

Pakistan

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

The Government of Pakistan has been a member of ILO-IPEC since 1994.¹⁸⁸⁷ Pakistan developed an action plan formalizing activities against child labor and seeking to coordinate efforts by the government, NGOs, trade unions, employers' organizations, and other bodies. In March 1998, the government established a Task Force on Child Labor to formulate policies and strategies for the elimination of child and bonded labor in Pakistan.¹⁸⁸⁸ In May 2000, the Federal Cabinet approved the National Policy and Action Plan to Combat Child Labour.¹⁸⁸⁹

In collaboration with the Government of Pakistan and NGOs, ILO-IPEC initiated several major projects to remove and rehabilitate child workers in Pakistan from hazardous and exploitative work in such sectors as soccer ball manufacture (with the involvement of UNICEF and the Sialkot Chamber of Commerce and Industry),¹⁸⁹⁰ carpet weaving (with funding from USDOL),¹⁸⁹¹ surgical instrument manufacture, and the trafficking of children.¹⁸⁹² Pakistan Bait-ul-Mal, a government welfare agency created in 1992, operates 33 rehabilitation centers throughout the country, targeting children (aged 8 to 14) who have been exposed to hazardous labor and providing the children and their families with training and stipends for income generation activities.¹⁸⁹³

The Government of Pakistan signed collaborative education agreement with USDOL on January 23, 2002. Under the agreement, the government will work with USDOL on a USD 5 million project targeted at child laborers and children at risk of entering exploitative work in the Punjab Province.¹⁸⁹⁴

¹⁸⁸⁷ Initially, the MOU had been valid only until the end of 1996, but it was extended up to the end of 2001.

¹⁸⁸⁸ Government of Pakistan, Ministry of Labour, Manpower and Overseas Pakistanis, Child Labour Unit, *National Policy and Action Plan to Combat Child Labour* (Islamabad, May 2000) [hereinafter *National Policy and Action Plan*], 9.

¹⁸⁸⁹ *Ibid.* at 7, 19-20. The *National Policy and Action Plan to Combat Child Labour* calls for immediate withdrawal and rehabilitation of children from hazardous and exploitative situations. The strategy notes that girls are particularly vulnerable to exploitation and lists forced labor, including debt bondage and work in illicit activities, as among the worst forms of child labor.

¹⁸⁹⁰ ILO-IPEC, "Elimination of Child Labour in the Soccer Ball Industry in Sialkot (Phase II)" (Geneva, 2000), 7.

¹⁸⁹¹ ILO-IPEC, "Combating Child Labor in the Carpet Industry in Pakistan" (Geneva, 1999), Section III.

¹⁸⁹² "IPEC in Action: Asia, ILO-IPEC Programme in Pakistan," at <http://www.ilo.org/public/english/standards/ipecc/action/31asia/pakist98.htm> on 6/16/00. *See also* "Child Labour in the Surgical Instruments Industry in Sialkot" [hereinafter "Child Labour in the Surgical Instruments Industry in Sialkot"] at <http://www.dolpunjab.gov.pk/r13.htm>, on 4/6/00.

¹⁸⁹³ *Ibid.* *See also* *National Policy and Action Plan to Combat Child Labour* at 45. Center graduates are guaranteed full assistance if they want to continue their higher education at any level within or outside the country.

¹⁸⁹⁴ USDOL Web-site at <http://www.dol.gov/dol/ilab/> on 2/27/02.

In its national strategy to combat child labor, the Government of Pakistan set a goal of 90 percent enrollment in primary schools by 2002-2003. The government's policy emphasizes vocational training and technical education, as well as the creation of literacy programs for school dropouts and new programs targeted to working children.¹⁸⁹⁵ The government has also established a fund dedicated to the education of working children.¹⁸⁹⁶ The Asian Development Bank supports a project by the Ministry of Education to improve primary school facilities, increase the relevance of educational opportunities, and provide incentives to keep girls in school. The World Bank provided assistance to a project targeting the improvement of primary education in the north and in Azad Jammu and Kashmir.¹⁸⁹⁷

Incidence and Nature of Child Labor

In 1999, the ILO estimated that 15.9 percent of children between the ages of 10 to 14 in Pakistan were working.¹⁸⁹⁸ According to a 1996 national child labor survey conducted by Pakistan's Federal Bureau of Statistics, the majority of working children are boys.¹⁸⁹⁹ A majority of working children are involved in the agricultural sector, although the manufacturing, trade, and services sectors also utilize child labor.¹⁹⁰⁰ Children are also engaged in the manufacturing of soccer balls, surgical instruments, textiles and bricks, and work in automobile workshops, and tanneries.¹⁹⁰¹ There are reports that some children and their families suffer under a system of debt bondage in the brick kilns.¹⁹⁰² Children also engage in garbage scavenging and carpet weaving, and

¹⁸⁹⁵ *National Policy and Action Plan to Combat Child Labour* at 18.

