

Afghanistan

Incidence and Nature of Child Labor

The ILO estimated that 23.8 percent of children ages 10 to 14 years in Afghanistan were working in 2002.⁶⁵ Child workers are reported to be numerous in rural areas, particularly in animal herding, and collecting paper and firewood. Children are also found working in the urban informal sector engaged in activities such as shining shoes, begging, or rummaging for scrap metal in the streets.⁶⁶ There are reports that children continue to join or be forcibly recruited into armed insurgent groups.⁶⁷ Afghanistan is a country of origin and transit for children trafficked for the purposes of sexual exploitation, forced marriage, labor, domestic servitude, slavery, crime, and the removal of body organs.⁶⁸ Since early 2003, there have been increasing reports of children reported as missing throughout the country.⁶⁹ It is also reported that impoverished Afghan families have sold their children into forced sexual exploitation, marriage, and labor.⁷⁰

In January 2004, the Constitutional *Loya Jirga* (Grand Assembly) approved the new Constitution of Afghanistan,⁷¹ which provides for free education for all citizens up to the secondary level.⁷² However,

⁶⁵ World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004. For more information on the definition of working children, please see the section in the front of the report entitled Statistical Definitions of Working Children.

⁶⁶ Some of these activities exposed children to landmines. See U.S. Department of State, *Country Reports on Human Rights Practices-2003: Afghanistan*, Washington, D.C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27943.htm>.

⁶⁷ Peter W. Singer, *Too Young to Kill*, Newhouse News Service, [online] January 9, 2005 [cited January 24, 2005]; available from <http://www.brookings.edu/printme.wbs?page=/pagedefs/e3ea5f34884fff3e2e996c4e0a1415cb.xml>. See also Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004: Afghanistan*, London, November 17, 2004; available from http://www.child-soldiers.org/document_get.php?id=843.

⁶⁸ U.S. Department of State, *Trafficking in Persons Report- 2004: Afghanistan*, Washington, D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33197pf.htm>. See also IOM, *Trafficking in Persons: An Analysis of Afghanistan*, March 2004. Children are reportedly trafficked to Gulf countries, particularly Saudi Arabia, for street begging and child labor. See Carlotta Gall, "With Child Kidnappings on Rise, Afghans Seek Help from Public," *The New York Times* (New York), April 30, 2004, Section A-8; available from <http://query.nytimes.com/gst/abstract.html?res=F30B15FF3F590C738FDDAD0894DC404482>. In both northern and southern provinces, children as young as four years old have been abducted and some children were trafficked to neighboring countries, such as Pakistan and Iran, to work in factories and brothels. See U.S. Department of State, *Country Reports-2003: Afghanistan*, Section 6f. See also UNICEF, *UNICEF Alarmed by Afghanistan Child Trafficking Reports*, [online] September 25, 2003 [cited May 11, 2004]; available from http://www.unicef.org.uk/press/news_detail.asp?news_id=183.

⁶⁹ The Afghan Independent Human Rights Commission (AIHRC) reported that in the last 5 months of 2003, over 300 complaints had been received from the families of children who had disappeared. As of March 2004, the Afghan police were investigating 85 cases of children purportedly kidnapped and killed for their organs, yet these allegations were unsubstantiated according to the U.S. Department of State. See U.S. Embassy- Kabul, *unclassified telegram no. 630*, March 8, 2004. See also Mike Collett-White, "Afghan Children Fall Prey to Killers Who Trade in Human Organs," *The Independent* (London), June 7, 2004; available from http://news.independent.co.uk/world/middle_east/story.jsp?story=529009. See also Integrated Regional Information Networks, "Afghanistan: Campaign underway to raise awareness of child trafficking", IRINnews.org, [online], February 24, 2004; available from <http://www.irinnews.org/print.asp?ReportID=39657>. See also Gall, "Child Kidnappings."

⁷⁰ U.S. Department of State, *Trafficking in Persons Report- 2004: Afghanistan*, Introduction, Special Cases. See also U.S. Department of State, *Country Reports- 2003: Afghanistan*, Section 6f. See also Gall, "Child Kidnappings."

