

BANGLADESH

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

The Government of Bangladesh has been a member of ILO-IPEC since 1994.²⁷⁶ The ILO-IPEC program in Bangladesh has implemented various programs targeting the worst forms of child labor through awareness raising, education opportunities for children, income generating alternatives for families, and capacity building of partner organizations.²⁷⁷ These programs include USDOL-funded projects to eliminate child labor in the garment sector and in five hazardous industries, including bidis,²⁷⁸ construction, leather tanneries, matches, and domestic service in the homes of third parties.²⁷⁹ In 2000, USDOL also provided funding for a second national child labor survey, which was conducted in 2002 – 2003 by the Bangladesh Bureau of Statistics with technical assistance from ILO-IPEC's SIMPOC.²⁸⁰ The Bangladesh Ministry of Labor, with the support of USAID, is implementing projects to combat child labor in selected industries including printing and bookbinding, welding, weaving, and fisheries.²⁸¹ The Government of Bangladesh does not yet have a comprehensive child labor policy.²⁸²

The government has developed a country-wide education program that trains school supervisors and teachers in a child-centered teaching methodology that is more open to children with special needs, such as current or former working children.²⁸³ In April 2000, the Government of Bangladesh began a stipend program that provides 20 taka (USD 0.33) per month to mothers of poor households as an incentive to send their children to school.²⁸⁴

²⁷⁶ ILO-IPEC, *All About IPEC: Programme Countries*, [online] [cited July 4, 2003]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm.

²⁷⁷ ILO, *The Effective Abolition of Child Labour*, Geneva, 2001, 215 [cited September 1, 2003]; available from <http://www.ilo.org/public/english/standards/relm/gb/docs/gb280/pdf/gb-3-2-abol.pdf>.

²⁷⁸ A *bidi* is a type of small, hand-rolled cigarette. U.S. Department of State, *Country Reports on Human Rights Practices - 2002*, March 31, 2003; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18309.htm>.

²⁷⁹ In 2000, IPEC initiated a project targeting child labor in five hazardous industries. In addition in 1995 and again in 2000, the Bangladesh Garment Manufacturers' Association, the ILO, and UNICEF signed Memoranda of Understandings (MOUs) aimed at eliminating child labor in the garment industry. ILO-IPEC, *Preventing and Eliminating the Worst Forms of Child Labor in Selected Formal and Informal Sectors*, project document, BGD/00/P50/USA/INT/00/PIS/USA, Geneva, August 2000, front page. See also ILO-IPEC, *Continuing the Child Labour Monitoring and Education Components, and Prepare for the Integration into a Broader Project in the Garment Export Industry in Bangladesh*, project proposal, Geneva, March 2001, 2. See also *The Second Memorandum of Understanding (MOU-2) Between the Bangladesh Garment Manufacturers' and Exporters' Association (BGMEA), ILO, and UNICEF Regarding the Monitoring To Keep Garment Factories Child Labour Free, the Education Programme for Child Workers, and the Elimination of Child Labour*, Geneva, June 16, 2000. Domestic service in third party homes is often considered a worst form of child labor because the work is usually not covered by labor laws, and its hidden nature leaves children vulnerable to abuse. See ILO-IPEC, *A Future Without Child Labour*, Geneva, 2002, 29.

²⁸⁰ ILO-IPEC, *Preventing and Eliminating the Worst Forms of Child Labour in Selected Formal and Informal Sectors in Bangladesh: SIMPOC Status Report No. 7*, BGD/00/P50/USA, Geneva, June 2002, section 2.4.5. The ILO will disseminate the report by the end of the year. U.S. Embassy- Dhaka, *unclassified telegram no. 3254*, September 15, 2003. The Bangladesh Bureau of Statistics conducted the first child labor survey in 1995. See Bangladesh Bureau of Statistics, *Report on National Sample Survey of Child Labour in Bangladesh, 1995-1996*, ILO-IPEC, Dhaka, October 1996.

²⁸¹ Other sectors covered by the project include ILO, *The Effective Abolition of Child Labour*, 216.

²⁸² U.S. Embassy- Dhaka, *unclassified telegram no. 3254*.

²⁸³ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties under Article 44 of the Convention*, CRC/C/65/Add.22, pursuant to Second Periodic Reports of States Parties due in 1997, Bangladesh, June 12, 2001, 54. In June 2002, the government's efforts to develop and implement education policies to improve the quality and efficiency of the primary education system were recognized when Bangladesh was invited to become part of the Education for All Fast Track group. Deborah Llewellyn, *Summary of Child Education and Protection Laws*, prepared by U.S. Embassy- Dhaka, 2003, 3.

