

# Bangladesh

## Incidence and Nature of Child Labor

The ILO estimated that 26.9 percent of children ages 10 to 14 years in Bangladesh were working in 2002.<sup>324</sup> Reports indicate that children are found working in hundreds of different activities, 47 of which are regarded as harmful to the children's physical and mental well-being.<sup>325</sup> Children are frequently found working in the agricultural sector and in the informal sector.<sup>326</sup> Children are also often found working in a variety of potentially hazardous occupations and sectors, including *bidi* (hand-rolled cigarette) factories, construction, leather tanneries, fisheries, automobile repair, welding, bangle-making, rickshaw-pulling, matches manufacturing, brick-breaking, book binding, and the garment industry.<sup>327</sup> In urban areas many children work as domestic servants, porters, and street vendors, and are vulnerable to sexual abuse and commercial sexual exploitation.<sup>328</sup> In addition, many children are also reported to be involved with criminal gangs engaged in arms and drug trading and smuggling.<sup>329</sup>

Children are trafficked internally, externally, and through Bangladesh for purposes of domestic service, marriage, sale of organs, bonded labor, and sexual exploitation.<sup>330</sup> The problem of child trafficking is compounded by the low rate of birth registration, since children without legal documents have no proof that they are underage, and the lack of enforcement at the borders.<sup>331</sup> India and the Middle East are the primary destinations for trafficked children.<sup>332</sup> Children are trafficked from rural areas of Bangladesh to its larger cities, and to countries in the Gulf region and the Middle East.<sup>333</sup> Young boys are trafficked to the

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<sup>324</sup> World Development Indicators 2004, Washington, D.C.

<sup>325</sup> Economic Minister Abul Kalam Azad, fax communication, August 31, 2004.

<sup>326</sup> U.S. Department of State, "Country Reports on Human Rights Practices- 2003: Bangladesh," (Washington, D.C.: 2004), Section 6d.

<sup>327</sup> Ibid. See also ILO, "ILO Review of Annual Reports: The Effective Abolition of Child Labour," (Geneva: 2003), 26-28.

<sup>328</sup> UN Committee on the Rights of the Child, "Consideration of Reports Submitted by States Parties, Concluding Observations: Bangladesh," in *Article 44 of the Convention on the Rights of the Child* (2003), paras. 69-71. See also U.S. Department of State, "Country Reports- 2003: Bangladesh," Section 5.

<sup>329</sup> UN Committee on the Rights of the Child, *Child Soldiers: CRC Country Briefs -Bangladesh*, 34th Session, CSC Briefing in response to reports submitted by States Parties to inform the Committee of the recruitment or use of children as soldiers, June 9-13, 2003, 3. See also Daily Times, *Hr Group Wants to Free 1,200 Jailed Bangladeshi Children* [online] (2004 [cited November 5, 2004]); available from [http://www.dailytimes.com.pk/default.asp?page=story\\_5-1-2003\\_pg4\\_16](http://www.dailytimes.com.pk/default.asp?page=story_5-1-2003_pg4_16).

<sup>330</sup> U.S. Department of State, "Trafficking in Persons Report- 2004: Bangladesh," (Washington, D.C.: 2004). See also ILO-IPEC, "Rapid Assessment on Trafficking in Children for Exploitative Employment in Bangladesh (Ticsa)," (Dhaka: 2002), 17.

<sup>331</sup> UN Committee on the Rights of the Child, "Concluding Observations," para. 37. See also ECPAT International, *Bangladesh* [database online] (in ECPAT International, [cited May 10, 2004]); available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/monitoring/online\\_database/index.asp](http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp).

<sup>332</sup> ECPAT International, *Bangladesh* ([cited]). See also U.S. Embassy- Dhaka official, email communication, May 19, 2005.