⁷¹ Carlotta Gall, "Afghan Council Gives Approval to Constitution," *The New York Times* (New York), January 5, 2004; available from <http://query.nytimes.com/gst/abstract.html?res=FB0D13FB3E550C768CDDA80894DC404482>. See also U.S. Department of State,

continued violence and instability in the country have seriously hampered educational reconstruction efforts.⁷³ In 2001, the gross primary enrollment rate was 22.7 percent.⁷⁴ 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. Recent primary school attendance statistics are not available for Afghanistan. Since the downfall of the Taliban in 2001, efforts have been made to improve enrollment, particularly for girls. According to UNICEF, 4.2 million children are enrolled in school at the primary level and about 37 percent of these are girls. However, there are still 1.5 million girls of primary school age who are not enrolled in school.⁷⁵ In some regions, the enrollment rate of girls is as low as 3 percent.⁷⁶ As a means of comparison, in 2001, the gross primary enrollment rate for boys was 43.8 percent.⁷⁷ Access to education problems are exacerbated by a resurgence in religious extremist attacks on schools, teachers, and students. According to information from the Ministry of Education, approximately 40 attacks on girls' schools were reported in Afghanistan in 2003 and continued violence against schools was reported in 2004.⁷⁸ Some refugee children who have returned from neighboring countries, particularly Iran and Pakistan, are reported to have limited opportunity for education, often because their labor is needed to supplement the meager incomes of their families.⁷⁹

State Department Outlines U.S. Support for Afghan Women, press release, Washington, D.C., September 7, 2004; available from <http://usinfo.state.gov/dhr/Archive/2004/Mar/30-744977.html>.

⁷² Government of Afghanistan, *Constitution of Afghanistan*, (January 4), Article 43; available from <http://www.embassyofafghanistan.org/pdfs/Documents/adoptedConstitutionEnglish.pdf>. Despite this new law, the Supreme Court has recently barred married women from attending high school although girls as young as 9 years are routinely forced into marriage. See Cathy Young, "Freedom for Afghan, Iraq Women?," *The Boston Globe* (Boston), August 9, 2004; available from http://www.boston.com/news/globe/editorial_opinion/oped/articles/2004/08/09/freedom_for_afghan_iraq_women/.

⁷³ U.S. Department of State, *Country Reports- 2003: Afghanistan*, Section 5.

⁷⁴ World Bank, *World Development Indicators 2004*.

⁷⁵ Integrated Regional Information Networks, "Afghanistan: Interview with UNICEF Deputy Executive Director", IRINnews.org, [online], April 5, 2004; available from <http://www.irinnews.org/print.asp?ReportID=40418>. See also U.S. Department of State, *Country Reports- 2003: Afghanistan*, Section 5.

⁷⁶ Due to long distances, a lack of schools, and a shortage of female teachers (Islamic law discourages girls and women from interacting with adult male non-relatives), girls' access to education is particularly limited in the southern and eastern regions of Afghanistan. See Human Rights Watch (HRW), *"Killing You is a Very Easy Thing For Us": Human Rights Abuses in Southeast Afghanistan*, New York, July 2003, 76-78; available from <http://www.hrw.org/reports/2003/afghanistan0703/>.

⁷⁷ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

⁷⁸ A new series of attacks began after children returned to school in March 2004. Recent attacks have included bombings of school facilities, assaults of school personnel, poisoning of several primary school girls, and the burning of school buildings, tents, and educational materials. See Swedish Committee for Afghanistan, *SCA Condemns Recent Attacks on Girls' Schools*, press release, Kabul, April 1, 2004; available from <http://www.sak.a.se/afghanK/afghankeng.nsf>. See also Greg Bearup, "Girls 'Poisoned by Militants for Going to School'," *The Guardian* (May 3, 2004); available from <http://www.guardian.co.uk/print/0,3858,4915217-108920,00.html>. See also UN News Service, *UN Envoy Condemns Burning of Girls' Schools in Afghanistan*, press release, UN News Centre, March 7, 2004; available from <http://www.un.org/apps/news/storyAr.asp?NewsID=9996&Cr=Afghanistan&Cr1=&Kw1=burning&Kw2=&Kw3=>.

