Bangladesh

Selected Statistics and Indicators on Child Labor	
Percent of children 5-14 estimated as working in 2002:	$13.4\%^{284}$
Minimum age for admission to work:	Varies by
	industry ²⁸⁵
Age to which education is compulsory:	10^{286}
Free public education:	Yes ²⁸⁷
Gross primary enrollment rate in 2004:	$109\%^{288}$
Net primary enrollment rate in 2004:	$94\%^{289}$
Percent of children 5-14 attending school in 2003:	$82.6\%^{290}$
As of 2003, percent of primary school entrants likely to	
reach grade 5:	$65\%^{291}$
Ratified Convention 138:	No ²⁹²
Ratified Convention 182:	3/12/2001 ²⁹³
ILO-IPEC participating country:	Yes ²⁹⁴

Incidence and Nature of Child Labor

In 2002, approximately 18.5 percent of boys and 7.9 percent of girls ages 5 to 14 were working in Bangladesh. Most working children live in rural areas, and many begin to work at a very early age. The majority of working children 5 to 14 years work in the agricultural sector (62.3 percent), followed by services (23.2 percent), manufacturing (12.6 percent), and other sectors (2

²⁸⁴ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005.

²⁸⁵ Government of Bangladesh, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice (July 29, 2005) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Washington, DC, September 12, 2005.

²⁸⁶ U.S. Department of State, "Bangladesh," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 5; available from http://www.state.gov/g/drl/rls/hrrpt/2006/78869.htm.

²⁸⁸ UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed December 20, 2006; available from http://stats.uis.unesco.org.

²⁸⁹ UNESCO Institute for Statistics, *Net Enrolment Rate. Primary. Total*, accessed December 20, 2006; available from http://stats.uis.unesco.org/.

²⁹⁰ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

²⁹¹ UNESCO Institute for Statistics, *Survival Rate to Grade 5. Total*, accessed December 18, 2006; available from http://stats.uis.unesco.org/.

²⁹² ILO, *Ratifications by Country*, accessed October 17, 2006; available from http://www.ilo.org/ilolex/english/newratframeE.htm.
²⁹³ Ibid.

²⁹⁴ ILO-IPEC, *IPEC Action Against Child Labour: Highlights 2006*, Geneva, October, 2006, 29; available from http://www.ilo.org/iloroot/docstore/ipec/prod/eng/20061013_implementationreport_eng.pdf.

²⁹⁵ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

²⁹⁶ Bangladesh Bureau of Statistics, *Report on National Child Labour Survey 2002-03*, Dhaka, December 2003, xx; available from

 $http://www.ilo.org/public/english/region/asro/newdelhi/ipec/download/resources/bangladesh/bgd_rep03_eng3_1.pdf$

²⁹⁷ U.S. Department of State, "Country Reports- 2006: Bangladesh," Section 6d.

percent).²⁹⁸ Most children's work, in agriculture and other sectors, takes place in the informal economy.²⁹⁹ Street children, mostly boys, can be found in urban areas begging, portering, shining shoes, collecting paper, and selling flowers and other items.³⁰⁰

Children are found working in the following activities, sometimes under hazardous conditions: auto repair; 301 battery recharging and recycling; 702 road transport, such as rickshaw-pulling and fare-collecting; 303 saw milling; welding; metalworking; carpentry; fish drying; 104 fish and shrimp farming; leather tanning; brick-breaking; construction; and manufacturing matches and garments. A large number of children, mostly girls, work as domestic servants in private households, some in conditions resembling servitude. These child domestics are vulnerable to abuse, including sexual abuse. Boys and girls, often those living on the streets, are exploited in illicit activities including smuggling and trading arms and drugs. Large numbers of children are exploited in the commercial sex industry. Trafficking of children for prostitution, domestic service, and other purposes is a significant problem in Bangladesh; some children are sold or sent into trafficking situations by their parents. NGOs report that most trafficked boys

⁹⁸ HOW 1 : CH O CD 4D4

²⁹⁸ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

²⁹⁹ U.S. Department of State, "Country Reports- 2006: Bangladesh," Section 6d.

³⁰⁰ Bangladesh Bureau of Statistics, *Baseline Survey of Street Children in Bangladesh*, Dhaka, December 7, 2003, ix-x; available from http://www.ilo.org/iloroot/docstore/ipec/prod/eng/2003 streetchildren bangladesh.pdf.