<sup>333</sup> U.S. Department of State, "Trafficking in Persons Report- 2004: Bangladesh." Burmese children are also trafficked through Bangladesh. See IOM, *Bangladesh: Counter-Trafficking Efforts* [online] (in IOM Press Briefing Notes, June 15, 2004 [cited July 15, 2004]); available from [http://www.iom.int/en/archive/archive\\_press\\_brief\\_notes.shtml](http://www.iom.int/en/archive/archive_press_brief_notes.shtml).

United Arab Emirates (UAE) and Qatar to work as camel jockeys.<sup>334</sup> However, some progress has been made in stemming the trafficking of children to the region.<sup>335</sup>

Education is free and compulsory for children ages 6 to 10 years.<sup>336</sup> Bangladesh has achieved near gender parity in primary school enrollment.<sup>337</sup> In 2001, the gross primary enrollment rate was 97.5 percent, and the net primary enrollment rate was 86.6 percent.<sup>338</sup> Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. In 2000, the gross primary attendance rate was 112 percent and the net primary attendance rate was 75.9 percent.<sup>339</sup> As of 2000, 65.5 percent of children who started primary school were likely to reach grade 5.<sup>340</sup> The quality of primary education in Bangladesh is poor, in part due to inadequately trained teachers, teacher absenteeism, inadequate number of teaching hours, and a lack of physical facilities.<sup>341</sup>

## Child Labor Laws and Enforcement

The minimum age for employment varies according to sector. The Employment of Children Act prohibits children younger 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 younger than 15 years of age from working in railways or ports.<sup>342</sup> The Mines Act prohibits children under 15 years of age from working in mines.<sup>343</sup> The Factories Act and Factories Rules establish 14 years as the minimum age for employment in factories,<sup>344</sup> and the Children's Act of 1974 prohibits the employment of children younger than 15 years as

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<sup>334</sup> U.S. Department of State, "Country Reports- 2003: Bangladesh," Section 6f. See also U.S. Department of State, "Trafficking in Persons Report- 2004: Bangladesh." See also ILO-IPEC, "Rapid Assessment on Trafficking in Children for Exploitative Employment in Bangladesh," 15.

<sup>335</sup> U.S. Department of State, "Country Reports- 2003: Bangladesh," Section 6f. 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 also U.S. Department of State official, personal communication, March 5, 2003. There is limited information available on the efforts by the Government of Qatar to combat child trafficking.

<sup>336</sup> U.S. Department of State, "Country Reports on Human Rights Practices- 2002," (2003), Section 5. See also *The Constitution of the People's Republic of Bangladesh*, (November 1972), Article 17.

<sup>337</sup> U.S. Department of State, "Country Reports- 2003: Bangladesh," Section 5. See also UN Committee on the Rights of the Child, "Concluding Observations," 14.

<sup>338</sup> World Development Indicators 2004.

<sup>339</sup> USAID Development Indicators Service, *Global Education Database* [online] ([cited October 13, 2004]); available from <http://quesdb.cdie.org/ged/index.html>. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

<sup>340</sup> World Development Indicators 2004.

<sup>341</sup> World Bank, "Project Appraisal Document on a Proposed Credit in the Amount of Sdr 104.2 Million (US \$150 Million Equivalent) to the People's Republic of Bangladesh for a Primary Education Development Project I," (The World Bank, 2004), 20.

<sup>342</sup> *The Employment of Children Act No. Xxvi (as Modified by Act Liii of 1974)*, (1938), Section 3.

<sup>343</sup> U.S. Embassy- Dhaka, "Unclassified Telegram No. 2999," (2000).

<sup>344</sup> *The Factories Rules*, Article 76, (1979). See also *Factories Act, 1965 (No. 4 of 1965)*, (1965), Sections 66-74.

beggars and in brothels.<sup>345</sup> The majority of child workers are found in the agriculture and domestic work sectors, but there are no specific laws covering the informal sectors.<sup>346</sup> The Constitution forbids all forms of forced labor.<sup>347</sup>

