

Government of the People's Republic of Bangladesh
Ministry of Labour and Employment
Planning Cell (Labour-5)

Submission regarding US-DOL's report on Child Labour in Bangladesh

We want to submit our observations followed by our efforts in eliminating child labour in Bangladesh.

A. Comments:

Under the title, **“Incidence and nature of child labour”** in the context of Bangladesh, our few observations are as follows:

- (a) Though large number of adolescents (not child) work under hazardous condition's in the ship breaking industry, but there is no child labour under the age of 15 years in that industry.
- (b) Regarding thousands of domestic servants in private households, in consultation with the tripartite stakeholders Govt. has taken serious initiative to frame conduct rules, involving the local administrative authorities, with a view to make people aware and to minimize their exploitive conditions.
- (c) In Bangladesh, so far no incident is detected about children's involvement in trading arms.
- (d) The legal provisions (particularly BLA -2006) and the functioning of the Inspection Department under MOLE- as described in the report are O.K. But we differ with the following comment of the report-
“----- high levels of corruption remain and obstacle to combating trafficking”.
- (e) The last part of the report on current Government policies and programs to eliminate the worst forms of child labour is quite elaborate and updated.

B. Government's Effort to Eliminating Child Labour in Bangladesh:

The existence of child labour in Bangladesh is closely linked to poverty. Unless the poverty situation of the country is improved at a satisfactory level it is very difficult to eliminate child labour. This also depends largely on the achievement of high and stable growth of the country's economy for which the country is starving for long. With all its limited resources the Government of Bangladesh has been implementing programmes/projects, including with the assistance from the US-DOL, on regular basis for elimination of child labour and there has been remarkable success. At present there is no child labour in RMG sector. It is expected that the volume of child labour in the country will be reduced to a considerable level if the present trend of promotional activities and participation of the social partners continue. Child labour issues have been incorporated in all major national development projects and plans

(like PRS, national plan of action for education and reflection in annual budget etc.). Bangladesh requires technical support for overall socio-economic conditions in addition to technical assistance for undertaking programmes on eliminating Child Labour. The most significant challenge is to strengthen the institutional capacity and to get required resources to combat child labour.

With all limitations the Government of Bangladesh has been actively considering formulation and implementation of laws and policies to combat child labour particularly those who are engaged in the hazardous works. Very recently, in line with the ILO Conventions relating child labour has formulated "National Child Labour Elimination Policy 2010" and has already been approved by the competent authority on 1st March 2010. This policy will help phase-wise elimination of child labour from Bangladesh.

As a signatory of the ILO Convention 182, the Government has to identify the works or sectors which are hazardous in nature particularly for the Children. The Government has already taken initiatives in this regards. The list should be an extensive one considering the present socioeconomic conditions of Bangladesh. As part of the Time-bound Programme (TBP)-Urban Informal Economy Project which has got fund from the Netherlands Government, preparation of the list is still in progress.

By repealing 25 previous labour laws, Bangladesh has enacted a unified and up-dated labour legislation titled "The Bangladesh Labour Act (BLA)-2006" in 2006. In the newly enacted Bangladesh Labour Act-2006 (BLA-2006) "Child" is defined as a person who has not completed his 14 years of age. Although Bangladesh has not yet ratified the ILO Convention 138 (Minimum Age Convention, 1973) its main provisions are properly reflected in our enacted said law and other rules and policies. The Chapter III (Sections 34-44) of BLA 2006 has exclusively addressed prohibiting the employment of children below the age of 14 years even in normal work, and restricting the employment of adolescent (young persons below the age of 18 years) by imposing some conditions. Hazardous or dangerous or risky jobs are also prohibited for young persons under the age of 18 years as per our legal provisions. Driving in a mechanized transport is further prohibited for a person below the age of 21 years. Under the administration of the present government, as a priority programme MOLE has undertaken to review and make necessary amendments in BLA-2006 by constituting a high powered tripartite committee, so as to bring the provisions of labour law more in line with ILO and other international conventions ratified and abide by Bangladesh. Hopefully with the upcoming recommendations of the committee the child labour issues will be well addressed in the revised BLA-2006.

As per provisions of BLA-2006, for effective monitoring of the enforcement of legal provisions, the Department for Inspection of Factories & Establishments under the MOLE is putting its best effort to perform their duties. Besides the normal inspection functioning of the Department, since 2006 special drives have been undertaken to ensure compliance (including strict prohibition on engagement of child labour) issues

in some export oriented vulnerable sectors by constituting special inspection teams. Through efforts of inspection teams and subsequent monitoring by high-level Social Compliance Forum, Task force and Crisis Management Committee, the overall compliance situation in the formal sectors have been progressively improved, and appreciated by all both in home and abroad.

The penal provisions laid down in the Suppression of Violence against Women & Children Act (SVWCA) (Amendment) of 2003 have been appropriately enhanced. Government will take necessary steps to amend the Suppression of Violence against Women & Children Act (SVWCA) in order to ensure that the sale and trafficking of all children under 18 years of age is prohibited. Under chapter 19 of the BLA-2006 (Sections 283 to 316), the penal provisions have also been appropriately enhanced. As forced labour is prohibited by our constitutional provisions, therefore, there is no forced labour found in any formal sector where BLA-2006 applies.

A National Plan of Action against the sexual abuse and exploitation of children, including trafficking, was adopted for the period 2001. The Government has enacted different laws to deal trafficking. The Anti-Trafficking Unit, under the Ministry of Home affairs, the CID deal with the issues. The police and other law enforcement agencies, as well as local government organization are involved in the fight against trafficking.

The Government of Bangladesh is now implementing the National Plan of Action of Education for All (EFA) to make education compulsory, accessible and all-inclusive. Bangladesh is receiving intensive support to improve education system from different development partners. Formal and non-formal education and vocational trainings are being provided to rehabilitate child labor.

Since the poverty and child labour are interlinked, the Government has set priorities to eliminate child labour in the national development policies which will obviously help improving the situation of children and to achieve the MDGs. Major elements of the PRS are:- Employment, Nutrition, Maternal health, Quality of Education (at primary, secondary and Vocational levels), Sanitation and safe Water, Criminal justice, and Local governance. The 2nd PRS-revised (2009-2011) are in progress in line with MDGs as per targeted performance.