³⁰¹ Bangladesh Bureau of Statistics, *Baseline Survey on Working Children in Automobile Establishments*, Dhaka, November 2003, viii; available from

http://www.ilo.org/public/english/region/asro/newdelhi/ipec/download/resources/bangladesh/bgdpubl03eng7.pdf. ³⁰² Bangladesh Bureau of Statistics, *Baseline Survey on Child Workers in Battery Recharging/Recycling Sector*, 2002-03, Dhaka, February 2004, 23; available from

http://www.ilo.org/public/english/region/asro/newdelhi/ipec/download/resources/bangladesh/bgdpubl04eng1.pdf. ³⁰³ Bangladesh Bureau of Statistics, *Report of the Baseline Survey on Child Workers in Road Transport Sector*, Dhaka, March 2004, 25; available from

http://www.ilo.org/public/english/region/asro/newdelhi/ipec/download/resources/bangladesh/bgdpubl04eng2.pdf. ³⁰⁴ U.S. Department of State, "Country Reports- 2006: Bangladesh," Section 6d.

U.S. Department of State, "Bangladesh," in *Country Reports on Human Rights Practices- 2005*, Washington, DC, March 8, 2006, Section 6d; available from http://www.state.gov/g/drl/rls/hrrpt/2005/61705.htm.

³⁰⁶ Bangladesh Bureau of Statistics, *National Child Labour Survey 2002-03*, 191. See also National Labor Committee, *Child Labor is Back: Children Are Again Sewing Clothing for Major U.S. Companies*, New York, October 2006; available from

http://www.nlcnet.org/live/admin/media/document/ReportPDF/Harvest_Rich/NLC_Child_Labor_WEB.pdf.

307 ILO, Report of the Committee of Experts on the Application of Conventions and Recommendations (Forced Labor Convention, 1930), ILO Conference, 75th Session, Geneva, 2004; available from http://webfusion.ilo.org/public/db/standards/normes/appl/index.cfm?lang=EN. See also U.S. Department of State, "Country Reports- 2006: Bangladesh," Section 6c.

³⁰⁸ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties, Concluding Observations: Bangladesh*, CRC/C/15/Add.221, Geneva, October 27, 2003, 15; available from http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/3ff4da770b9e9847c1256df3005a49f4/\$FI LE/G0344627.pdf. See also U.S. Department of State, "Country Reports- 2006: Bangladesh," Sections 5 and 6c.

³⁰⁹ Bangladesh Bureau of Statistics, *Street Children in Bangladesh*, x. See also Coalition to Stop the Use of Child Soldiers, *Child Soldiers: CRC Country Briefs*, London, February 1, 2003; available from http://www.child-soldiers.org/document_get.php?id=731. See also ECPAT International, *South Asia Regional Consultation on Prostitution of Boys*, press release, Dhaka, June 8-9, 2006.

³¹⁰ U.S. Department of State, "Country Reports- 2006: Bangladesh," Section 5.

³¹¹ UN Committee on the Rights of the Child, Concluding Observations: Bangladesh, para 73.

are under 10, while trafficked girls tend to be older.³¹² Bangladeshi children, especially boys, continue to be trafficked into debt bondage in Gulf countries.³¹³

Child Labor Laws and Enforcement

The minimum age for employment varies by industry.³¹⁴ The law prohibits the employment of children younger than 12 years in shops and other commercial establishments, and in 10 processes including tanning; carpet-weaving; stone-cutting; and the manufacture of bidis (handrolled cigarettes), cloth, wool, cement, shellac, soap, matches, explosives, and fireworks, unless they are working in a family workshop.³¹⁵ The minimum age for work in ready-made garment factories is 15 years, ³¹⁶ while the minimum age for work in other factories is 14 years. Young persons 14 to 17 may work in factories for no more than 5 hours per day, between the hours of 7 a.m. and 7 p.m. However, young persons working in factories may not use certain dangerous machines without adequate training and supervision, and the law provides a list of 18 hazardous activities in factories from which children and young persons should be restricted. Employers who repeatedly violate these restrictions on factory work face prison terms of up to 6 months.³¹⁷ Children under 15 may not work in mines, in tea gardens, in the railway transportation sector, or in ports, although young persons ages 15 and 16 may work in railways and ports, provided they receive adequate rest overnight.³¹⁸ Employment of young people under 18 on roads and under 21 as drivers is prohibited,³¹⁹ and employers in violation of these provisions can face prison terms of up to 1 year.³²⁰ The law requires children to attend school only to age 10, leaving a gap between the end of compulsory schooling and the minimum working age that may result in children entering work illegally.³²¹

^{2 1}

³¹² U.S. Embassy - Dhaka, *reporting*, March 1, 2007. See also U.S. Department of State, "Country Reports- 2006: Bangladesh," Section 5.

