

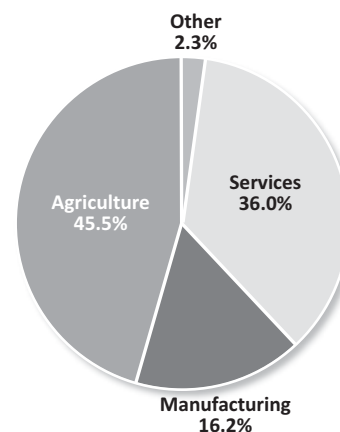
# Bangladesh

The Government of Bangladesh recently approved its National Child Labor Eradication Policy which aims to develop and harmonize programs and policies to combat the worst forms of child labor. However, children continue to perform hazardous work in agriculture and domestic service. Gaps also remain in child labor legislation, data collection, and enforcement.



## Statistics on Working Children and School Attendance

| Children                  | Age       | Percent |
|---------------------------|-----------|---------|
| Working                   | 5-14 yrs. | 13.6%   |
| Attending School          | 5-14 yrs. | 76.9%   |
| Combining Work and School | 7-14 yrs. | 10.1%   |



## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Bangladesh are exploited in the worst forms of child labor,<sup>344</sup> especially in agriculture.<sup>345</sup> Children working in agriculture may be exposed to risks such as dangerous machinery and tools, harmful pesticides, and carrying of heavy loads. According to the Bangladesh Bureau of Statistics children engage in hazardous work which includes welding, carpentry, rickshaw pulling, and automobile repair.<sup>346</sup> Children face dangers drying fish and milling spice. These activities can make them vulnerable to harmful chemicals, the possible loss of fingers in dangerous machines, and working long hours in the hot sun.<sup>347</sup> Children are also involved in the production of salt, soap matches, bricks, cigarettes, footwear, steel, furniture, glass, leather, poultry, ornaments, and metals, ornaments, and textiles.<sup>348</sup> The dangers children face producing these goods may include working in cramped conditions for long hours, exposure to hazardous chemicals, low lighting, and

working with sharp objects. Children also process shrimp, which has reportedly led to arthritis, urinary tract infections, back injuries, repetitive strain, muscle inflammation, fungal infections, and diarrhea.<sup>349</sup> Other reports have indicated that large numbers of children work in dangerous conditions in the ship-breaking industry, dismantling large ships into smaller pieces.<sup>350</sup> They may lack the physical strength required to perform this arduous task and may be sickened by hazardous substances contained in the ships.<sup>351</sup> Although evidence is limited, there is reason to believe that the worst forms of child labor are also used in the production of jewelry, plastic, rice, and rubber.<sup>352</sup>

According to a survey by ILO, there are more than 421,000 children, mostly girls, working as domestic servants in private households in Bangladesh. Some child domestics work in exploitive conditions<sup>353</sup> and are vulnerable to abuse, including sexual abuse.<sup>354</sup> Children are also found working on the streets, vending, begging, portering and some are employed in hotels and restaurants.<sup>355</sup> Children working on the

streets are exposed to severe weather, accidents caused by proximity to vehicles, and vulnerability to criminal elements.






Bangladeshi children are also engaged in other worst forms of child labor. A 2009 Government of Bangladesh report estimates that as many as 20,000 children are exploited in the commercial sex industry; some are trafficked internally and to India and Pakistan for sexual exploitation.<sup>356</sup> Boys and girls, often those living on the streets, are exploited in illicit activities, including smuggling and trading arms and drugs.<sup>357</sup>

### Laws and Regulations on the Worst Forms of Child Labor

The Labor Code establishes the minimum age for work at 14 and the minimum age for hazardous work at 18.<sup>358</sup> The Labor Code provides an exception for children age 12 to 13 to participate in light work and restricts the types of job they can do. It also limits the hours children ages 14 to 18 can work.<sup>359</sup> However, the Government's Labor Code is limited to the formal employment sector, which does not include agriculture or home-based work, and it does not define occupations or sectors which are hazardous in nature.<sup>360</sup> Additionally, the low minimum age for compulsory education makes children particularly vulnerable to the worst forms of child labor, as children are not required to be in school after age 10, but are not legally permitted to work either.