²⁸⁴ Delwar Hossain, interview with USDOL official, June 2000. For currency conversion see FX Converter, [online] [cited September 1, 2003]; available from <http://www.carosta.de/frames/convert.htm>.

In January 2002, Bangladesh signed the Convention on Prevention and Combating Trafficking in Women and Children for Prostitution with other South Asian Association for Regional Cooperation countries.²⁸⁵ Bangladesh is one of three countries included in the USDOL-funded ILO-IPEC South Asia Sub-Regional Program to Combat Trafficking in Children for Exploitative Employment.²⁸⁶ With the support of UNICEF and ILO-IPEC, the government drafted the National Plan of Action on Trafficking and Sexual Exploitation of Children in early 2001.²⁸⁷ Through this Plan, the government supports activities that raise awareness, sensitize law enforcement officials, work with schools and improve laws to combat trafficking of children.²⁸⁸ In November 2002, USAID supported a nationwide awareness raising campaign on the prevention of trafficking in Bangladesh. The program, with participation from the Ministry of Women and Children's Affairs, includes activities such as the briefing of law enforcement representatives and judges on legal proceedings regarding trafficking.²⁸⁹

The Department of Social Services, under the Ministry of Welfare, is also implementing a project for socially disadvantaged women and children that assists victims of commercial sexual exploitation.²⁹⁰ In addition, the UNDP is working with the same ministry on a program to be implemented in six divisions of Bangladesh, providing 30,000 vulnerable street children with social services and improving the quality and outreach of selected agencies working in the sector.²⁹¹

As part of its Country Program 2001–2005, the World Food Program provides snacks for non-formal primary education students in areas with low enrollment. The Program also provides supplementary snacks and skills training to adolescent girls.²⁹² The government also collaborates with UNICEF on the Basic Education for Hard to Reach Urban Children's Project that provides two-year basic literacy education to over 350,000 working children living in poor, urban areas.²⁹³ In early 2003, the World Bank provided USD 18.24 million for a government program to develop a Social Investment Program, which will benefit, among other groups, street children and vulnerable populations.²⁹⁴

²⁸⁵ U.S. Department of State, *Victims of Trafficking and Violence Protection Act of 2000: Trafficking in Persons Report*, Washington, D.C., 2002; available from <http://www.state.gov/g/tip/rls/tiprpt/2002/10679.htm>.

²⁸⁶ ILO-IPEC, *South-Asian Sub-Regional Programme To Combat Trafficking in Children for Exploitative Employment in Bangladesh, Nepal and Sri Lanka*, technical progress report, RAS/00/05/010, February 2000. See also ILO-IPEC, *Combating Child Trafficking for Labor and Sexual Exploitation (TICSA Phase II)*, project document, RAS/02/P51/USA, Geneva, February 2002, 8.

²⁸⁷ ECPAT International, *Bangladesh*, in ECPAT International, [database online] 2002 [cited September 1, 2003]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp. See also U.S. Department of State, *Victims of Trafficking and Violence Protection Act of 2000: Trafficking in Persons Report*, U.S. Department of State, Washington D.C., June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/21273.htm>.

²⁸⁸ U.S. Department of State, *Trafficking in Persons Report*.

²⁸⁹ U.S. Embassy- Dhaka, *unclassified telegram no. 3500*, December 09, 2002.

²⁹⁰ Murari Mohan Datta, "Trafficking of Children for Labor and Sexual Exploitation- Country Paper: Bangladesh" (paper presented at the ILO-Japan Asian Meeting on the Trafficking of Children for Labor and Sexual Exploitation, Manila, 2001).

²⁹¹ United Nations Development Program Bangladesh, *UNDP Bangladesh - Individual Project Information*, UNDP, 1997; available from <http://www.un-bd.org/undp/pages/project.php?id=BGD/97/028>.

²⁹² The World Food Programme, *Country Programme- Bangladesh (2001 - 2005)*, WFP/EB.3/2000/7, The United Nations, September 15, 2000, 16; available from http://www.wfp.org/country_brief/indexcountry.asp?country=050.

²⁹³ Ruby Noble, "Basic Education for Hard to Reach Urban Children's Project: An Overview" (paper presented at the Child Labor and the Globalizing Economy: Lessons from Asia/Pacific Countries, Stanford University, CA, February 7-9, 2001); available from <http://www.childlabor.org/frames.html> [hard copy on file]. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted*, 56. See also U.S. Department of State, *Country Reports*, section 6d.

