

The Issue of **Child Labour**



Pakistan Report

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Chapter 1: Introduction



Map of Pakistan. Source: World Atlas.

According to Pakistan's first and only National Child Labour Survey from 1996,¹ 3.3 million children of Pakistani nationality are trapped in child labour, thereby deprived of their childhood, health and education, and forced to live in poverty (Abro, 2021). Moreover, a new research published by the World Health Organization (World Health Organization (WHO)) (Iqbal et al., 2021) highlighted a problematic situation for child labourers in the lower Sindh region, pointing out different sorts of discrimination and violence. Children in Pakistan are engaged in some of the worst forms of child labour, for example in commercial sexual exploitation, sometimes as result of human trafficking.

In this regard, this Report will elaborate upon the following subjects: the present state of child labour in Pakistan; interactions between various factors behind child labour; the effect of Covid-19; the national legal framework concerning child labour; the applicable international legal framework concerning child labour; the role of the international community concerning child labour in Pakistan. Subsequently, this Report will make recommendations concerning means and methods to alleviate child labour.

1. The International Labour Organization (ILO) held a Child Labour Survey (CLS) in Pakistan, with the main objective to collect information on the dimension of working children, information on the working conditions, as well as information on the socio-economic characteristics of the children and their families involved in child labour. Information gained from the survey will be used to establish targets, formulate and implemented intervention programmes, monitor the effectiveness of policies and regulations aimed at the eventual elimination of child labour, as well as mobilizing support to generate public concern and interests on the issue. Pakistan's survey is available via this link: https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-new_delhi/documents/publication/wcms_436435.pdf

Chapter 2: Status of Child Labour in Pakistan



Pakistan ranks third in countries with highest prevalence of child labour (June 13, 2019). Source: The News International

According to the 2021 report from UNICEF and International Labour Organization (ILO),² the number of children in child labour has risen to 160 million worldwide after a downward trend from 2000 to 2016 (UNICEF, 2021). Regardless of its form, child labour compounds social inequality and discrimination, limiting access to education and harming children both physically and mentally (UNICEF, 2021).

On the occasion of the World Day Against Child Labour, on June 13th, 2021, Pakistan People's Party (PPP) MPA Sharmila Farooqui stated that 3.3 million of Pakistani children are forced into child labour due to differing circumstances (Nation, 2021). Sharmila said that in Sindh, 21,5 percent of children ages 5 to 14 are child labourers. "Child labour is the growing curse in the world particularly in the developing countries and Pakistan is also the victim of this growing global phenomenon because of multiple reasons behind which encourage intentionally or unintentionally the dilemma of child labour. Child labour had multiple side effects that disturb the social fabric of the society, and its growing statistics alarms the government of Pakistan to take the most possible and appropriate measures to combat this curse," she said (Nation, 2021).

2. In June 2021, UNICEF and ILO provided a report considering the most recent estimates, trends and road forward. <https://pakistan.un.org/en/130835-media-update-united-nations-pakistan-10-june-2021>

Child labour is rooted in poverty: it is an attempt from parents to make children contribute to the family finances (Nizami, 2021). Workshop owners looking for cheap labour convince parents to take their children out of school and into the workforce. Uneducated parents that are financially vulnerable, force their children to work to contribute to the household finances. As children are cheaper to hire, this helps to increase profit margins. Children can sometimes work up to 20 hours a day, seven days a week and are often deprived of sleep and food (Nizami, 2021).

Because of this deplorable exploitation, these children are deprived of education, one of the most important children's rights, as stated in the Convention on the Rights of the Child (UNCRC). Furthermore, child labourers are often subjected to violence, abuse and other human rights violations. Some may be forced to break the law. For girls, the threat of sexual exploitation looms large, while boys may be exploited by armed forces (UNICEF, 2020). Pakistan has a high rate of violence, although this is often underreported. Recently, there has been a substantial increase in the reporting of violence in the country. In 2016 alone, 4,139 child sexual abuse cases, an alarming 11 cases per day, were reported (Sahil, 2016).

Chapter 3: Interaction between Factors of Discrimination

The factors of discrimination named above are all multifaceted and many of them are intertwined. The interaction between these factors is relative to the geographical area considered. It has been discussed in prior chapters that, more than 20 percent of Pakistani children are involved in child labour (Nation, 2021). However, it is also relevant to consider the distribution of the problem throughout the different social layers and among the minority groups.