The Suppression of Immoral Traffic Act prohibits inducing underage females into prostitution.<sup>348</sup> 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 compensate victims with fines imposed on offenders.<sup>349</sup> The legal definitions of prostitution and trafficking do not account for males, so the government provides few services for boy victims of child prostitution.<sup>350</sup> The Extradition Act enables the government to order traffickers who live or have escaped to other countries home for trial.<sup>351</sup> The government provides some limited support to returned trafficked victims, but shelters are inadequate to meet their needs. In most cases the government refers victims to private shelters run by local organizations.<sup>352</sup>

The Office of the Chief Inspector of Factories under the Ministry of Labor and Employment is designated to enforce and implement labor legislation.<sup>353</sup> However, due to a lack of manpower and corrupt government officials, child labor laws are seldom enforced outside the formal sector.<sup>354</sup> The National Children's Council monitors the implementation of the UN Convention on the Rights of the Child and is the highest authority for overall policy guidance on child development.<sup>355</sup> Government officials have arrested, prosecuted and assigned prison sentences to some traffickers, have created a trafficking monitoring unit within the police force, and have designated some prosecutors to focus on trafficking cases full-time. Particularly since June 2004, the government has concentrated its efforts and has been more successful in prosecuting traffickers and clearing old trafficking cases.<sup>356</sup> However, the courts system is

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<sup>345</sup> U.S. Embassy- Dhaka, "Unclassified Telegram No. 2999."

<sup>346</sup> Ibid.

<sup>347</sup> *The Constitution of Bangladesh*, Article 34.

<sup>348</sup> Selling a minor for the purposes of prostitution can carry a life sentence in prison. See *Suppression of Immoral Traffic Act of 1933 (Act No. Vi of 1933)*, Sections 9-12, (1933). See also *Oppression of Women and Children Act of 1995 (Act. No. Xviii of 1995)*, (1995), 8.

<sup>349</sup> UN Committee on the Rights of the Child, "Consideration of Reports Submitted by States Parties: Second Periodic Reports of States Parties Due in 1997, Bangladesh," in *Article 44 of the Convention on the Rights of the Child* (2003), 7. See also *Suppression of Violence against Women and Children Act, 2000 (Act. No. Viii of 2000)*, (2000), Articles 9-12.

<sup>350</sup> ECPAT International, *Bangladesh* ([cited]).

<sup>351</sup> Mina Neumuller, "The Legal Framework on Trafficking in Bangladesh, Nepal and Sri Lanka," (Katmandu: ILO-IPEC, 2000), 16.

<sup>352</sup> U.S. Department of State, "Country Reports- 2002," Section 6f. See also ECPAT International, *Bangladesh* ([cited]). See also U.S. Embassy- Dhaka official.

<sup>353</sup> U.S. Embassy- Dhaka, "Unclassified Telegram No. 2946," (2004).

<sup>354</sup> The Ministry has only 117 inspectors to monitor 21,273 registered factories. A joint monitoring team comprising officials from the Bangladesh Garment Manufacturers and Exporters Association (BGMEA), ILO, and the Office of the Chief Inspector of Factories routinely inspects all 4,000 member factories of BGMEA. From January to August 2004, the team found 23 child labor violations in 11 factories, and fined each factory the local currency equivalent of USD 100. See Ibid.

<sup>355</sup> UN Committee on the Rights of the Child, "Second Periodic Reports of States Parties: Bangladesh," 9.

<sup>356</sup> U.S. Department of State, "Trafficking in Persons Report- 2004: Bangladesh." See also U.S. Embassy- Dhaka official.

overwhelmed by roughly one million excess cases and public corruption is rampant. In addition, traffickers are often charged with lesser crimes, which makes trafficking cases difficult to quantify.<sup>357</sup> Those who perpetrate commercial sexual crimes against children in Bangladesh often do so with impunity, as charges are frequently never filed or are filed under statutes with minimal penalties.<sup>358</sup>