¹⁸⁹⁶ U.S. Embassy-Islamabad, unclassified telegram no. 5996, October 2001 [hereinafter unclassified telegram 5996]. The initial investment in the fund was 100 million rupees (USD 1.5 million). For currency conversion, see <http://www.carosta.de/frames/convert.htm> on 2/7/02.

¹⁸⁹⁷ World Bank, Northern Education Project, fact sheet, at www4.worldbank.org/projects/Project.asp?pid=P037834.

¹⁸⁹⁸ *World Development Indicators 2001* (Washington, D.C.: World Bank, 2001) [CD-ROM].

¹⁸⁹⁹ An estimated 8 percent (3.2 million) of children between the ages of 5 and 14 were working, most on a full-time basis. Boys accounted for 73 percent (2.4 million) of working children in this age group, and girls accounted for 27 percent (0.8 million) of working children in the same age group. See Government of Pakistan, *Child Labour Survey 1996: Excerpt from Main Report*, vol. 1, 1996, Summary Results and Tables [hereinafter *Child Labour Survey 1996*], 3, at www.statpak.gov.pk/Childlab2.doc.

¹⁹⁰⁰ *Child Labour Survey 1996*.

¹⁹⁰¹ "Project to Eliminate Child Labour from the Soccer Ball Industry in Sialkot" at <http://www.dolpunjab.gov.pk/r12.htm>, on 4/6/00. See also "Child Labour in the Surgical Instruments Industry in Sialkot". In 1996, the United States partially removed GSP trade benefits from Pakistan due to child labor concerns in three sectors: surgical instruments, sporting goods, and specific hand-knotted carpets. See *Kantor Recommends Partial GSP Suspension of Pakistan*, press release no. 96-21 (Washington, D.C.: Executive Office of the President, Office of the United States Trade Representative, March 7, 1996). Significant efforts have been under way since the 1996 Punjab Labor Department survey was taken to reduce the incidence of child labor in the soccer ball industry. See <http://www.ustr.gov/releases/1996/03/96-21.html>. See also *Activities for 1998: Surveys of Child Labour* at <http://www.dolpunjab.gov.pak/r4.htm> on 4/6/00.

¹⁹⁰² Kevin Bales, *Disposable People: New Slavery in the Global Economy* (Berkeley and Los Angeles: University of California Press, 1999), 71-150. See also All Pakistan Federation of Labour (APFOL),

the smuggling of contraband and drugs.¹⁹⁰³

Pakistan is a source, transit and destination country for child trafficking victims. Children are trafficked through Pakistan from East Asia and Bangladesh to the Middle East for the purposes of sexual exploitation, bonded labor, and domestic service, and boys are trafficked to the Gulf States to work as camel jockeys.¹⁹⁰⁴

Two of the four provinces of Pakistan currently have compulsory primary education laws in force. In December 1994, the Punjab Assembly passed the Punjab Compulsory Primary Education Act, making primary education compulsory throughout the province. In October 1996, the Government of the North-West Frontier Province (NWFP) passed the NWFP Compulsory Primary Education Act of 1996.¹⁹⁰⁵ In 1997, the gross primary enrollment rate was 81.3 percent, and the net primary enrollment rate was 72.4 percent.¹⁹⁰⁶ According to Pakistan's Federal Bureau of Statistics, in 1996, 36 percent of children between the ages of 5 and 19 did not attend school (43 percent in rural areas, as opposed to 21 percent in urban areas), and in 1997, the primary school dropout rate for children between 10 and 18 years was 16 percent.¹⁹⁰⁷

Bonded Brick Kiln Workers: 1989 Supreme Court Judgment and After (Rawalpindi: APFOL, 1998) for more information on bonded labor in Pakistan.

¹⁹⁰³ Dr. Zafar Mueen Nasir, senior research economist, Pakistan Institute of Development Economics, interview with USDOL official, July 24, 2000.

¹⁹⁰⁴ U.S. Department of State, *Trafficking in Persons Report*, July 2001, Pakistan, 92.

¹⁹⁰⁵ Anees Jillani and Zarina Jillani, *Child Rights in Pakistan* (Islamabad: Society for the Protection of the Rights of the Child, Friedrich-Naumann-Stiftung, January 2000), 126. The West Pakistan Primary Education Ordinance was enacted in 1962, but it never came into force by proper ratification of the law.

¹⁹⁰⁶ The gross and net primary enrollment rates for females are significantly lower (66.6 percent and 60 percent, respectively) than for males (95 percent and 83.8 percent, respectively). See UNESCO, *Education for All: Year 2000 Assessment* (Paris, 2000) [CD-ROM].

¹⁹⁰⁷ Government of Pakistan, Federal Bureau of Statistics, *Education Sector Performance in the 1990s: Analysis from the Pakistan Integrated Household Survey (PIHS)* (Islamabad, February 1998), Table 4.4, 27. Rural dropout rates were more than double those for urban areas. See Government of Pakistan, Federal Bureau of Statistics, *Pakistan Integrated Household Survey, Round 2: 1996-97*, 2nd ed. (Islamabad, September 1999) [hereinafter *Integrated Household Survey, Round 2*], Table 2.17. In general, rates for primary school completion were higher for males than for females and higher for urban areas than for rural areas. See *Integrated Household Survey, Round 2*, at Table 2.5.