In Sindh alone, the third-largest province of Pakistan, 4 million children work as labourers in different sectors and at least 1.8 million children work as labourers in the agriculture sector. The Hindu Sindhis community are one of the most affected minority groups, and they make up for 8% of the total population in the Sindh region (Iqbal et al., 2021).

In this regard, a new research (Iqbal et al., 2021) from the Department of Community Health Science of the Aga University Hospital Karachi investigated violence and abuse among working children both in urban and suburban areas of the lower Sindh region (Iqbal et al., 2021). The results show a predominance of Sindhis children working in agriculture (87.5%), whereas Punjabi dominated among the manufacturing, domestic and hotel and restaurant sector (Iqbal et al. 2021, p. 503). Therefore, there is a systemic local discrimination, on the basis of ethnicity, occurring amongst child labourers. The discrimination is based on the distribution of different minorities in the rural areas (primarily Sindhi), and in the city areas (mostly Punjabi).

In addition to minority discrimination, this research (Iqbal et al., 2021) highlights a critical situation with regards to cases of violence against child labourers. Child labourers exposed to an unprotected environment are at a higher risk of abuse compared to children living in a safer environment (UN, 2020). Violence poses long-term emotional and physical effects on the children involved. The emotional consequences include depression, anxiety, insomnia, low self-esteem, social isolation, and panic attacks (Gross, 1992). More than 20% of the children involved in the research experienced emotional abuse, 19,1% and 8,5% respectively physical and sexual abuse (Iqbal et al, 2021).

Chapter 4: the Impact of COVID-19

Over the last two decades, 94 million fewer children were seen in child labour (Global Estimates of Child Labour, 2017). Unfortunately, the COVID-19 pandemic is likely to reverse this progress, making it harder to achieve the elimination of child labour. As the end of the pandemic is nowhere in sight, millions of children face the risk of being pushed into child labour, leading to the first rise in child labour after 20 years of progress (UNICEF & ILO Paper, 2021). The COVID-19 pandemic has shaped an economic downturn likely to continue after the crisis comes to an end. Numbers show an inevitable rise in poverty as some 55 percent of people around the world do not have any social protection. (UNICEF & ILO Paper, page 7, 2021). Poverty equals child labour; households have to use every available means to survive, even if it means putting children at work. Factors resulting in loss in household income trigger expectations that children have to contribute to the family financially. As a result, more children can be forced into working under exploitative and hazardous situations, for longer hours, under worse circumstances. As the number of deaths from the pandemic continues to grow (Worldometer, 2021),³ a rising number of children become orphans, deprived of family care. These children are particularly vulnerable to child labour, trafficking and other forms of exploitation. It must be remembered that the discussion is not conclusive, the long-term impacts of the pandemic and the implications resulting in the issues of child labour are still unknown.



Health official takes swab of a child returning to Pakistan. Source: Business Standard

3. For everyday updates on the COVID-19 statistics, follow this link: <https://www.worldometers.info/coronavirus/>.

The International Labour Organization has four pillars to respond to the COVID-19 crisis, based on international standards, while also keeping in mind the issue of child labour:

1. Stimulate the economy and employment;
2. Support enterprises, jobs and incomes;
3. Protect workers in their workplace, and;
4. Rely on a social dialogue for solutions

UNICEF calls for global coordination and cooperation to make sure that this health crisis does not become a child-rights crisis instead. UNICEF advocates to keep children healthy and well-nourished, to provide them with accessible water, sanitation, and hygiene, to keep children in school and support their family's needs and care. Most importantly, UNICEF aims to protect children, either migrant or refugee children, or those affected by conflict, from any form of violence, exploitation, and abuse. (UNICEF & ILO Paper, page 6, 2021).

Chapter 5: National Laws Concerning Child Labour

This chapter will lay out Pakistan's national legal framework in relation to child labour. It will elaborate upon its constitutional protection; child labour laws in each of the provinces; and jurisprudence of the superior courts.

5.1 Constitutional Protections

In light of Article 3 of the Constitution, the State is obligated to eliminate "...all forms of exploitation and the gradual fulfilment of the fundamental principle, from each according to his ability to each according to his work." Moreover, Article 4 (1) recognizes the "inalienable right of every citizen" to be "...treated in accordance with law."