²⁹⁴ The World Bank Group, *Project Appraisal Document on a Proposed Credit in the Amount of SDR 13.5 Million (US\$ 18.24 Million Equivalent) to the People's Republic of Bangladesh for a Social Investment Program Project.*, 25310 - BD, The World Bank, February 16, 2003, 7; available from http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2003/03/29/000094946_03030604005261/Rendered/PDF/multi0page.pdf.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 27.3 percent of children ages 10 to 14 years in Bangladesh were working.²⁹⁵ Reports indicate that children are found working in 200 different activities, 49 of which were identified as worst forms.²⁹⁶ Children are frequently found working in the agricultural sector²⁹⁷ and in the informal sector.²⁹⁸ Children are found working in a variety of hazardous occupations and sectors, including bidi factories, construction, tanneries, and the seafood and garment industries.²⁹⁹ An ILO survey estimated that there are over 12,000 children working in hazardous conditions throughout the city of Dhaka.³⁰⁰ Many children work as domestic servants, porters, and street vendors,³⁰¹ and are sexually exploited as prostitutes.³⁰² In addition, many children are also reported to be involved with criminal gangs engaged in arms and drug trading and smuggling.³⁰³

Children from Bangladesh are trafficked internationally for purposes of bonded labor, domestic service, sexual exploitation,³⁰⁴ the sale of organs, and marriage.³⁰⁵ Child trafficking is on the increase in Bangladesh.³⁰⁶ The problem is compounded by the low rate of birth registration, since children without legal documents have no proof that they are underage.³⁰⁷ UNICEF estimates that 4,500 children from Bangladesh are trafficked to Pakistan each year.³⁰⁸ India is another common destination for trafficked children and the lack of enforcement at the border facilitates illegal border crossings.³⁰⁹ Trafficking takes place from rural areas of Bangladesh to its larger cities, and to countries in the Gulf region and the Middle East.³¹⁰ Young boys have been trafficked to the United

²⁹⁵ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

²⁹⁶ Bangladesh Bureau of Statistics, *Report on National Sample Survey of Child Labour*. See also U.S. Department of State, *Country Reports*, Section 6d.

²⁹⁷ ILO, *The Effective Abolition of Child Labour*, 214.

²⁹⁸ Ministry of Women and Children Affairs, *National Report on Follow-up to the World Summit for Children*, Government of the People's Republic of Bangladesh, December 2000, section 4.d.; available from http://www.unicef.org/specialsession/how_country/edr_bangladesh_en.PDF.

²⁹⁹ For the complete list of 47 sectors see Dr. Wahidur Rahman, *Hazardous Child Labor in Bangladesh*, Bangladesh Department of Labor and ILO, Dhaka, 1996, 3-4.

³⁰⁰ UN Wire, *Bangladesh: ILO Discovers "Extreme Forms" of Child Labor in Dhaka*, United Nations Foundation, [online] February 11, 2002 [cited September 1, 2003]; available from http://www.unwire.org/UNWire/20020211/23743_story.asp. See also The Independent, *Extreme Forms of Child Labour Prevails in Dhaka City: ILO*, (Internet Edition), February 11, 2002 [cited September 9, 2002]; available from <http://independent-bangladesh.com/news/feb/11/11022002.htm> [hard copy on file].

³⁰¹ Please see source for additional forms of child labor. Dr. Wahidur Rahman, *Child Labour Situation in Bangladesh: Rapid Assessment*, ILO in collaboration with UNICEF, ix, 23.

³⁰² *Ibid.*, xi.

³⁰³ Coalition to Stop the Use of Child Soldiers, "Bangladesh," in *Child Soldiers Global Report*, 2001; available from <http://www.child-soldiers.org/cs/childsoldiers.nsf/f30d86b5e33403a180256ae500381213/d3fd060bf388329f80256ae6002426d7?OpenDocument>.

³⁰⁴ U.S. Department of State, *Trafficking in Persons Report*. See also ECPAT International, *Bangladesh*, "trafficking". See also Somini Sengupta, *Child Traffickers Prey on Bangladesh*, New York Times Online, [online] April 29, 2002 [cited September 1, 2003]; available from <http://query.nytimes.com/gst/abstract.html?res=F30B10F7355A0C7A8EDDAD0894DA404482>.

³⁰⁵ ILO-IPEC, *Rapid Assessment on Trafficking in Children for Exploitative Employment in Bangladesh (TICSA)*, RAS/02/P51/USA, Dhaka, February, 2002, 17.

³⁰⁶ U.S. Department of State, *Trafficking in Persons Report*.

³⁰⁷ UN Committee on the Rights of the Child, *Consideration of Reports Submitted*, 18.