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

The Government of Bangladesh is working to eliminate child labor through the implementation of action programs, stipends, rehabilitation and reintegration programs, and promoting universal access to education.<sup>359</sup> The ILO-IPEC program in Bangladesh is currently implementing eight programs totaling USD 12.7 million to eliminate child labor through awareness raising, education opportunities for children, income generating alternatives for families, and capacity building of partner organizations.<sup>360</sup> These programs

include USDOL-funded projects to eliminate child labor in the garment sector and in five hazardous industries, including *bidis*,<sup>361</sup> construction, leather tanneries, matches, and domestic service in the homes of third parties.<sup>362</sup> USAID is supporting efforts to eradicate hazardous child labor in other sectors.<sup>363</sup>

The Government of Bangladesh has demonstrated significant efforts since the end of 2004 to more fully comply with the U.S. Trafficking Victims and Protection Act of 2000. Recent efforts include 47 trafficking prosecutions resulting in 62 individual convictions between June and December 2004; the establishment of a police anti-trafficking unit; arrests of several public officials for complicity in trafficking crimes; the

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138		
Ratified Convention 182	3/12/2001	✓
ILO-IPEC Member		✓
National Plan for Children		✓
National Child Labor Action Plan		
Sector Action Plan (Commercial Sexual Exploitation & Trafficking)		✓

<sup>357</sup> U.S. Department of State, "Country Reports- 2003: Bangladesh," Section 6f. See also U.S. Department of State, "Trafficking in Persons Report- 2004: Bangladesh."

<sup>358</sup> Salma Ali, "Report on Laws and Legal Procedures Concerning the Commercial Sexual Exploitation of Children in Bangladesh," (Bangkok: Bangladesh National Women's Lawyers Association, 2004), 1,4.

<sup>359</sup> ILO, "The Effective Abolition of Child Labour," 26. See also UN Committee on the Rights of the Child, "Concluding Observations," 15.

<sup>360</sup> ILO-IPEC official, May 12, 2004.

<sup>361</sup> A *bidi* is a type of small, hand-rolled cigarette. See U.S. Department of State, "Country Reports- 2003: Bangladesh," Section 6d.

<sup>362</sup> In 2000, IPEC initiated a project targeting child labor in five hazardous industries. In addition in 1995 and again in 2000, the BGMEA, the ILO, and UNICEF signed Memoranda of Understandings (MOUs) aimed at eliminating child labor in the garment industry. See ILO-IPEC, "Preventing and Eliminating the Worst Forms of Child Labor in Selected Formal and Informal Sectors," (Geneva: 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," (Geneva: 2001), 2. See also "The Second Memorandum of Understanding (Mou-2) between the Bangladesh Garment Manufacturers and Exporters Association (BGMEA), the 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: 2000).

<sup>363</sup> The sectors targeted for eradication of child labor are factories, bangle-making, rickshaw pulling, fisheries, book-binding, welding, and automobile repair. The project will provide non-formal education and skills development training for 10,000 working children and micro-credit for 5,000 parents of child laborers in the cities of Dhaka and Chittagong. See ILO, "The Effective Abolition of Child Labour," 27-28. See also U.S. Embassy- Dhaka official.

rescue of more than 160 victims; and the creation of an inter-ministerial committee on trafficking.<sup>364</sup> The government is also collaborating extensively with the NGO community on efforts to combat child trafficking in the areas of prevention, research, advocacy, awareness raising, enforcement, rehabilitation, and legislative reform.<sup>365</sup> Bangladesh is one of six countries included in a USDOL-funded ILO-IPEC Asia project to combat child trafficking for labor and sexual exploitation.<sup>366</sup> With the support of UNICEF and ILO-IPEC, the government is implementing the National Plan of Action on Trafficking and Sexual Exploitation of Children, which aims to raise awareness, sensitize law enforcement officials, work with schools, and improve laws to combat trafficking of children.<sup>367</sup> The government is supporting a major national anti-trafficking prevention campaign to increase awareness of the problem among vulnerable groups.<sup>368</sup> This year, with support from IOM, the Ministry of Women and Children Affairs launched a strategic initiative outlining a framework of action for the government, NGOs, and civil society to combat trafficking. IOM also collaborated with the Ministry of Home Affairs to carry out training sessions in several districts to enhance the capacity of law enforcement agencies and immigration officials to address trafficking in Bangladesh.<sup>369</sup>