Chapter 1 of Part II of the Constitution defines "Fundamental Rights". In this regard, under Article 9, "No person shall be deprived of life liberty save in accordance with law". Article 11 provides for the prohibition on "Slavery, forced labour, etc.," and Article 11 (3) prohibits "engagement" of any child below the "...age of fourteen years in any factory or mine or any other hazardous employment". Under Article 25 (3), the State has the power of "...making special provision for the protection of women and children." In addition, Article 25 (A) provides for the right to "...free and compulsory education to all children of the age of five to sixteen years in such a manner as may be determined by law."

Moreover, Chapter 2 of Part II of the Constitution defines "Principles of Policy". Under Article 37, the State shall: (a) "promote, with special care, the educational and economic interests of backward classes or areas"; (b) "remove illiteracy and provide free and compulsory secondary education within minimum possible period"; and (c) "make technical and professional education generally available and higher education equally accessible to all on the basis of merit;". Paragraphs 37 (a) (b) and (c) are pertinent because by providing accessible, compulsory and quality education to children, the State can effectively tackle the issue of child labour. In addition, Article 37 (e) directs State authorities to: "make provision for securing just and humane conditions of work, ensuring that children and women are not employed in vocations unsuited to their age or sex, and for maternity benefits for women in employment;" (emphasis added).

5.2 Ordinary Legislation

4. "The Principles set out in this Chapter shall be known as the Principles of Policy, and it is the responsibility of each organ and authority of the State, and of each person performing functions on behalf of an organ or authority of the State, to act in accordance with those Principles in so far as they relate to the functions of the organ or authority." Article 29 (1) of the Constitution.

The Mines Act 1923 ('Mines Act')⁵ is deemed to be the first piece of legislation that dealt with 'child labour' in the Indian Subcontinent. Article 26 of the Mines Act prohibits the employment of children in a mine or from being allowed "...to be present in any part of a mine which is below ground." In 1929, the Indian Royal Commission on Labour was established, which brought to light many inequities in relation to women and children in (undivided) India. In furtherance of its recommendations, the "Children (Pledging of Labour) Act, 1933"⁶ was enacted. The said Act prohibited "...making of agreements to pledge the labour of children, and the employment of children whose labour has been pledged;"⁷

Subsequently, numerous legislative works were enacted and became enforceable in various provinces of Pakistan.

5.2.1 Punjab

Firstly, "The Punjab Restriction on Employment of Children Act 2016"⁸ defines "child" as a person who has not attained the age of fifteen years;" (section 2 (c)). In addition, it defines "adolescent" as "...a person who has attained the age of fifteen years but has not attained the age of eighteen years;" (section 2 (a)). The said 2016 Act provides for prohibition of employment of children in establishments, and employment of adolescents under hazardous work. Further, the "Punjab Free and Compulsory Education Act 2014"⁹ was enacted to provide for "...free and compulsory education for all children of the age of five to sixteen years." The said 2014 Act was promulgated in pursuance to Art 25A of the Constitution which enjoins upon the State to provide for "...free and compulsory education to all children of the age of five to sixteen years..."

Moreover, there are sector specific legislations. For instance, section 50 of the Factories Act 1934¹⁰ prohibits children under 14 years of age from being employed in factories. In addition, section 3 of the Road Transport Workers Ordinance, 1961 provides an age limit for road transport service: 18 years for employment in any road transport service, e.g. conducting; and 21 years for driving a vehicle in any road transport service.

Furthermore, the Punjab Shops and Establishments Ordinance, 1961 is "An Ordinance to amend and consolidate the law relating to the hours and other conditions of work

5. Mines Act 1923, <https://pakistancode.gov.pk/english/UY2Fqajw1-apaUY2Fqa-apy-a-sg-jjjjjjjjjjjjjj>

6. <https://legislative.gov.in/sites/default/files/A1933-02.pdf>

7. "an agreement to pledge the labour of a child" means an agreement, written or oral, express or implied, whereby the parent or guardian of a child, in return for any payment or benefit received or to be received by him, undertakes to cause or allow the services of the child to be utilised in any employment;" (Article 2 of the Children (Pledging of Labour) Act 1933)

8. The Punjab Restriction on Employment of Children Act 2016 (Act L of 2016) <http://www.punjablaws.gov.pk/index6.html>

9. The Punjab Free and Compulsory Education Act 2014 (Act XXVI of 2014) <http://punjablaws.gov.pk/laws/2580.html>

10. The Factories Act 1934 (Act XXV of 1934) <http://punjablaws.gov.pk/laws/168a.html>

and employment of persons employed in shops and commercial, industrial and other establishments in [the Punjab] and matters connected therewith.” It defines “child” as a person who has not completed his fourteenth year of age (section 2 (c)). In this regard, it prohibits employment of children in any establishment¹¹(Article 20). Lastly, the Punjab Prohibition of Child Labour at Brick Kilns Act 2016 provides¹² for “...prohibition of child labour and regulation of labour at brick kilns in Punjab.”

