



Ending Violence

against Children:

Child Labour Policy Brief

WVB's Calls for Policy Amendment by FY 22-25

- **Strong monitoring of children below the age of 15 working in the informal sector. Punishment for employers of children under 15 years should be one-year imprisonment and a fine of BDT one lakh under Sections 284 and 285 under the Bangladesh Labour Act, 2006.**
- **Legal reform banning engagement of children below 15 years of age in any of the listed hazardous jobs under special circumstances.**

Expected Outcomes of these amendment calls:

- Strengthened monitoring of child labour at the district level as per the Child Labour Monitoring Matrix of NPA which prevents children from hazardous work before the age of 18.
- Reduced engagement/ appointment of children in labour by employers.

Definition of Child Labour:

According to ILO (2019), "the term child labour is often defined as work that deprives children of their childhood, their potential, and their dignity, and that is harmful to physical and mental development". "Hazardous child labour or hazardous work is the work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children".

Child Labour situation in Bangladesh

As of 2018, despite some progress made, child labour continues to affect 6.8% of children aged 5-17 in Bangladesh. The National Child Labour Survey (CLS) conducted by the Bangladesh Bureau of Statistics (BBS) indicates that the number of working children aged 5-17 decreased from 7.6 million to 3.5 million between 2003 and 2013. Among them, the number of children engaged in hazardous labour was 3.2 million – which reduced to 1.7 million in 2013 (-47%). As per data collected in 2013, the informal sector employs 95% of working children. More recently, the Multiple Indicators Cluster Survey (MICS) indicated that in 2018, 6.8% of children aged 5-17 were engaged in child labour.

During the COVID 19 period, the long closure of schools compelled parents to send their children to the labour market. Many parents did not have the resources to bear the associated costs of online classes. Many other children were locked out of mainstream education due to other obstacles at multiple layers. Child labour creates devastating consequences for children, severely impacting their mental and physical health and negatively affects their dignity and self-esteem.

Child labour hinders a young person's opportunities to obtain an education and endangers their access to decent, appropriately remunerated employment in the future. The COVID-19 situation may push millions more children into child labour. The ILO and UNICEF have stated that a one percent rise in poverty leads to at least a 0.7 percent increase in child labour.

Underlying Causes

Economic hardship and poverty are key drivers of child labour.¹ As families struggle to meet their basic needs, children are forced to drop out of school and take on greater responsibilities to support themselves and their families. In Bangladesh, during the COVID 19 pandemic, 36.6% of children either lost their job or their income was reduced, and 49.5% changed their job. A significant number of children began begging as according to the Survey conducted by

Action for Social Development. Many parents did not have the ability to bear the costs of online classes for their children. This resulted in many children dropping out of the formal education system and joining the labour market. According to the South Asian Network on Economic Modeling (SANEM), Bangladesh's poverty rate may double to 40.9% from that prior due to the pandemic.

Cultural norms and traditional practices perpetuate child labour. In societies where child labour is socially acceptable, acceptance of this harmful social practice is reinforced. In some social contexts, it may be considered acceptable for children to accompany their parents to work, despite being physically and mentally unprepared and unaware of the dangers. Children are very vulnerable to the effects of hazardous work.

In fragile, conflict-affected, and emergency contexts, children are especially vulnerable to child labour. Their livelihoods, support networks and schooling are disrupted – sometimes indefinitely – by the crisis. In the search for ways to support their families, children may be forced to engage in dangerous activities, make unsafe moves that expose them to exploitation, or enter into one of the worst forms of child labour within the emergency context.² Migrant and stateless children are particularly susceptible to being subjected to child labour due to their lack of legal status and increased vulnerability.

Lack of access to quality education becomes a reason for children's nonexistence in higher grades. Where the foundation of education is very weak, it makes children vulnerable to take the academic challenges in the later grades. As a result, children drop out of education and the consequence is more visibility of children in the labour market.

Market demand and unregulated businesses continue to enable the exploitation of children and the proliferation of child labour. Employers may prefer to hire children because they are 'cheaper' than their adult counterparts; children can be dispensed of easily if labour demands fluctuate, and children also provide a 'pliable' and 'obedient' workforce. Child labour is especially prevalent in the informal sector, particularly agriculture, where government controls are less likely to be applied or enforced. Complex business supply chains and sub-contracting make control and oversight difficult as well as creating loopholes that allow child labour to be used even in industries whose host countries strictly regulate the practice.

Consequences and Costs

HEALTH & DEVELOPMENT: The effects of hazardous working conditions on children's health and development can be devastating. Children who are engaged in work that pushes them beyond their physical means, working long hours and often in hazardous working environments, experience significant health issues throughout their lives. These effects can be immediate, such as a burn or a cut, or have lifelong consequences, such as permanent disability or contracting a respiratory disease or HIV/AIDS, leading in some cases to death. Children are much more vulnerable than adults to physical, emotional and sexual abuse and suffer devastating psychological damage as a result of living and working in an environment where they are denigrated, humiliated or oppressed.

EDUCATION: Children who work long hours are often absent from school, have lower educational levels and are less likely to complete their primary education. Failing to complete their education means these children are less likely to secure employment later in life, especially jobs that pay enough to lift them out of poverty.³ Working children are consequently pushed into adulthood long before they are ready, doing work that requires an adult level of physical, mental and emotional maturity. Child labourers who do not obtain basic education and life skills miss out on important opportunities for development and future prospects.