The Penal Code of 1860 prohibits compulsory labor and the Labor Code prohibits parents or guardians from pledging their children's work in exchange for a payment or benefit.<sup>361</sup> Those who violate the law are subject to penalties which include imprisonment.<sup>362</sup>

The Suppression of Violence against Women and Children's Act of 2000 criminalizes the trafficking of children and establishes strict penalties and fines for violators.<sup>363</sup> The Penal Code of 1860 criminalizes the prostitution of young girls under the age of 18, in contrast to the Children's Act of 1974, which only criminalizes the prostitution of girls under the age of 16.<sup>364</sup> The conflicting age thresholds may leave girls ages 16 to 17 vulnerable to exploitation and may cause problems for effective enforcement and prosecution. In addition, both laws fail to protect boys from child prostitution.

|   |  |     |
|---|--|-----|
|  | C138, Minimum Age  | No  |
|   | C182, Worst Forms of Child Labor   | ✓   |
|  | CRC  | ✓   |
|   | CRC Optional Protocol on Armed Conflict  | ✓   |
|   | CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography | ✓   |
|  | Palermo Protocol on Trafficking in Persons   | No  |
|  | Minimum Age for Work   | 14  |
|   | Minimum Age for Hazardous Work   | 18  |
|  | Compulsory Education Age   | 10  |
|   | Free Public Education  | Yes |

### Institutional Mechanisms for Coordination and Enforcement

The Government of Bangladesh has established a Child Labor Unit in the Ministry of Labor and Employment (MOLE) to monitor, coordinate, and supervise child labor programs.<sup>365</sup>

An inter-ministerial anti-trafficking committee oversees national efforts to combat human trafficking. This committee, chaired by the Ministry of Home Affairs (MOHA), convenes monthly to monitor trafficking issues.<sup>366</sup>

The Office of the Chief Inspectorate of the Department of Factories and Establishments under MOLE is responsible for implementing and enforcing labor laws, including child labor provisions.<sup>367</sup> The ministry has approximately 150 inspectors.<sup>368</sup> The inspectors work from 31 offices across the country and each one conducts from 5 to 100 monthly inspections, depending on his/her rank.<sup>369</sup> An inspector with a lower rank is expected to conduct more inspections than an inspector of a higher rank.<sup>370</sup> In 2009, a total of 51,337 labor inspections were conducted in Bangladesh, an increase of over 10,000 from the previous year. However, the inspections resulted in only 770 labor violation cases filed.<sup>371</sup> A specific

number of cases are not available because the Government does not disaggregate data on labor violations.<sup>372</sup> Nonetheless, research indicates that the number of cases uncovered is very small relative to the magnitude of the child labor problem.<sup>373</sup>

MOHA is the principal agency designated to enforce the country's forced labor and anti-trafficking laws.<sup>374</sup> MOHA maintains an anti-trafficking police unit in each of Bangladesh's 64 districts and provides trafficking training to members of the National Police Academy and other public officials.<sup>375</sup> MOHA also maintains a special Anti Trafficking of Human Beings Unit comprised of 12 police officers charged with investigating all forms of trafficking.<sup>376</sup> From February 2009 to February 2010, MOHA conducted 26 trafficking investigations and rescued 30 child victims from trafficking situations.<sup>377</sup>

### **Government Policies on the Worst Forms of Child Labor**

In March 2010, the Government of Bangladesh established a policy framework for the elimination of the worst forms of child labor through approval of the National Child Labor Eradication Policy 2010.<sup>378</sup> The policy serves as a guiding instrument for the formulation of future laws and policies regarding child labor. The policy also calls for the formation of a National Child Labor Welfare Council to monitor the child labor situation at a national level.<sup>379</sup>

The Third National Plan of Action for Children (2005-2010) commits the Government to carry out a variety of tasks to eliminate the worst forms of child labor, with a particular focus on child domestic workers, migrants, refugees, and other vulnerable groups. The commitments include introducing regulations, ensuring working children's access to education, and strengthening the labor inspectorate.<sup>380</sup> The Government's 2009 Poverty Reduction Strategy Paper (PRSP) includes a strategic goal to protect child laborers and eliminate the worst forms of child labor. The 3-year PRSP seeks to accomplish this through raising awareness of child labor, drafting minimum wage and other protective standards, creating a child-friendly code of conduct for employers, and improving educational opportunities for working children.<sup>381</sup> It is estimated that the PRSP will cost approximately

\$51 billion to implement although the Government has not yet appropriated funding to support its implementation.<sup>382</sup> While trafficking is mentioned as an ancillary item in a number of government policies including the PRSP and the Third National Plan of Action for Children, the Government lacks a National Plan of Action to combat trafficking.