5.2.2 Sindh

The Sindh Prohibition of Employment of Children Act, 2017 also defines: “child” as “...a person who has not completed his fourteenth years of age” (section 2 (ii)); and “adolescent” as “a person who has completed his fourteenth but has not completed eighteenth year of his age.” Section 3 (1) of the said Act prohibits: any child from being “...employed or permitted to work in any establishment.”; and any adolescent from being employed or permitted to work in hazardous works defined in the 2017 Act.

5.2.3 KPK

The Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015¹³ defines “child” as “a person who has not completed his fourteenth year of age;” (section 2 (b)). In addition, the “adolescent” is defined as “a person who has completed fourteenth but has

not completed his eighteenth year of age;” (section 2 (a)). In this regard, it is stated under section 3:

“Prohibition of employment. --- (1) No child shall be employed or permitted to work in any establishment:

Provided that a child not below the age of 12 years may be engaged in the light work, alongside his family member, for a maximum of two hours per day mainly for the purpose of acquiring skills, in a private undertaking, or in any school established, assisted or recognized by the Government for such purposes.

2) No adolescent shall be employed or permitted to work in any hazardous work included in the Schedule.” (emphasis added)

11. “establishment” means a shop, commercial establishment, industrial establishment, private dispensary, maternity home, residential hotel, restaurant, eating house, cafe, cinema, theatre, circus, or other place of public amusement or entertainment, and such other establishments or class thereof as Government may, by notification in the official Gazette, declare to be establishments for the purposes of this Ordinance;” (Article 2 (j) of the Punjab Shops and Establishment Ordinance 1969)

12. the Punjab Prohibition of Child Labour at Brick Kilns Act 2016[11] (Act XXXVII of 2016)

13. The Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015 (KHYBER PAKHTUNKHWA ACT NO. XIX OF 2015)
http://kpcode.kp.gov.pk/uploads/2015_19_THE_KHYBER_PAKHTUNKHWA_PROHIBITION_OF_EMPLOYMENT_OF_CHILDREN_ACT_2015.pdf

5.3 Jurisprudence

Regardless of the legislative framework in Pakistan, the jurisprudence¹⁴ in terms of child labour is surprisingly scant. In the recent case of “Muhammad Suleman vs. Station House Officer and Others”¹⁵ the petitioner “...filed an application... praying that eight persons... who were alleged to have been detained by Respondents...at their brick kiln... be recovered and set at liberty.”¹⁶ The Lahore High Court ('Court'), upon extensive discussion of both national and international laws concerning slavery, bonded labour and child labour, directed the governmental authorities in Pakistan “...to ensure implementation of all relevant laws in letter and spirit and faithfully discharge their duties and perform their functions for eradication of forced and child labour from all sectors of the economy, including (but not limited to) agriculture, brick kilns, mining, tanneries, carpet weaving, glass-bangle making, construction and fisheries.”¹⁷ In addition, concerning child labour, it held that “No child below the age of 14 years shall be employed or permitted to work at any brick kiln.”¹⁸

The Court further stated:

“No industrial commercial or agricultural establishment, factory, mine, workshop, business, trade, industry or other place where any economic activity is carried on shall employ or permit a child below 15 years to work as mandated by the Punjab Restriction on Employment of Children Act, 2016. It shall not engage any adolescent (15-15 years old) to perform any hazardous work in the establishment as specified in the Schedule to the said Act...”¹⁹

14. Judgments of the superior courts.
15. Muhammad Suleman vs. Station House Officer and Others, PLD 2020 Lahore 534.
16. Paragraph 1, PLD 2020 Lahore 534.
17. Paragraph 47, PLD 2020 Lahore 534.
18. Paragraph 48, PLD 2020 Lahore 534.
19. Paragraph 48, PLD 2020 Lahore 534

Chapter 6: Applicable International Human Rights Law

Pakistan has ratified two ILO's²⁰ Conventions related to child labour:

1. Minimum Age Convention, 1973 (No. 138)²¹
2. Worst Forms of Child Labour Convention, 1999 (No. 182)²²

The Minimum Age Convention provides that “the minimum age for admission to any type of employment or work which by its nature or the circumstance in which it is carried out is likely to jeopardize the health, safety or morals of young persons shall not be less than 18 years” (Article 3(1) Minimum Age Convention No. 138). Nevertheless, the national laws of Pakistan may, after consultation, authorize employment from the age of 16 if the health, safety, and morals of the young persons involved are fully protected and they have received adequate specific instruction or training (Article 3(3) Minimum Age Convention No. 138).