³⁰⁸ ECPAT International, *Bangladesh*. See also U.S. Department of State, *Country Reports*, section f.

³⁰⁹ ECPAT International, *Bangladesh*. See also UN Wire, *ILO Discovers "Extreme Forms" of Child Labor*. See also U.S. Department of State, *Country Reports*.

³¹⁰ U.S. Department of State, *Trafficking in Persons Report- 2003: Bangladesh*, Washington, D.C., June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/21275.htm>.

Arab Emirates (UAE) and Qatar to work as camel jockeys.³¹¹ However, in 2002, the Government of the UAE made progress in stemming the trafficking of children to the country.³¹² The internal trafficking of children is a larger problem than external trafficking.³¹³

In 1991, the Government of Bangladesh made primary education compulsory for children aged 6 to 10 years.³¹⁴ Bangladesh has achieved gender parity in primary school enrollment.³¹⁵ In 2000, the gross primary enrollment rate was 100.3 percent, and the net primary enrollment rate was 88.9 percent.³¹⁶ While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school. Primary school attendance rates are unavailable for Bangladesh.³¹⁷ The quality of primary education in Bangladesh is poor, in part due to inadequate teaching hours, high pupil-to-teacher ratio, and a lack of physical facilities.³¹⁸ Basic competency surveys reveal that only one-half of children who complete primary schools in Bangladesh achieve a minimum basic education level.³¹⁹

Child Labor Laws and Enforcement

The minimum age for employment varies according to sector. The Employment of Children Act prohibits children less than 12 years of age from working in 10 sectors including the tanning, bidi, carpet, cloth, cement, and fireworks manufacturing sectors. The Act also prohibits children less than 15 years of age from working in railways or ports.³²⁰ The Mines Act prohibits children under 15 years of age from working in mines.³²¹ The Factories Act and Factories Rules establish 14 years as the minimum age for employment in factories,³²² and the Children's Act of 1974 prohibits the employment of children less than 15 years as beggars and in brothels.³²³ The majority of

³¹¹ Ibid. See also Dr. Mohamed Y. Mattar, "Trafficking in Persons: The Case of the Middle East" (paper presented at the Conference on Combating Human Trafficking: Key Approaches, Woodrow Wilson International Center for Scholars, January 6, 2003); available from <http://www.protectionproject.org/main1.htm>. See also ILO-IPEC, *Rapid Assessment on Trafficking in Children for Exploitative Employment in Bangladesh*, 15. See also Mike Wooldridge, *The Seamy Side of Camel Racing*, BBC News, [online] April 17, 1998 [cited September 1, 2003]; available from <http://news.bbc.co.uk/2/hi/despatches/79504.stm>.

³¹² Efforts include a decision to ban jockeys below 15 years of age and weighing less than 45 kg (99 lbs.); a requirement that youth undergo various forms of medical testing to determine if they are of age to race; and humane repatriation initiatives. See Xinhua News Agency, *UAE: UAE Decision to Help Stop Smuggling of Bangladeshi Children*, The Protection Project Daily News Archives, [previously online] August 1, 2002 [cited October 8, 2002]; available from <http://www.protectionproject.org/main1.htm> [hard copy on file]. See also U.S. Department of State official, electronic communication to USDOL official, March 5, 2003. There is limited information on the efforts by the Government of Qatar to combat trafficking.

³¹³ ILO-IPEC, *Rapid Assessment on Trafficking in Children for Exploitative Employment in Bangladesh*, xviii.

³¹⁴ U.S. Department of State, *Country Reports, Section 5*.

³¹⁵ UNICEF, *Country Profiles: Bangladesh*, [previously online] [cited September 9, 2003]; available from <http://www.unicef.org/programme/countryprog/rosa/bangladesh/mainmenu.htm> [hard copy on file].

³¹⁶ World Bank, *World Development Indicators 2003*.

³¹⁷ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

³¹⁸ Ministry of Women and Children Affairs, *National Report on Follow-up to the World Summit for Children*, section 4.f. (vi).

³¹⁹ UNICEF, *Country Profiles: Bangladesh*, 2 of 2.

³²⁰ Government of Bangladesh, *The Employment of Children Act No. XXVI (as modified by Act LIII of 1974)*, (1938), [cited September 1, 2003]; available from <http://natlex.ilo.org/txt/E38BGD01.htm>.

³²¹ U.S. Embassy- Dhaka, *unclassified telegram no. 2999*, December 2000.