⁷⁹ Ironically, refugees' families returning to Afghanistan often cite a desire to ensure education of their children as a primary reason for their return. See Amnesty International, *Afghanistan- Out of Sight, Out of Mind: The Fate of the Afghan Returnees*, ASA 11/014/2003, London, June 23, 2003, Section 7.6; available from <http://www.web.amnesty.org/library/index/engasa110142003>.

Child Labor Laws and Enforcement

The Labor Code prohibits children under the age of 15 from working more than 30 hours per week.⁸⁰ The new Constitution prohibits forced labor, including that of children.⁸¹ However, in 2003 there was no evidence that child labor laws were enforced in the country.⁸² In May 2003, Afghan President Karzai issued a presidential decree prohibiting the recruitment of children and young people under the age of 22 into the Afghan National Army.⁸³ The Afghan Judicial Reform Commission within the Ministry of Justice has been charged with drafting and revising laws to prevent and prosecute trafficking crimes.⁸⁴ Until new civil and penal codes are enacted, trafficking crimes may be prosecuted under laws dealing with kidnapping, rape, forced labor, transportation of minors, child endangerment, and hostage-taking. Prison sentences for such offenses are longer for cases involving minors and girls.⁸⁵ During the year, the government has arrested several suspected traffickers and rescued many victims, including 50 child trafficking victims en route to Saudi Arabia. By March 2004, more than 200 child trafficking victims had been repatriated from Saudi Arabia.⁸⁶

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

The Government of Afghanistan, with considerable international assistance, is working to address child soldiering, child trafficking, and the commercial sexual exploitation of children. USDOL is supporting a USD 3 million, 4-year project with UNICEF to rehabilitate former child soldiers. The project provides community-based rehabilitative, psychosocial, and non-formal education services to 8,000 child soldiers.⁸⁷ More than 1,900 former child soldiers have been demobilized through the services of 8 local demobilization and reintegration committees in the northeast, eastern, and central highlands regions since the program began in February 2004.⁸⁸

Selected Child Labor Measures Adopted by Governments	
Ratified Convention 138	
Ratified Convention 182	
ILO-IPEC Member	
National Plan for Children	
National Child Labor Action Plan	
Sector Action Plan	

⁸⁰ U.S. Department of State, *Country Reports- 2003: Afghanistan*, Section 6d.

⁸¹ *Constitution of Afghanistan*, Article 49.

⁸² U.S. Department of State, *Country Reports- 2003: Afghanistan*, Section 6d.

⁸³ UNICEF, *UNICEF Praises Afghan Child-Soldier Innovation*, press release, Geneva, September 23, 2003; available from http://www.unicef.org/media/media_14758.html.

⁸⁴ U.S. Embassy- Kabul, *unclassified telegram no. 681*, March 12, 2004.

⁸⁵ *Ibid.*

⁸⁶ *Ibid.* See also U.S. Department of State, *unclassified telegram no. 125817*, Washington, D.C., June 7, 2004. See also U.S. Department of State, *Trafficking in Persons Report- 2004: Afghanistan*.

⁸⁷ ILO-IPEC, *Demobilization, Social and Economic Reintegration of Child Soldiers/Minors Associated with the Fighting Forces in Afghanistan*, project document, Geneva, March 2, 2004, 5. The project is being implemented in collaboration with the Afghanistan New Beginnings Program. See UNICEF, *2,000 Former Afghan Child Soldiers to be Demobilized and Rehabilitated*, press release, Kabul, February 8, 2004; available from http://www.unicef.org/media/media_19165.html. See also UNICEF, *Educating Afghanistan's Former Child Soldiers*, press release, London, February 9, 2004; available from http://www.unicef.org.uk/press/news_detail.asp?news_id=236.