³¹³ U.S. Embassy - Dhaka, reporting, March 1, 2007.

³¹⁴ Government of Bangladesh, Written communication, 1.

³¹⁵ Government of Bangladesh, *Shops and Establishments Act (1965)*, as cited in ILO NATLEX National Labor Law Database, *Shops and Establishments Act (1965)*, accessed October 12, 2006; available from http://www.ilo.org/dyn/natlex/natlex_browse.country?p_lang=en&p_country=BGD. See also Government of Bangladesh, *The Employment of Children Act (as modified by Act LIII of 1974)*, No. XXVI, (1938), Article 3; available from http://www.ilo.org/dyn/natlex/docs/WEBTEXT/47334/65072/E38BGD01.htm.

³¹⁶ U.S. Embassy- Dhaka official, E-mail communication to USDOL official, January 23, 2007. See also U.S. Embassy- Dhaka, *reporting*, December 21, 2006.

³¹⁷ Government of Bangladesh, *The Factories Act*, No. 4, (1965), Sections 2, 25, 66, 70, 87, 95; available from http://www.ilo.org/dyn/natlex/docs/WEBTEXT/47346/65073/E65BGD01.htm. See also Government of Bangladesh, *The Factories Rules*, (1979), Sections 45, 83; available from http://www.ilo.org/dyn/natlex/docs/WEBTEXT/50617/65128/E79BGD01.htm.

³¹⁸ Government of Bangladesh, *The Employment of Children Act (as modified by Act LIII of 1974)*, Article 3. See also Government of Bangladesh, *The Mines Act* (1923) and the *Tea Plantation Labour Ordinance* (1962), as cited in ILO-IPEC, *National Legislation and Policies Against Child Labour in Bangladesh*, [online] March 21, 2005 [cited October 12, 2006]; available from

http://www.ilo.org/public/english/region/asro/newdelhi/ipec/responses/bangladesh/national.htm.

³¹⁹ ILO NATLEX National Labor Law Database, *Road Transport Workers Ordinance (1961)*, accessed October 12, 2006; available from http://www.ilo.org/dyn/natlex/natlex_browse.country?p_lang=en&p_country=BGD.

³²⁰ ILO, *The Effective Abolition of Child Labour*, Geneva, 2001, 213; available from http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1003&context=child.

³²¹U.S. Department of State, "Country Reports- 2006: Bangladesh," Section 5. See also Right to Education "At What Age?" *Bangladesh*, accessed October 12, 2006; available from http://www.right-to-education.org/content/age/.

The Office of the Chief Inspector of Factories under the Ministry of Labor and Employment is responsible for implementation and enforcement of labor laws, including child labor provisions. According to the U.S. Department of State, child labor enforcement is seriously inadequate relative to the scope of the problem. The ministry has approximately 100 inspectors to investigate more than 21,000 factories; less than 50 violations were recorded in 2006. Although the vast majority of child labor occurs in the informal sector, officials inspect only formal sector workplaces and focus primarily on the ready-made garment industry. 323

The law forbids forced labor³²⁴ and prohibits parents or guardians from pledging their children's labor in exchange for a payment or benefit.³²⁵ It is illegal to sell, let to hire, procure, hire, encourage, abet, or otherwise obtain possession of any person under 18 for the purpose of prostitution or to maintain a brothel for these purposes. These offenses are punishable by imprisonment of up to 3 years.³²⁶ There are no laws against child pornography in Bangladesh.³²⁷ Child trafficking, which includes importing, exporting, buying, selling, or taking into possession any child for immoral or unlawful purposes, is illegal and punishable by life imprisonment or death.³²⁸ The law also provides for traffickers who have fled to other countries to be extradited to Bangladesh for trial.³²⁹ It is illegal to instigate any person, including a child, to produce or deal in narcotic drugs; this crime is punishable by 3 to 15 years of imprisonment.³³⁰ The minimum age for voluntary military service is 18 years, and there is no forced conscription in Bangladesh.³³¹ However, the UN Committee on the Rights of the Child has expressed concern

_

³²² U.S. Embassy- Dhaka, *reporting*, December 21, 2006. See also U.S. Embassy- Dhaka, *reporting*, November 22, 2005. See also U.S. Department of State, "Country Reports- 2006: Bangladesh," Section 6d.

³²³ ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor Convention, 1999 (No. 182), Bangladesh (ratification: 2001),* [online] 2004 [cited November 2, 2006]; available from http://webfusion.ilo.org/public/db/standards/normes/appl/index.cfm?lang=EN. See also U.S. Department of State, "Country Reports- 2006: Bangladesh," Section 6d.