³²² Government of Bangladesh, *The Factories Rules*, Article 76, (1979), [cited September 1, 2003]; available from <http://natlex.ilo.org/scripts/natlexcgi.exe?lang=E>. See also Government of Bangladesh, *Factories Act, 1965 (No. 4 of 1965)*, (1965); available from <http://natlex.ilo.org/txt/E65BGD01.htm>.

³²³ U.S. Embassy- Dhaka, *unclassified telegram no. 2999*. See also ILO-IPEC, *South-Asian Sub-Regional Programme, technical progress report*.

child workers are found in the agriculture and domestic work sectors, but there are no specific laws covering the informal sectors.³²⁴ The Constitution forbids all forms of forced labor.³²⁵

The Suppression of Immoral Traffic Act prohibits importing females for the purposes of prostitution.³²⁶ The Suppression of Violence against Women and Children Act, passed in 2000, protects children from sexual harassment and maiming for the use of begging or the selling of body parts, and it gives the courts the power to impose fines to the victims of the offense.³²⁷ Prostitution is legal for women over the age of 18 with government certification.³²⁸ The legal definition of prostitution does not account for males, so the government provides few services for boy victims of child prostitution.³²⁹ The Extradition Act enables the government to order traffickers who live or have escaped to other countries home for trial.³³⁰ The government provides support to returned trafficked victims but shelters were inadequate to meet their needs.³³¹

The Ministry of Labor and Employment is designated to enforce labor legislation; however, due to a lack of manpower and corrupt government officials, child labor laws are seldom enforced outside of the garment export industry.³³² The National Children's Council monitors the implementation of the Convention on the Rights of the Child³³³ and is the highest authority for overall policy guidance on child development.³³⁴ Government officials have arrested, prosecuted and assigned prison sentences to some traffickers.³³⁵ However, the courts system is overwhelmed by roughly one million excess cases, corruption is pervasive at the lower levels of the government, and officials in violation of laws are rarely reprimanded.³³⁶ In addition, traffickers are often charged with lesser crimes and are, therefore, difficult to identify.³³⁷

The Government of Bangladesh has not ratified ILO Convention 138, but ratified ILO Convention 182 on March 12, 2001.³³⁸

³²⁴ U.S. Embassy- Dhaka, *unclassified telegram no. 2999*.

³²⁵ *The Constitution of the People's Republic of Bangladesh*, Article 34, (November 1972), [cited September 1, 2003]; available from <http://www.bangladeshgov.org/pmo/constitution/>.

³²⁶ Selling a minor for the purposes of prostitution can carry a life sentence in prison. See Government of Bangladesh, *Suppression of Immoral Traffic Act of 1933 (Act No. VI of 1933)*, Sections 9-12, (1933), [cited October 16, 2003]; available from <http://209.190.246.239/protectionproject/statutesPDF/BANGLADESHf.pdf>. See also Government of Bangladesh, *Oppression of Women and Children Act of 1995 (Act. No. XVIII of 1995)*, (1995), [cited October 16, 2003], 9; available from <http://209.190.246.239/protectionproject/statutesPDF/BANGLADESHf.pdf>.

³²⁷ UN Committee on the Rights of the Child, *Consideration of Reports Submitted*, 7.

³²⁸ U.S. Department of State, *Country Reports*, Section 6f.

³²⁹ ECPAT International, *Bangladesh*, Child Prostitution.

³³⁰ Mina Neumuller, *The Legal Framework on Trafficking in Bangladesh, Nepal and Sri Lanka*, ILO-IPEC, Katmandu, October, 2000, 16.

³³¹ U.S. Department of State, *Country Reports*, Section 6f.

³³² The Ministry has only 110 inspectors to monitor about 180,000 registered factories and establishments. According to a Ministry official, there have been no prosecutions for violations of child labor laws. U.S. Embassy- Dhaka, *unclassified telegram no. 2156*, September 27, 2001. See also U.S. Embassy- Dhaka, *unclassified telegram no. 2999*. See also U.S. Department of State, *Country Reports*, Section 6f.

³³³ ECPAT International, *Bangladesh*.

³³⁴ Ministry of Women and Children Affairs, *National Report on Follow-up to the World Summit for Children*, "Renewed Commitment to the Convention on the Rights of the Child".

³³⁵ U.S. Department of State, *Trafficking in Persons Report: Bangladesh*. At the end of 2002, 29 convictions of traffickers were obtained, and punishments ranged from 2 years to life. U.S. Embassy- Dhaka, *unclassified telegram no. 3500*.

³³⁶ U.S. Department of State, *Trafficking in Persons Report*.

³³⁷ U.S. Department of State, *Country Reports*, Section 6f.

³³⁸ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited September 9, 2002]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.