### **Social Programs to Eliminate or Prevent the Worst Forms of Child Labor**

From 2000 to 2005, the Government participated in a USDOL-funded project that provided alternative learning and employment opportunities for families of exploited and at-risk children. Through the provision of education and vocational training services, the project withdrew and prevented children from hazardous work in construction; production of hand-rolled cigarettes and matches; leather tanning industries; and from child domestic work.<sup>383</sup> The project also supported research, which included a survey on hazardous child labor in Bangladesh.<sup>384</sup>

UNICEF is collaborating closely with the Government to implement the second phase of a project to set up education centers that provide non-formal education and livelihood skills to over 350,000 working children and adolescents.<sup>385</sup> The Government is also participating in a Netherlands-funded project that aims to prevent and eliminate the worst forms of child labor in the informal economy in Dhaka<sup>386</sup> and a USDOL-funded ILO-IPEC project to conduct data collection on child labor.<sup>387</sup>

The Government of Bangladesh, under MOLE, took steps to target children engaged in or at-risk of exploitive labor under its own auspices through a national program which concluded in June 2009.<sup>388</sup> This program was implemented by NGOs and targeted 21 sectors in which children work. The project enabled over 30,000 working children to leave hazardous occupations by providing them with additional skills.<sup>389</sup> The Ministry of Women also partners with UNICEF on a project to support the Third National Plan of Action for Children.<sup>390</sup> These projects are important but lack the resources and the scope needed to reach the large numbers of children engaged in or at risk of the worst forms of child labor.

To combat child trafficking, the Government is participating in a USAID-funded project that aims to build the capacity of the police to identify and prosecute traffickers, expand public awareness on trafficking, and provide services to trafficking

victims.<sup>391</sup> Additionally, the Government supports six shelters for women and child trafficking victims and is participating in a Danish International Development Agency-funded child helpline service.<sup>392</sup>

**Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Bangladesh:**

**IN THE AREA OF LAWS AND REGULATIONS:**

- Develop and approve a list of hazardous work, including hazardous occupations prohibited for children.
- Raise the compulsory education age to 14, the established minimum age for work.
- Amend the labor law to provide clear enforcement authority to MOLE beyond the formal employment sector to include both agriculture and home-based enterprises.
- Amend and harmonize the Penal Code of 1860 and the Children's Act of 1974 to include protections for all children (including boys) under the age of 18.

**IN THE AREA OF COORDINATION AND ENFORCEMENT:**

- Ensure labor inspections adequately investigate child labor violations.
- Enhance data collection on the worst forms of child labor and make worst forms of child labor enforcement statistics publically available.

**IN THE AREA OF POLICIES:**

- Commit adequate funding to implement the 2010 National Child Labor Eradication Policy.
- Enact a National Plan of Action to combat trafficking-in-persons.

**IN THE AREA OF PROGRAMS:**

- Commit funding and expand the scope of social programs to adequately assist the large numbers of children engaged in or at risk of the worst forms of child labor in Bangladesh.

<sup>344</sup> Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates, 2005-2010*. Data on working children and children combining working and schooling are from 2006. Data on school attendance are from 2007. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Data Sources and Definitions" section.

<sup>345</sup> U.S. Embassy - Dhaka, *reporting*, February 23, 2010, 1. See also U.S. Department of State, "Bangladesh" in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010, section 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136085.htm>.

<sup>346</sup> Bangladesh Bureau of Statistics, *Baseline Survey for Determining Hazardous Child Labour Sectors in Bangladesh*, Dhaka, July 2006. See also U.S. Embassy - Dhaka, *reporting*, February 23, 2010, 2.

<sup>347</sup> Bangladesh Bureau of Statistics, *Baseline Survey for Determining Hazardous Child Labour*. See also U.S. Embassy - Dhaka, *reporting*, February 23, 2010, 2. See also Bloomberg Businessweek, *How China's Labor Conditions Stack Up Against Those of other Low-cost Nations*, [November 27, 2006 [cited September 21 2010];

available from [http://www.businessweek.com/magazine/content/06\\_48/b4011009.htm](http://www.businessweek.com/magazine/content/06_48/b4011009.htm). See also Habibur Rahman Bhuiyan Md. Nurual Huda Bhuyian, Matiur Rahim, Kabir Ahmed, K.M. Formuzul Haque, Md. Tariqul Hassan and Md. Nazrul Islam Bhuiyan., *Screening of Organochlorine Insecticides (DDT and Heptachlor) in Dry Fish Available in Bangladesh*, July 29 2008, 115; available from <http://www.banglajol.info/index.php/BJP/article/viewFile/997/1096>.

<sup>348</sup> U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 7d. See also Bangladesh Bureau of Statistics, *Baseline Survey for Determining Hazardous Child Labour*, 20, 94, 95, 168. See also Solidarity Center, *The True Cost of Shrimp*, Washington, DC, January 2008, 29, 30; available from [http://www.solidaritycenter.org/files/pubs\\_True\\_Cost\\_of\\_Shrimp.pdf](http://www.solidaritycenter.org/files/pubs_True_Cost_of_Shrimp.pdf). See also U.S. Embassy - Dhaka, *reporting*, February 5, 2009, question 2d.