In November 2003, President Karzai instituted an inter-ministerial Commission for the Prevention of Child Trafficking, Child Smuggling, and Movement of Children without Proper Legal Documents. The Commission began work on a National Action Plan to combat child trafficking; however, the ministries' lack of institutional capacity and financial resources limited their ability to effectively address the problem or aid victims.⁸⁹ The Ministry of Hajj and Religious Affairs has engaged in spreading counter-trafficking messages and conducting workshops to raise awareness among Islamic clergy. The Afghan Independent Human Rights Commission (AIHRC) has designed posters on child trafficking and distributed them to schools, government departments, and the police; and the International Rescue Committee conducts monthly child protection meetings to help promote awareness at the community level.⁹⁰ IOM, UNICEF, and AIHRC also conducted workshops on child trafficking for law enforcement personnel from all 32 provinces, border officials, and ministry officials.⁹¹

The Ministry of Labor and Social Affairs (MOLSA) together with UNICEF initiated a Working Group on Commercial Sexual Exploitation of Children. As a result, counter-trafficking committees in all provinces were established and specific measures to stop child trafficking have been put in place.⁹² IOM is partnering with the Ministries of Interior, Justice, and Women's Affairs on an anti-trafficking project to increase the capacity of the Afghan government to effectively address trafficking in the country through awareness-raising and other counter-trafficking activities.⁹³ With funding from the U.S. Department of State and support from the Ministries of Interior and Women's Affairs, IOM released the results of a study conducted in 2003 to assess the trends in and responses to trafficking in Afghanistan.⁹⁴ UNICEF and UNHCR are supporting a program with MOLSA to repatriate and reintegrate children who have been trafficked to other countries for child labor.⁹⁵

⁸⁸ UNICEF, *Demobilization of Child Soldiers and Socio-Economic Reintegration of War-affected Young People in Afghanistan*, status report, submitted to USDOL, Kabul, June 2004, 3.

⁸⁹ Members of the Child Trafficking Commission include nine ministries and six national and international agencies. See U.S. Embassy- Kabul, *unclassified telegram no. 681*.

⁹⁰ *Ibid.*

⁹¹ U.S. Department of State, *Trafficking in Persons Report- 2004: Afghanistan*. See also IOM, *Afghanistan: Counter-Trafficking Seminar for Law Enforcement Officials*, in IOM Press Briefing Notes, [online] July 13, 2004 [cited July 13, 2004]; available from http://www.iom.int/en/archive/archive_press_brief_notes.shtml.

⁹² U.S. Embassy- Kabul, *unclassified telegram no. 681*.

⁹³ U.S. Embassy- Kabul, *unclassified telegram no. 228379*, August 6, 2003, 1. See also IOM, *Capacity Building in Counter-Trafficking in Afghanistan (CCAF)*, [database online] [cited May 11, 2004]; available from <http://www.iom.int/iomwebsite/Project/ServletSearchProject?event=detail&id=AF1Z019>.

⁹⁴ IOM, *Trafficking in Persons: An Analysis of Afghanistan*.

⁹⁵ UN News Service, *UN Supports Bid to Prevent Smuggling of Afghan Children*, press release, UN News Centre, January 18, 2004; available from <http://www.un.org/apps/news/storyAr.asp?NewsID=9472&Cr=Afghanistan&Cr1=&Kw1=bid&Kw2=&Kw3=>. Most of the children were trafficked to Gulf States, particularly Saudi Arabia, and to the neighboring countries of Pakistan and Iran. Between October 2003 and March 2004, 219 Afghan children were repatriated from Saudi Arabia. See U.S. Embassy- Kabul, *unclassified telegram no. 681*.

The Government of Afghanistan has also undertaken steps to rebuild the country's education system, particularly within the context of the reconstruction of Afghanistan initiated in 2002.⁹⁶ The government is implementing a USD 15 million World Bank project that, among other activities, aims to promote learning and skills development among disadvantaged girls and former combatants.⁹⁷ The World Bank is also funding a USD 35 million Education Quality Improvement Program in Afghanistan, which aims to improve education through investment in personnel, physical facilities, capacity building, and the promotion of girls' education.⁹⁸ The Afghan Ministry of Religious Affairs is partnering with UNICEF to hold regional workshops to unite religious leaders around the campaign for girls' education and other children's rights and to harness their support and local influence in the communities.⁹⁹