The Worst Forms of Child Labour Convention explains the worst forms of child labour to be understood as

- “All forms of slavery or practices similar to slavery” (Article 3(a) Worst Forms of Child Labour Convention No. 182), for example, trafficking of children, forced compulsory labour or recruitment of children into the armed forces;
- Offering a child for child prostitution or pornography;
- Procuring a child for illicit activities, such as trafficking drugs, and;
- “Work which, by its own nature or the circumstances in which it is carried out, is likely to harm the health, safety and morals of children” (Article 3(d) Worst Forms of Child Labour Convention No.182).

20. Established in 1919, the International Labour Organization (ILO) joins together governments, employers and workers of a total of 187 member States. ILO sets labour standards to be followed, develops policies and promotes decent work for all women and men, thereby giving an equal voice to workers, employers and governments to ensure that their views are adopted and reflected in labour standards. ILO's main aims are to promote rights at work, encourage decent employment opportunities equally, enhance social protection and strengthen a dialogue concerning work-related issues. <https://www.ilo.org/global/about-the-ilo/lang-en/index.htm>

21. The Minimum Age Convention, 1973 (No. 138) strives to ensure that each Member to the convention undertakes to pursue a national policy which ensures the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work, in accordance with the young persons physical and mental development. (Article 1). Full text of the Minimum Age Convention is available via this link: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C138

22. The Worst Forms of Child Labour Convention, 1999 (No. 182) strives to ensure that each Member shall take immediate and effective measures to secure the complete prohibition and elimination of the worst forms of child labour. (Article 1). Full text of the Worst Forms of Child Labour Convention is available via this link: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182

Another important International Human Rights Law instrument is the United Nations Convention on the Rights of the Child (UNCRC, 1989)²³, which Pakistan ratified on November 12, 1990. Its most important article stemming from this international human rights treaty related to child labour is Article 32, which provides that states recognize the right of the child to be protected from economic exploitation and from performing any work which is likely to be hazardous or interferes with the child's education, or be harmful to their health, physical, mental, or social development (Article 32(1) UNCRC). States Parties which have ratified this Convention, must take measures to ensure the implementation of this article by, in particular:

- (a) providing for a minimum age(s) for admission to work
- (b) providing for appropriate regulations of the hours and condition of their work, and
- (c) providing for appropriate penalties and/or sanctions to ensure the effective enforcement of these measures. (Article 32(2) UNCRC).

Pakistan also ratified the Optional Protocol to the UNCRC on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.²⁴

Other important documents ratified by Pakistan which are worth mentioning are the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966)²⁵, ratified as of 17 April 2008; The International Covenant on Civil and Political Rights (ICCPR, 1966),²⁶ ratified as of 23 June 2010, and; the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT, 1987)²⁷, also ratified as of 23 June 2010.

23. The United Nations Convention on the Rights of the Child (UNCRC) is the most complete statement of children's rights to date as well as the most-widely ratified international human rights treaty in history, being accepted by non-state entities as well. The Convention provides that every child, irrespective of their ethnicity, gender, religion or any other factor for discrimination, is entitled to all the rights enshrined in the Convention. The four "general principles" of the convention are non-discrimination (Article 2), the best interests of the child (Article 3), right to life, survival and development (Article 6) and the right to be heard (Article 12). <https://www.unicef.org/uk/what-we-do/un-convention-child-rights/> Full text of the Convention is available via this link: <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>.

24. The UNCRC Optional Protocol on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, effective as of 18 January 2002, requires States to prohibit the sale of children, child prostitution and child pornography. The Optional Protocol wants the achieve the purpose of certain article from the UNCRC, further explaining the 'appropriate measures' states must take. Full text of the Optional Protocol available via this link: <https://www.ohchr.org/en/professionalinterest/pages/opsccr.aspx>.