¹⁹⁰⁸ Prohibited occupations relate to railway transport, including operation and service of the premises of railway stations and port authorities as well as the sale of fireworks. Processes prohibited for children are *bidi* making; carpet weaving; cement manufacture and bagging; cloth weaving, dyeing, and printing; manufacture of matches, explosives, and fireworks; cutting and splitting of mica; manufacture of shellac and soap; tanning; wool cleaning; building and construction industry; manufacture and packing of slate pencils; manufacture of products from agate; and manufacturing processes using toxic metals and substances such as lead, mercury, manganese, chromium, cadmium, benzene, pesticides, or asbestos. See The Employment of Children Act of 1991 (Act. No. V) [hereinafter *Employment of Children Act*], Section 3, Schedules, Parts I-II, as cited in Anees Jillani, *Child Labor: The Legal Aspects*, vol. 2 (Islamabad: Society for the Protection of the Rights of the Child, October 1997) [hereinafter *Child Labor: The Legal Aspects*], 183-96. Other laws restricting the employment of children include the Constitution of the Islamic Repub

Child Labor Laws and Enforcement

The Employment of Children Act of 1991 prohibits the employment of children less than 14 years of age in specified occupations and processes that are dangerous or hazardous to the health of child workers, but excludes children employed in family operations and government-recognized schools.¹⁹⁰⁸ The Act regulates the hours of work for children and adolescents to no more than seven hours of work per day and bans work after 7 p.m. and overtime. Employers are required to maintain a register of child workers.¹⁹⁰⁹

The Bonded Labor System (Abolition) Act of 1992 abolished the bonded labor system, terminated all obligations of a bonded laborer to repay any debt or any remaining part of an unsatisfied bonded debt and prohibited creditors from accepting any payment against any bonded debt.¹⁹¹⁰ The Provincial Suppression of Prostitution Ordinance of 1961 outlaws prostitution. The Punjab Children Ordinance of 1983 and the Sindh Children Act of 1955 specifically outlaw the prostitution of girls under the age of 16 in those provinces.¹⁹¹¹

Pakistan has not ratified ILO Convention 138, but ratified ILO Convention 182 on October 11, 2001.¹⁹¹²

lic of Pakistan of 1973; the Tea Plantations Labor Ordinance of 1962; the Mines Act of 1923; the Factories Act of 1934; West Pakistan Shops and Establishments Ordinance of 1969; Road Transport Workers Ordinance 1961; and the Merchant Shipping Act of 1923. For the text of the laws, see *Child Labor: The Legal Aspects*.

¹⁹⁰⁹ Employment of Children Act, as cited in *Child Labor: The Legal Aspects* at 183-96. Penalties under the act include terms of imprisonment and fines, or both, of up to 1 year and/or up to 20,000 rupees (USD 349) for a person who employs a child in a prohibited occupation or process and up to 1 month and/or up to 10,000 rupees (USD 175) for failing to comply with child worker registration and notice-posting requirements. For currency conversion, see <http://www.carosta.de/frames/convert.htm> on 2/1/02.

¹⁹¹⁰ The Bonded Labor System (Abolition) Act of 1992 (Act. No. III), as cited in *Child Labor: The Legal Aspects* at 167-79. Penalties under this act include fines and terms of imprisonment. The Children (Pledging of Labor) Act of 1933 voids all agreements allowing the labor of children less than 15 years of age in any employment in return for any payment or benefits. See The Children (Pledging of Labor) Act of 1933 (Act. No. II), as cited in *Child Labor: The Legal Aspects* at 180-82.

¹⁹¹¹ Umar Ali, Country Report, Pakistan, presented at the ILO/Japan Asian Meeting on Trafficking of Children for Labour and Sexual Exploitation (Manila, the Philippines, October 10-12, 2001). Although basic legislation is in place to address many child labor issues, there are concerns about the implementation and enforcement. The Punjab Labor Department, for example, has found that the district-level Vigilance Committees, established under the Bonded Labor System (Abolition) Act of 1992 to advise district administrations on the laws related to child labor or bonded labor and to assist in the rehabilitation of freed bonded laborers, have not performed well. See Government of the Punjab, Department of Labour, "Performance of the Vigilance Committees," at <http://www.dolpunjab.gov.pk/r10.htm> on 4/6/00. During 2000 there were 5,040 prosecutions and 1,564 convictions or cases decided under the Child Labor Act of 1991; the total amount of fines levied was 765,800 rupees (USD 13,376). See unclassified telegram 5996. For currency conversion, see <http://www.carosta.de/frames/convert.htm> on 2/1/02.

¹⁹¹² ILO, ILOLEX database: Pakistan at <http://ilolex.ilo.ch:1567/scripts/ratifce.pl?C182>.

NOTE: Hard copies of most Web citations are on file.