UNICEF is working to increase access to education for one million Afghan children and to increase girls' enrollment by one million by 2005¹⁰⁰ through the development of community-based schools for 500,000 out-of-school girls, improved teacher training for 50,000 primary school teachers, and accelerated learning programs for girls who fell behind in their education during the Taliban regime.¹⁰¹ The Asian Development Bank, Islamic Development Bank, and other donors are funding the construction of new schools as well as the repair of existing schools.¹⁰² UNESCO is supporting the Ministry of Education through three projects totaling approximately USD 17 million. These projects focus on strengthening the capacity of the national

⁹⁶ In March 2004, the head of the UN Assistance Mission in Afghanistan estimated a need of USD 173 million for education to build new schools, improve teaching materials, develop new curricula, and hire more teachers. See UN News Service, *UN Envoy Urges More Funds to Help Afghanistan's Schoolchildren*, press release, UN News Centre, March 21, 2004; available from [http://www.un.org/apps/news/storyAr.asp?NewsID=10150&Cr=Afghanistan&Cr1=&Kw1=envoy&Kw2=&Kw3=](http://www.un.org/apps/news/storyAr.asp?NewsID=10150&Cr=Afghanistan&Cr1=&Kw1=envoy&Kw2=&Kw3=.). A number of major donors are funding projects to support the Ministry of Education in its effort to fulfill the demand for education in Afghanistan. Among the most prominent donors are the World Bank, ADB, the Islamic Development Bank, UNICEF, UNESCO, UNDP, UNHCR, USAID, USDOL, numerous NGOs, and foreign governments, including Japan and Germany. See UNESCO, *Educational Reconstruction in Afghanistan: Transitional Support Strategy 2002-2004*, UNESCO, Paris, July 2002, 13.

⁹⁷ World Bank, *Afghanistan-Emergency Education Rehabilitation & Development Project*, project information document, PID11129, World Bank, May 21, 2002, 2-3; available from http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2002/04/19/000094946_02041804135557/Rendered/PDF/multi0page.pdf. See also World Bank, *Emergency Education, Rehabilitation and Development Project*, in World Bank Project Database, [database online] 2004 [cited May 11, 2004]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P077896>.

⁹⁸ World Bank, *Education Quality Improvement Program*, project information document, AB545, World Bank, February 17, 2004, 2; available from http://www-wds.worldbank.org/servlet/WDS_IBank_Servlet?pcont=details&eid=000104615_20040311164542. See also World Bank, *Education Quality Improvement Program*, in World Bank Project Database, [database online] 2004 [cited September 8, 2004]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P083964>.

⁹⁹ UNICEF, *Afghan Religious Leaders Get Behind Girls' Education*, press release, London, March 16, 2004; available from http://www.unicef.org.uk/press/news_detail.asp?news_id=253.

¹⁰⁰ Ibid. See also Integrated Regional Information Networks, "Afghanistan: New school year opens on optimistic note", IRINnews.org, [online], March 22, 2004 [cited March 24, 2004]; available from <http://www.irinnews.org/print.asp?ReportID=40170>. See also Integrated Regional Information Networks, "Afghanistan: Interview with UNICEF Deputy Executive Director".

¹⁰¹ Integrated Regional Information Networks, "Afghanistan: New school year". See also UN News Service, *UN Envoy Urges More Funds*.

¹⁰² World Bank, *Emergency Education Rehabilitation & Development*, 2.

system of education, technical and vocational education, and non-formal education.¹⁰³ In March 2004, the U.S. Government announced its commitment to build 152 new schools and refurbish 255 more throughout Afghanistan by September 2004.¹⁰⁴ The U.S. Department of Agriculture is working with the government as part of a global effort to provide meals for schoolchildren.¹⁰⁵

¹⁰³ UNESCO, *Educational Reconstruction*, 7.

¹⁰⁴ U.S. Department of State, *The New Afghanistan: Progress and Accomplishments*, [online] 2004 [cited May 25, 2004]; available from <http://www.state.gov/p/sa/31689.htm>. According to UNICEF, more than 2,500 schools will need to be constructed in each of the next 3 years in order to accommodate the heightened demand for education. See Integrated Regional Information Networks, "Afghanistan: New school year".

¹⁰⁵ Washington File, *U.S. Funds Will Provide School Meals in Latin America, Caribbean*, August 17, 2004; available from <http://usinfo.state.gov/gi/Archive/2004/Aug/18-23606.html>.