25. The International Covenant on Economic, Social and Cultural Rights (ICESCR) is an international human rights treaty, adopted by the United Nations in 1966. The Covenant ensures the enjoyment of economic, social and cultural rights, such as the right to education, fair and just conditions of work, adequate standards of living, the highest attainable standard of health as well as social security, amongst others. Full text of the Covenant available via this link: <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>.

26. The International Covenant on Civil and Political Rights (ICCPR) is an international human rights treaty, adopted by the United Nations in 1966. The Covenant ensures the protection of these rights by recognizing the inherent dignity of an individual person. The Covenant aims to promote conditions within States which will allow the enjoyment of these civil and political rights. States Parties are obliged to protect and preserve basic human rights and they are compelled to take administrative, judicial, and legislative measures to protect those rights incorporated in the Covenant. Important rights protected under the ICCPR are the right to life (Article 6), freedom from torture (Article 7) and slavery (Article 8), right to a fair trial (Article 14), right to freedom of thought, conscience and religion (Article 18), children's rights are laid down in Article 25, and equality before the law in Article 26. Full text of the Covenant is available via this link: <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

27. The United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) is an international human rights treaty, in force since 26 June 1987, which aims to prevent torture and other acts or cruel, inhuman or degrading treatment or punishment around the globe. The Convention provides a definition and a ban on torture (Article 1 and 2). Full text of the Convention is available via this link: <https://www.ohchr.org/en/professionalinterest/pages/cat.aspx>.

The ICESCR lays down that the States Parties to the Covenant must recognize that special measures of protection and assistance should be granted to all children and young persons, without discrimination. Furthermore, in relation to child labour, the Covenant states that “their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law” (Article 10(3) ICESCR). The article also talks about age limits to be set down below which paid employment of child labour should be prohibited and punished under the law.

The ICCPR, in its article dealing with slavery, lays down that “no one shall be required to perform forced or compulsory labour” (Article 8(3)(a) ICCPR).

Chapter 7: Reflection on international laws and the role of the international community

Child rights advocacy efforts face a major obstacle in Pakistan: the unavailability of updated statistics. Pakistan's first and only National Child Labour Survey referred to in the introduction, took place in 1996. Since then, no national statistics have been made available, despite the number of children in the workforce having grown at a rapid rate (Abro, 2021). According to rough estimates, the 3.3 million children in child labour in 1996 have climbed to over 20 million over the past 24 years. Thus, over 20 million children in Pakistan are deprived of their education, risk their health, and miss out on various aspects of childhood rights (Abro, 2021). From the little numbers and statistics that do exist, it is negligible whether Pakistan is actually upholding its international standards as laid out in the ratified documents. As mentioned in the “Muhammad Suleman vs. Station House Officer and Others” (Muhammad Suleman vs. Station House Officer and Others), jurisprudence on child labour in Pakistan is minimal and insufficient to establish whether Pakistan is upholding its international obligations. The Government of Pakistan must be reminded of its duty to ensure the implementation of all relevant laws, either national or international, and perform their functions for the eradication and prohibition of child labour from all sectors of their economy.

Every year, on the 12th of June, the World Day Against Child Labour, brings together governments, employers and workers organizations, civil society, and millions of people from around the globe to highlight the unfortunate situation of children affected by child labour (United Nations, 2021). Furthermore, the Sustainable Development Goals (SDGs), as adopted in 2015, have included a renewed global commitment: ending child labour. Target 8.7 of the Sustainable Development Goals calls on the global community to: “Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all forms” (Target 8.7 SDGs).



The 17 UN Sustainable Development Goals (SDGs). Source: UN Environment Management Group.

28. The Sustainable Development Goals are 17 goals to make the world a better place for everyone, and ensure a better future for the next generations to come. They are an urgent call for action to be taken by all countries. The goals address the global challenges we currently face: poverty, inequality, climate change, environmental degradation, peace and justice, amongst others. <https://sdgs.un.org/goals>.

Chapter 8: Recommendations

The choices made today by governments around the world will determine the course and the consequences of the COVID-19 pandemic, but also the way in which the issues of child labour will evolve around the world. It must be remembered that these choices for both must include conscious measures to prevent and eliminate child labour, while also fighting the pandemic. (UNICEF & ILO Paper).