³²⁴ Constitution of the People's Republic of Bangladesh (as modified up to 17 May, 2004), (November 4, 1972), Article 34; available from http://www.pmo.gov.bd/constitution/contents.htm.

³²⁵ Government of Bangladesh, *The Children (Pledging of Labour) Act*, No. II, (1933), Section 2.

³²⁶ Government of Bangladesh, *Penal Code* (1860), as cited in Salma Ali, *Report on Laws and Legal Procedures Concerning the Commercial Sexual Exploitation of Children in Bangladesh*, Bangkok, October 2004, 15, 17, 46; available from

http://www.ecpat.net/eng/Ecpat_inter/projects/promoting_law/bangladesh_report/Laws_Legal_Procedures_Bangladesh_Oct2004.pdf. See also Government of Bangladesh, *Suppression of Immoral Traffic Act*, Act No. VI, (1933), Articles 9-12.

³²⁷ ECPAT International CSEC Database, *Bangladesh*, accessed October 12, 2006; available from http://www.ecpat.net. See also Ali, *Laws on CSEC in Bangladesh*, 23.

³²⁸ Government of Bangladesh, *Suppression of Violence against Women and Children Act*, Act. No. VIII, (2000), Article 6. See also Ali, *Laws on CSEC in Bangladesh*, 16, 20.

Government of Bangladesh, *The Extradition Act* (1974), as cited in Ali, *Laws on CSEC in Bangladesh*, 25. Government of Bangladesh, *The Narcotics Control Act*, No. XX, (1990), Articles 9, 25; available from

http://www.unodc.org/unodc/legal_library/bd/legal_library_1990-11-15_1990-33.html.

³³¹ CIA, *World Factbook: Bangladesh*, [online] May 17, 2005 [cited October 12, 2006]; available from https://www.cia.gov/cia/publications/factbook/fields/2024.html. See also Coalition to Stop the Use of Child Soldiers, "Bangladesh," in *Child Soldiers Global Report 2004*, London, 2004; available from http://www.child-soldiers.org/document get.php?id=845.

that since many births are unregistered in Bangladesh, children's ages are undocumented and many under age 18 are able to enlist in the armed forces.³³²

The government has created anti-trafficking units within the police force in every district of the country, established an anti-trafficking court, and assigned a high-level official to coordinate anti-trafficking prosecutions. The government has also intensified its efforts to investigate and prosecute public officials complicit in trafficking crimes. Despite some successes, the U.S. Department of State reports that anti-trafficking efforts still lack adequate resources, and there is still evidence of corruption among anti-trafficking law enforcement officials.³³³

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

The Third National Plan of Action for Children (2004-2009) 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.³³⁴ The Ministry of Labor and Employment has a dedicated Child Labor Cell, and the government includes a child labor component in its compulsory training program for entry-level diplomatic personnel and border guards.³³⁵ The government is also engaged in broad awareness-raising campaigns to increase public understanding of child labor issues, which includes specific outreach to micro-credit borrowers and clergy.³³⁶ The Bangladesh Millennium Development Goals include a target of developing and implementing strategies for decent and productive work for youth.³³⁷ The government's PRSP includes as a strategic goal taking immediate and effective measures to eliminate the worst forms of child labor, with a target of increasing the knowledge base about child labor and child rights, and a future priority of legal reform to bring all child labor legislation in line with international standards.³³⁸

_

³³² UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article* (8) of the Optional Protocol on the Involvement of Children in Armed Conflicts: Concluding Observations, Geneva, January, 2006, 3; available from http://www.ohchr.org/english/bodies/crc/docs/co/CRC_C_OPAC_BGD_CO_1.pdf. ³³³ U.S. Embassy- Dhaka, *reporting, November 22, 2005*. See also U.S. Department of State, "Bangladesh (Tier 2)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from http://www.state.gov/g/tip/rls/tiprpt/2006/65988.htm.

³³⁴Government of Bangladesh, *National Plan of Action for Children: Bangladesh*, Dhaka, June 22, 2005, 38, 79-80; available from

http://www.lcgbangladesh.org/Education/reports/NPA%20Master%20Clean%20Final%2022%20June%20205.pdf. ³³⁵ ILO-IPEC, *Preventing and Eliminating the Worst Forms of Child Labour in Selected Formal and Informal Sectors in Bangladesh*, final technical progress report, Geneva, May 15, 2006, 2. See also U.S. Department of State, "Trafficking in Persons Report- 2006: Bangladesh."

³³⁶ U.S. Department of State, "Trafficking in Persons Report- 2006: Bangladesh."