<sup>349</sup> Solidarity Center, *The True Cost of Shrimp*, 29, 30. See also Siddarth Kara, *On the Trail of Child Labor in Bangladesh*, [online] 2010 [cited November 5, 2010]; available from <http://www.cnn.com/2010/WORLD/asiapcf/08/03/kara.human.traffic.india/index.html>.

<sup>350</sup> International Federation for Human Rights, *Childbreaking Yards*, Paris, 2008, 5, 17, 15; available from <http://www.fidh.org/IMG/pdf/bgukreport.pdf>. See also Sandy Tolan, *Babu's Story: A Child Worker in the Shipyards of Bangladesh*, [June 18, 2009 [cited April 29, 2010]. See also U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 5.

<sup>351</sup> International Federation for Human Rights, *Childbreaking Yards*, 5, 17, 15. See also Tolan, *Babu's Story*. See also U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 5.

<sup>352</sup> Bangladesh Bureau of Statistics, *Baseline Survey for Determining Hazardous Child Labour Sectors in Bangladesh*, Dhaka, July 2006, 20, 95.

<sup>353</sup> ILO Labour Office- Dhaka, *Baseline Survey on Child Domestic Labour (CDL) in Bangladesh*, December 2006, xiv, 4; available from <http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=4647>. See also U.S. Department of State, “Bangladesh,” in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, sections 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119132.htm>. See also UNICEF, *Basic Education for Hard-to-Reach Urban Working Children*, [online] 2008 [cited May 5, 2010]; available from [http://www.unicef.org/bangladesh/Education\\_for\\_Working\\_Children\\_%28BEHTRUWC%29.pdf](http://www.unicef.org/bangladesh/Education_for_Working_Children_%28BEHTRUWC%29.pdf).

<sup>354</sup> U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 5, 7d. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor Convention, 1999 (No. 182) Bangladesh (ratification: 2001)*, [online] 2005 [cited April 29, 2010]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&>

[textbase=iloeng&document=8259&chapter=6&query=%28Bangladesh%29+%40ref&highlight=&querytype=bool&context=0](http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=8259&chapter=6&query=%28Bangladesh%29+%40ref&highlight=&querytype=bool&context=0).

<sup>355</sup> U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 7d. See also Bangladesh Bureau of Statistics, *Baseline Survey for Determining Hazardous Child Labour*, 95. See also U.S. Embassy - Dhaka, *reporting*, February 23, 2010, 1.

<sup>356</sup> Bangladesh Bureau of Statistics, *Report on Commercial Sexual Exploitation of Children Pilot Survey 2008*, Dhaka, August 2009, preface. See also U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 7d. See also U.S. Department of State, “Bangladesh (Tier 2 Watch List),” in *Trafficking in Persons Report- 2009*, Washington, DC, June 16, 2009; available from <http://www.state.gov/g/tip/rls/tiprpt/2009/index.htm>.

<sup>357</sup> Bangladesh Bureau of Statistics, *Baseline Survey of Street Children in Bangladesh*, Dhaka, December 7, 2003, x; available from <http://www.ilo.org/public/english/region/asro/newdelhi/ipe/download/resources/bangladesh/bgdpubl03eng5.pdf>. See also Coalition to Stop the Use of Child Soldiers, “Bangladesh,” in *Child Soldiers Global Report 2008*, London, 2008; available from [http://www.childsoldiersglobalreport.org/files/country\\_pdfs/FINAL\\_2008\\_Global\\_Report.pdf](http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf). See also ECPAT International, *South Asia Regional Consultation on Prostitution of Boys*, press release, Dhaka, June 8-9, 2006.

<sup>358</sup> U.S. Embassy - Dhaka, *reporting*, February 5, 2009, 1.

<sup>359</sup> *Ibid.*, 2.

<sup>360</sup> Government of Bangladesh, *Written Communication*, submitted in response to U.S. Department of Labor Federal Register Notice (February 24, 2010) “Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor”, Dhaka, April 8, 2010, 3. See also Ministry of Labour and Employment, *National Child Labour Eradication Policy 2010*, Dhaka, March 2010.

<sup>361</sup> Government of Bangladesh, *Penal Code*, Act No. XLV, (1860); available from [http://supremecourt.gov.bd/act\\_files/act\\_11.html](http://supremecourt.gov.bd/act_files/act_11.html). See also U.S. Embassy - Dhaka, *reporting*, May 2, 2009, 2.

