibiting child labor, and effectively enforce child labor laws. (113) In 2020, MoLSA's Child Protection department directed national organizations and NGOs involved in child protection to report on their efforts in line with the National Labor Policy. However, no significant actions were indicated. (114)
National Child Labor Strategy and Action Plan	Aims to eliminate the worst forms of child labor by 2025 and all child labor by 2030. Makes recommendations to improve social protections and oversight. (2) In 2020, MoLSA's Child Protection department directed national organizations and NGOs involved in child protection to report on their efforts in line with the National Child Labor Strategy and Action Plan. However, no significant actions were indicated. (114)
National Anti-Trafficking in Persons Action Plan†	Organizes the government response to human trafficking, including <i>bacha bazi</i> , with a three-pronged approach: it mandates the National Child Protection Committee to find and respond to <i>bacha bazi</i> cases among Afghan civil servants; it encourages the implementation of laws, the prevention of child recruitment, and the reporting of corruption by the Ministry of Defense, the Ministry of Interior, and the National Directorate of Security; and it oversees the production of annual or semiannual interagency progress reports on addressing trafficking in persons. (101,115,116) Created and approved by Afghanistan's National Security Council during the reporting period. Operations, such as finding and responding to <i>bacha bazi</i> cases among civil servants, began under this plan in 2020. (101,115,116)
National Strategy for Children at Risk	Creates a framework to provide social services to at-risk children and their families, and guides donors in contributing toward a comprehensive child protection system. Focuses specifically on working children, victims of child trafficking, child soldiers, and other children affected by conflict. (117) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Policy for Protection of Children in Armed Conflict	Protects children from recruitment and sexual exploitation in the armed forces, and provides services to children rescued from engagement in armed conflict. Assigns the Ministry of Defense and the Afghan National Police with monitoring that children's rights are safeguarded and coordinating with CPAN chapters other organizations. (118) As of September 2020, 82 children were prevented from joining the Afghan National Police during the reporting period. (69,70) The Ministry of Defense reportedly prevented the recruitment of more than 5,000 children into the Afghan National Defense and Security Forces throughout the country during the reporting period. (71)

† Policy was approved during the reporting period.

During the reporting period, the Government of Afghanistan took meaningful action to address the practice of *bacha bazi* by individuals beyond members of the national security forces, including government officials and employees affiliated with government agencies, through its National Action Plan. This led to the first ever indictment of a governmentally affiliated employee, a school headmaster, in Logar, as well as the indictment of employees working within the Ministry of Interior, all for *bacha bazi* crimes. (101)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government funded and participated in programs that include the goal of preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Protection Units (CPUs) of the Afghan National Police†	Units located within Afghan National Police recruitment centers to ensure that children are not recruited to join armed conflict. Operate in all provinces. (3) CPUs inspected e-tazkeera (ID cards) and compared them against the physical appearance of applicants, but the government did not have sufficient CPU reporting channels to identify children, prevent them from joining the security forces, or provide shelter, services, and family reintegration. (114,119,120) Despite insufficient reporting channels between CPUs and the government, CPUs prevented the recruitment of 277 children. (3)
Juvenile Rehabilitation Center†	Provides educational, social, and psychological support, and vocational training in Kabul to children who were previously engaged in armed conflict. (121,122) Nearly 800 children are project participants of the services provided by the Juvenile Rehabilitation Center; according to the Ministry of Justice. (114)
Asia Regional Child Labor Program (2019–2023)	Program is funded by and implemented by human rights organizations. Works with the government to ensure that policies on child labor align with international conventions while strengthening local and national Plans of Action. Contains a special focus on internally displaced persons and returnee migrants, along with other groups vulnerable to child labor and human trafficking. (123)

† Program is funded by the Government of Afghanistan.

During the reporting period, the government provided cash assistance to 1,500 families whose children were found to be working in brick kilns. Although these families were provided with approximately \$55 (4,200 Afghan Afghani), it was not reported whether the children were removed from the situation of child labor. (3)

There is no evidence of programs designed specifically to prevent and eliminate child labor in all relevant sectors, such as in commercial sexual exploitation or the production of bricks.

Moreover, the government acknowledged the dearth of shelters and government resources for victims of human trafficking. At times, the government placed child trafficking victims in orphanages, and some orphanages subjected children to human trafficking. (33,81)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Afghanistan (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the minimum age for work applies to all children, including those engaged in informal employment.	2019 – 2020
	Ensure that the law criminally prohibits the use of female children for prostitution and pornographic performances and the use of all children for the production of pornography.	2017 – 2020
	Ensure that forced labor and debt bondage are criminally prohibited.	2015 – 2020
Enforcement	Establish Child Protection Action Networks in all of Afghanistan's 34 provinces and ensure that they can provide all services needed by victimized children.	2016 – 2020
	Track and publish information on labor inspections, including labor inspectorate funding, number of labor inspectors, number and type of child labor inspections, number of violations found, and number of child labor violations for which penalties were imposed.	2015 – 2020
	Authorize the labor inspectorate to assess penalties for violations of Afghan law.	2015 – 2020
	Ensure that labor inspectors and criminal investigators receive training on child labor.	2011 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice and ensure that inspections are conducted throughout the country and in all sectors.	2011 – 2020
	Simplify the child labor complaint mechanism to allow oral complaints, and eliminate or waive the requirement that the individual filing a complaint must specify the legal grounds for the violation.	2015 – 2020
	Ensure that the labor inspectorate conducts inspections in private businesses and the informal sector.	2014 – 2020

Afghanistan

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that labor inspectors and criminal investigators are available and receive resources, including equipment and transportation, to enforce criminal child labor laws.	2012 – 2020
	Establish a referral mechanism between criminal authorities and social services.	2020
	Ensure that child victims of human trafficking and other worst forms of child labor are correctly identified as victims, and referred to appropriate social services, not arrested, detained, or subjected to mistreatment or torture.	2014 – 2020
	Ensure that children are not recruited into armed groups or government-affiliated military entities, including by ending the falsification of identity documents.	2020
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates, including by ensuring that detailed enforcement data are reported to appropriate coordination bodies and that meetings are held at the mandated intervals.	2017 – 2020
Government Policies	Implement the National Labor Policy and the National Strategy for Children at Risk.	2016 – 2020
Social Programs	Institute a birth registration campaign so that age is documented and children can register for school.	2015 – 2020
	Institute programs to increase access to education and improve security in schools (especially for girls).	2014 – 2020
	Institute programs to address child labor in all relevant sectors, such as agriculture and bonded child labor in brick kilns.	2009 – 2020
	Provide financial support to open shelters for victims of human trafficking and to ensure that sufficient shelter services are available for male child trafficking victims.	2010 – 2020
	Build capacity for the government to have sufficient Child Protection Unit (CPU) reporting channels to identify children, prevent them from joining the security forces, and provide shelter, services, and family reintegration.	2020

REFERENCES ON FILE