ECONOMIC DEVELOPMENT: The consequences of child labour are multifaceted, affecting both the child and their community as well as a country's economic and social development. When children are employed to do the same work for less payment, adult unemployment rates rise, especially amongst younger, lower-skilled workers, causing the average wage to decrease. This hampers the ability of adults to earn enough to support their families and in turn creates a steady supply of child labourers.⁴ The absence of proactive labour policies and programmes to address these issues means the adult population's skills and capacities remain under-developed and this in turn weakens economies.⁵ A country's prosperity and growth is dependent on the productivity of an educated and skilled workforce. Child labour impedes the productive capacity of future generations who will contribute to a country's economic development and prosperity.

The National Legal Framework

- **Bangladesh Labour Act 2006**
- **The National Child Labour Elimination Policy (NCLEP) of 2010**
- **Bangladesh National Constitution**
- **Domestic Workers Protection and Welfare Policy, 2015**

Global Policy Landscape

Governments and the international community applying and enforcing a comprehensive set of international standards is key to eliminating child labour. The UN Convention on the Rights of the Child (CRC) requires all State Parties to protect children from economic exploitation and from performing any work that is likely to interfere with their education or be harmful to their health or well-being.⁶ The CRC's accompanying Optional Protocols on the Rights of Children Involved in Armed Conflict and the Sale of Children, Child Prostitution and Child Pornography are also fundamental to the legal framework. While the CRC establishes general principles, the practical application measures are articulated in the standards adopted by the International Labour Organization (ILO). The ILO Convention No. 138 on the minimum age of employment (1973), No.182 on the worst forms for child labour (1999) and, more recently, No. 189 on domestic workers (2011) articulate these provisions. Most recently, the Sustainable Development Agenda 2030 has recognised eradication of the worst forms of child labour as a global priority.

- SDG Target-8.7 expresses the commitment to end all forms of child labour, including its worst forms by 2025.

Policy discrepancy

Two sets of definition within Bangladesh Labour Act 2006 creates ambiguity regarding determining the age of children.

- Section 2 (63) - 'Child' means a person who has not completed his 14th year of age.
- Section 2 (8) – "Adolescent" means a person who has completed his 14th year but has not completed 18th year of age

Light punishment provision for the child labour employers

- Section 284 - Whoever employs any child or adolescent or permits any child or adolescent to work which contravenes any provision of this Act shall be punishable with fine which may extend to Tk. 5,000.
- Section 285 - Whoever, being a parent or guardian of the child, makes an agreement in respect of the child which contravenes Section 35, shall be punished with fine which may exceed to Tk. 1,000.

Local Level Advocacy and Policy calls to action:

CESP/Campaign through CPA

- Raise awareness of national laws and policies and prompt public discussions to address the prevailing societal norms that allow the worst forms of child labour to persist.
- Create supportive services for girls and boys at risk and children engaged in child labour, including life skills development clubs and capacity building training
- Policy advocacy for improved implementing and enforcing laws against child labour in order to meet the SDG target 8.7 on the elimination of all forms of child labour.
- Policy advocacy for strengthening community-based prevention mechanisms for ending child labor Education
- Create opportunities for working adolescents' access to Technical and Vocational education and training
- Provide specially tailored transitional education programmes and learning support for working children
- Policy advocacy for ensuring accessible educational facilities and opportunities for working children and poor children that exist in the current laws & policies
- Policy advocacy to adopt and implement Strong national legislation that ensures free, quality education for all children up until they are at least 15 years of age

Health and Nutrition

- Ensure health and nutrition education for all households with working children or of those at risk of sending children for labor
- Engage households with working children in health and WASH relevant interventions that helps those HHs to withdraw their children from Child labor
- Policy Advocacy to increase LG budget to ensure and accessibility of health and nutrition services for children and their caregivers to decrease the health vulnerability of the program area Social and Family reintegration/Social safety-net:
- Update area-based information on hazardous and worst forms of child labor (WFCL) to support the effective implementation of the NPA.
- Withdraw adolescents from hazardous and worst forms of child labor and reintegrate with their families through Vocational/ income generation training and self-employment opportunities who are eligible for work as per legal provision.
- Include HHs children involved with hazardous and worst forms of child labor in Ultra Poor Graduation program ming for improving families' economic security and stability to decrease children's vulnerability to child labour
- Policy advocacy for strengthening labour market policies to create the right environment for the elimination of child labour including in supply chains.
- Policy advocacy for adaptation and implementation child sensitive social protection policies and programmes that aim to improve income and living conditions for families and which discourage child labour.

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¹UNICEF, 'Toward a World Free from Violence: Global Survey on Violence against children', (2013).

²Peuschel, M. and Rakotomalala, S. Minimum Standards for Child Protection in Humanitarian Action, Child Protection Working Group (CPWG), (2012), 111.

<http://cpwg.net/wp-content/uploads/sites/2/2014/03/CP-Minimum-Standards-English-2013.pdf>.

³ILO, 'Paving the way for decent work among young people', (2015).

⁴WV Policy Report, 'Creating Markets for Child Friendly Growth – to the G20 States' (2014).

⁵WV Policy Report, 'Creating Markets for Child Friendly Growth – to the G20 States' (2014).

⁶UN Convention on the Rights of the Child (1989), Art. 32.