<sup>362</sup> Government of Bangladesh, *Penal Code*. See also U.S. Embassy - Dhaka, *reporting*, May 2, 2009, 2.

<sup>363</sup> Government of Bangladesh, *Suppression of Violence against Women and Children Act*, Act. No. VIII, (2000), article 6. See also U.S. Embassy - Dhaka, *reporting*, February 5, 2009, 2.

<sup>364</sup> Government of Bangladesh, *Penal Code*, article 366a. See also Government of Bangladesh, *The Children Act*, Act No. XXXIX (1974), article 42; available from [http://www.law.yale.edu/rcw/rcw/jurisdictions/assc/bangladesh/Bang\\_Child\\_Act\\_and\\_Rules.htm](http://www.law.yale.edu/rcw/rcw/jurisdictions/assc/bangladesh/Bang_Child_Act_and_Rules.htm). See also U.S. Embassy - Dhaka, *reporting*, May 2, 2009, 2.

- <sup>365</sup> UNICEF ILO, and UNESCO,, *Child Labour and Education in Bangladesh: Evidence and Policy Recommendations*, 2008; available from [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms\\_107508.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_107508.pdf).
- <sup>366</sup> U.S. Department of State, “Trafficking in Persons Report- 2009: Bangladesh.”
- <sup>367</sup> U.S. Embassy - Dhaka, *reporting, February 23, 2010*, 4.
- <sup>368</sup> Ibid.
- <sup>369</sup> Ibid., 5.
- <sup>370</sup> Ibid.
- <sup>371</sup> Ibid.
- <sup>372</sup> Ibid.
- <sup>373</sup> Ibid., 6.
- <sup>374</sup> Ibid. See also U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 5.
- <sup>375</sup> U.S. Department of State, “Country Reports- 2009: Bangladesh,” section 5.
- <sup>376</sup> U.S. Embassy - Dhaka, *reporting, February 23, 2010*, 4, 7.
- <sup>377</sup> Ibid., 8.
- <sup>378</sup> Ministry of Labour and Employment, *Child Labor Policy*. See also Government of Bangladesh, *Written Communication, submitted in response to U.S. Department of Labor Federal Register Notice*, 3.
- <sup>379</sup> Ministry of Labour and Employment, *Child Labor Policy*, 3, 16.
- <sup>380</sup> U.S. Embassy- Dhaka, *reporting, February 5, 2009*. See also U.S. Embassy - Dhaka, *reporting, February 23, 2010*, 9. See also Government of Bangladesh, *National Plan of Action for Children 2005 - 2010: Bangladesh*, Dhaka, 2005, 67-69, 72; available from <http://mowca.gov.bd/pages/Child-Action-Plan.pdf>.
- <sup>381</sup> U.S. Embassy - Dhaka, *reporting, February 23, 2010*, 10.
- <sup>382</sup> Ibid.
- <sup>383</sup> U.S. Department of Labor, “*Preventing and Eliminating Worst Forms of Child Labor in Selected Formal and Informal Sectors in Bangladesh*” *Project Summary*, 2010.
- <sup>384</sup> Ibid.
- <sup>385</sup> UNICEF, *Basic Education for Hard-to-Reach Urban Working Children*. See also U.S. Embassy - Dhaka, *reporting, February 23, 2010*, 11.
- <sup>386</sup> ILO-IPEC, “Urban Informal Economy (UIE) Project of Support to the National Time Bound Programme towards the Elimination of Worst Forms of Child Labor in Bangladesh Project Summary,” (2010).
- <sup>387</sup> ILO-IPEC official, E-mail communication to USDOL official, March 31, 2009.
- <sup>388</sup> U.S. Embassy - Dhaka, *reporting, February 23, 2010*, 11.
- <sup>389</sup> U.S. Embassy- Dhaka, *reporting, February 5, 2009*.
- <sup>390</sup> U.S. Embassy - Dhaka, *reporting, February 23, 2010*, 9.
- <sup>391</sup> Winrock International, *Actions for Combating Trafficking-in-Persons Project Summary*, 2008; available from <http://actbd.org/doc/Leaflet%20ACT%20Bangladesh%20FINAL.pdf>.
- <sup>392</sup> U.S. Department of State, “Trafficking in Persons Report- 2009: Bangladesh.” See also Child Helpline International, *Recommendations to the UN Committee on the Rights of the Child*, 2009; available from [http://www.crin.org/docs/Bangladesh\\_CHI\\_NGO\\_Report.doc](http://www.crin.org/docs/Bangladesh_CHI_NGO_Report.doc).