The Government of Bangladesh has made progress in improving the quality of and access to basic education, with significant advances in the number and quality of school facilities; curriculum revision; provision of textbooks; and enhanced management practices.<sup>370</sup> The Government of Bangladesh is implementing a second phase of the National Plan of Action for Education for All for the period 2003 to 2015, which embraces all of the goals of EFA for making education compulsory, accessible, and all-inclusive.<sup>371</sup> Recent government efforts have included the abolition of tuition fees for primary schools, the establishment of a 500 million *taka* (USD 8.7 million) stipend program, and a “food for education” program.<sup>372</sup>

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<sup>364</sup> White House Office of the Press Secretary, "Memorandum for the Secretary of State: Presidential Determination N. 2004-46 with Respect to Foreign Governments' Efforts Regarding Trafficking in Persons," (Washington, D.C.: 2004). See also U.S. Embassy-Dhaka official.

<sup>365</sup> As a result, U.S. Department of State, "Country Reports- 2003: Bangladesh," Section 6f.

<sup>366</sup> The USD 3 million project, which also includes Nepal, Sri Lanka, Pakistan, Indonesia, and Thailand, is in its second phase and is scheduled to end in 2006. See ILO-IPEC, "Combating Child Trafficking for Labor and Sexual Exploitation (Ticsa Phase I)," (Geneva: 2002).

<sup>367</sup> U.S. Department of State, "Trafficking in Persons Report- 2003: Bangladesh," (Washington D.C.: U.S. Department of State, 2003).

<sup>368</sup> U.S. Department of State, "Country Reports- 2003: Bangladesh," Section 6f.

<sup>369</sup> More than 100 government officials, NGO staff, and other development partners participated in the workshops. See IOM, *Bangladesh: Counter-Trafficking Efforts* (IOM). See also IOM, *Bangladesh: Training of Immigration Officials* [online] (in IOM Press Briefing Notes, August 13, 2004 [cited August 13, 2004]); available from [http://www.iom.int/en/archive/archive\\_press\\_brief\\_notes.shtml](http://www.iom.int/en/archive/archive_press_brief_notes.shtml).

<sup>370</sup> World Bank, "Initial Project Information Document: Primary Education Development Project Ii- Bangladesh," (Washington, D.C.: 2003), 2.

<sup>371</sup> Government of the People's Republic of Bangladesh, "Education for All: National Plan of Action Ii 2003-2015," (2003), Chapters V-VII.

<sup>372</sup> UN Committee on the Rights of the Child, "Concluding Observations," 14. For currency conversion, see <http://www.oanda.com/convert/classic>.

Due to critical needs in its education system, the Government of Bangladesh is receiving intensified support from the World Bank and several other donors in order to expedite its eligibility for fast track financing for the Education for All program.<sup>373</sup> In February 2004, a multi-donor consortium announced the Primary Education Development Program (PEDP II), which aims to enhance the quality, access to, and efficiency of primary education by operationalizing key aspects of the government's EFA and Poverty Reduction strategies.<sup>374</sup> As part of its Country Program 2001–2005, the World Food Program provides meals for non-formal primary education students in areas with low enrollment. The Program also provides supplementary snacks and skills training to adolescent girls.<sup>375</sup>

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<sup>373</sup> 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. See World Bank, "World Bank Announces First Group of Countries for 'Education for All' Fast Track," (Washington, D.C.: 2002).. See also U.S. Embassy- Dhaka official. See also U.S. Embassy- Dhaka official.

<sup>374</sup> World Bank, *Primary Education Development Project Ii* [database online] (in Projects Database, September 8, 2004 [cited September 8, 2004]); available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P074966>. See also U.S. Embassy- Dhaka official.

<sup>375</sup> The World Food Programme, "Country Programme- Bangladesh (2001 - 2005)," (The United Nations, 2000), 16.