³³⁷ Government of Bangladesh and the United Nations Country Team in Bangladesh, *Millennium Development Goals: Bangladesh Progress Report*, Dhaka, February 2005, Preface, 53; available from http://www.mdgbangla.org/index2.htm.

³³⁸ Government of Bangladesh, *Unlocking the Potential: National Strategy for Accelerated Poverty Reduction (Poverty Reduction Strategy Paper)*, Dhaka, October 16, 2005, 323; available from http://www.imf.org/external/pubs/ft/scr/2005/cr05410.pdf.

The government has been actively engaged with ILO-IPEC since 1994 to implement programs to combat the worst forms of child labor. With funding from the governments of the United Kingdom, Norway and the Netherlands, ILO-IPEC partnered with UNICEF and the ADB through December 2006 on the preparatory phase of the Bangladesh National Timebound Program. This preparatory phase focused on building a base of knowledge on the nature and scope of child labor in Bangladesh, and building consensus and commitment among stakeholders to address the problem. 340 Building on a prior ILO-IPEC project, the Office of the Chief Inspector of Factories provides training and participates with representatives of the ILO and the Bangladesh Garment Manufacturers and Exporters Association in a garment factory child labor inspection program.³⁴¹

The Ministry of Home Affairs is the lead agency on anti-trafficking issues; it chairs an interministerial committee that oversees the country's National Anti-Trafficking Strategic Plan for Action.³⁴² The Ministry of Women and Children Affairs is currently implementing its National Plan of Action Against the Sexual Abuse and Exploitation of Children Including Trafficking. 343 The plan calls for legal reforms; improved mechanisms for reporting child abuse; greater access to safe spaces and support services for victims and children at risk; and coordinated approaches to monitoring and law enforcement, among other efforts.³⁴⁴

The government works closely with IOM and other NGOs on their efforts to combat child trafficking through prevention, awareness-raising, rescue, rehabilitation, law enforcement training, research, advocacy, and cross-border collaboration. 345 USAID is also working with the government to conduct research on trafficking, strengthen government-NGO linkages, build NGO capacity, strengthen prosecution and protection efforts, and raise awareness of the problem nationwide. 346 The Ministry of Social Welfare operates programs including training and development centers for street children and other vulnerable minors.³⁴⁷ In collaboration with NGOs, the government operates a coordinated mechanism to monitor the repatriation. rehabilitation, and social reintegration of child camel jockeys who have been trafficked to the Middle East. 348 UNICEF is collaborating closely with the government to implement the second

³³⁹ ILO-IPEC, *IPEC Action in Bangladesh*, [online] March 21, 2005 [cited October 13, 2006]; available from http://www.ilo.org/public/english/region/asro/newdelhi/ipec/responses/bangladesh/action.htm.

³⁴⁰ ILO Committee of Experts, Direct Request, Worst Forms of Child Labor Convention, 1999 (No. 182), Bangladesh (ratification: 2001), See also ILO-IPEC official, E-mail communication to USDOL official, November

³⁴¹U.S. Embassy- Dhaka, reporting, December 21, 2006.

³⁴² U.S. Department of State, "Country Reports- 2006: Bangladesh," Section 5. See also U.S. Embassy - Dhaka, reporting, March 2, 2006.

Government of Bangladesh, Written communication.

³⁴⁴ UNFPA, UNFPA Global Population Policy Update, [online] March 16, 2004 [cited October 13, 2006]; available from http://www.unfpa.org/parliamentarians/news/newsletters/issue17.htm.

³⁴⁵ U.S. Department of State, "Country Reports- 2006: Bangladesh," Section 5. See also U.S. Embassy - Dhaka, reporting, March 1, 2007.

³⁴⁶ USAID, *USAID's Response: Anti-Trafficking*, [online] August 1, 2006 [cited November 2, 2006]; available from http://www.usaid.gov/bd/trafficking response.html.

³⁴⁷UN Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties Under Article 12(1) of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography: Initial Reports of States Parties, Geneva, December 23, 2005; available from

http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CRC.C.OPSC.BGD.1.En?OpenDocument.

³⁴⁸ U.S. Department of State, "Country Reports- 2006: Bangladesh," Section 5.

phase of the Basic Education for Hard-to-Reach Urban Working Children project, which will continue through June 2009. The project is setting up 8,000 education centers to provide nonformal education and livelihood skills to 200,000 working children and adolescents.³⁴⁹

³⁴⁹ UNICEF, *Basic Education for Hard-to-Reach Urban Working Children*, [online] [cited November 2, 2006]; available from http://www.unicef.org/bangladesh/Education_for_Working_Children_(BEHTRUWC).pdf.