Search for Justice²⁹, an End Violence Against Children³⁰ partner, filmed a documentary³¹ about child labour in Pakistan, raising awareness on the issues and its impacts (End Violence Against Children, 2021). Search for Justice 2021 also provided a policy brief on child labour³², which, together with the documentary, provides a series of recommendations, the most important of which include:

- Creating and implementing a long-term strategy which prohibits child domestic labour through the federal and provincial governments;
- Regulating the working conditions for adult domestic workers which ensure that they receive an acceptable minimum wage, thereby automatically reducing the need for children to provide for their parents in such working conditions;
- Establishing a telephonic helpline which can report if a child is working in any household as a domestic worker (End Violence Against Children, 2021);
- The Pakistan Federal Government must consider amending the relevant sections of the Pakistan Penal Code³³ in order to prohibit all types of slavery-like practice, including child domestic labour;
- Running media campaigns for the purpose of highlighting the legal provisions of child labour laws, thereby educating the public that they should not involve their children in child labour, directly or indirectly;

29. Search for Justice is a registered NGO, working towards uplifting marginalized segments of our society, with a special focus on children, women and youth. Their mission is to create and promote a safe, secure and protected environment, free from violence, abuse and exploitation, where all belonging to marginalized groups can enjoy their rights freely, wilfully and without discrimination of any kind. They empower child rights and protection work in Pakistan by way of advocacy and policy lobbying, capacity building, children participation as well as organizational strengthening. <http://www.sfjpk.org/>.

30. End Violence Against Children Partnership is a place for collective, evidence-based advocacy and action. They work with a unique coalition of more than 600 organizations. The Partnership was launched by the UN Secretary-General in July 2016. The Partnership offers an opportunity for all groups to work together in order to prevent and respond to violence on a never before seen level. <https://www.end-violence.org/>.

31. Via this link, the documentary from Search for Justice can be accessed <https://youtu.be/5UsGdbjBHEs>.

32. Via this link, the policy brief on child labour from Search for Justice can be accessed <http://www.sfjpk.org/wp-content/uploads/2021/01/Policy-Brief-on-Child-Domestic-Labour.pdf>.

33. For the text of the Pakistan Penal Code (Act XLV of 1860), follow this link: <http://www.pakistani.org/pakistan/legislation/1860/actXLVof1860.html>.

- Specifically, the Government of the Punjab must develop rules of “The Punjab Domestic Workers Act 2019³⁴” and bring about administrative actions to ensure the effective implementation of this Act and other Child Labour Laws;
- The Government of Pakistan must make the necessary amendments in law, such as Section 328-A of the Pakistan Penal Code 1860³⁵ on cruelty to children and Article 25-A of the Constitution of Pakistan 1973³⁶, which provides the right to free and compulsory education for children between 5 and 16 years old;
- Most importantly, Pakistan must ensure harmonisation of the age of children in all their laws.

There is a need to enhance community awareness on the social toxicity that child labour produces, and the inequalities it perpetrates. The Iqbal et al research emphasises that many non-governmental organisations were working in Pakistan against labour and violence, but the government was not actively involved in the matter (Iqbal et al, 2021). It was also advised that the court proceedings should be improved to make them less agonising for the victim.

34. For the full text of the Punjab Domestic Workers Act 2019 (Act II of 2019), follow this link: <http://punjablaws.gov.pk/laws/2724.html>.

35. See footnote 17.

36. For the full text of the Constitution of the Islamic Republic of Pakistan, follow this link: <http://www.pakistani.org/pakistan/constitution/>

Chapter 9: Conclusion

According to the ILO, child labour worldwide has decreased by 38% in the last decade (UNICEF, 2021). However, the number of children in child labour has risen to 160 million worldwide after a downward trend from 2000 to 2016 (UNICEF, 2021). Therefore, 152 million children are still affected and at risk, and the COVID-19 pandemic will only worsen the situation (ILO, 2021).

In Pakistan, where protecting children against sexual abuse and violence is already a challenge of its own, these exploited children are exposed to a serious danger to their health and well-being. Our research has shown that minority groups in Pakistan are more vulnerable to these threats than the dominant ethnic and religious communities. It is urgent to raise awareness on this topic, both in the affected communities as well as at the institutional level. The number of voices that are still silently suffering could be higher exceeding anyone's expectations.

This report has considered the actual condition of child labour in Pakistan, analyzing the most recent researches (Iqbal et al, 2021. UNICEF, 2021. UNICEF et ILO, 2020), the national and international laws, and outlining some recommendations.

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