Mainstreaming Child Labour Issues Concerns and Key Policies, Programmes and Budgets in Bangladesh

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Cover Photo Acknowledgement: www.bdnews24.com
(http://opinion.bdnews24.com/bangla/archives/20271)

The Study was commissioned by

SAIEVAC Regional Secretariat under the project “SAIEVAC Community Campaign to End Child Labour including in the Supply Chain” sponsored by ILO Decent Work Team (DWT) for South Asia, New Delhi, India

|| Dhaka || September 2016 ||
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<tr>
<td>BBS</td>
<td>Bangladesh Bureau of Statistics</td>
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<td>BTA</td>
<td>Bangladesh Tanners Association</td>
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<td>CBO</td>
<td>Community Based Organization</td>
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<td>CLS</td>
<td>Child Labour Survey</td>
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<td>CLU</td>
<td>Child Labour Unit</td>
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<td>CSO</td>
<td>Civil Society Organization</td>
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<td>CSR</td>
<td>Corporate Social Responsibility</td>
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<td>DCC</td>
<td>Dhaka City Corporation</td>
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<td>DFIE</td>
<td>Directorate of the Chief Inspector of Factories and Establishments</td>
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<td>FGD</td>
<td>Focus Group Discussion</td>
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<td>GDP</td>
<td>Gross Domestic Product</td>
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<td>GoB</td>
<td>Government of Bangladesh</td>
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<td>ICT</td>
<td>Information Communication Technology</td>
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<td>ILAB</td>
<td>U.S. Department of Labor’s Bureau of International Labor Affairs</td>
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<td>ILO</td>
<td>International Labour Organization</td>
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<td>INGO</td>
<td>International NGO</td>
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<td>IPEC</td>
<td>International Programme on the Elimination of Child Labour</td>
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<td>KAP</td>
<td>Knowledge, Attitude and Practice</td>
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<tr>
<td>KII</td>
<td>Key Informants Interview</td>
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<td>MDG</td>
<td>Millennium Development Goals</td>
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<td>MoF</td>
<td>Ministry of Finance</td>
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<td>MoHFW</td>
<td>Ministry of Health And Family Welfare</td>
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<td>MoI</td>
<td>Ministry of Industry</td>
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<td>MoLE</td>
<td>Ministry of Labor and Employment</td>
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<td>MoU</td>
<td>Memorandum of Understanding</td>
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<td>MoWCA</td>
<td>Ministry of Women and Child Affairs</td>
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<td>NCLEP</td>
<td>National Child Labour Elimination Policy</td>
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<td>NCLS</td>
<td>National Child Labor Survey</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
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<td>NPA</td>
<td>National Plan of Action for Children</td>
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<tr>
<td>RMG</td>
<td>Ready-Made Garments</td>
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<td>SAIEVAC</td>
<td>South Asian Initiative to End Violence Against Children</td>
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<td>SDG</td>
<td>Sustainable Development Goals</td>
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<td>TWU</td>
<td>Tannery Workers Union</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNCRC</td>
<td>United Nation’s Convention on Child Rights</td>
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Acknowledgement

The author of this report would like to express profound regard and deep sense of gratitude to the Dr. Aminul Islam, Joint Secretary, Ministry of Women and Child Affairs, Government of Bangladesh; Mr. A K M Masud Ali, Executive Director of INCIDIN Bangladesh; Dr. Rinchen Chophel, Director General of SAIEVAC. The author also acknowledge support from the SAIEVAC team especially, Ms Sulakshana Rana and Alisha Tuladhar.

The author must acknowledge the financial and technical assistance from Ms. Shirin Khan of the International Labour Organization (ILO), Delhi office.

The author acknowledges the Department of Development Studies, University of Dhaka and the member of the field research team for all necessary contribution and support for making this project happened.
Executive Summary

(i) Background:

Despite the very fact that Bangladesh has ratified ILO Convention 182 on the Worst Forms of Child Labour, and several government and nongovernment organizations have been working on eliminating child labour, the incidence of child labour in Bangladesh is one of the highest in the region. The National Child Labour Survey 2013 has shown that there are 3.45 million working children in the country between ages 5 to 17 years among which 1.75 million are not child labour by definition\(^1\) (BBS, 2015). However, within 1.70 million of child labour 75% are engaged in hazardous work. About 0.29 million child labour is working in urban areas, of whom 0.25 million is concentrated in larger cities. The number of male child labour is 0.095 million while female child labour is 0.75 million (BBS, 2015).

Leather industry is well established and ranked fourth in terms of earning foreign exchange in Bangladesh. In consideration of being a value added sector the Ministry of Industry (MoI) of the Government of Bangladesh (GoB), has declared it as a priority sector.

Since the Government of Bangladesh identified the leather sector as a priority sector for the country’s economy, the eradication of child labour from this sector has been put high on the agenda. The Ministry of Labour, ILO Bangladesh Country Office and several NGOs have been working in an attempt to eradicate child labour in the leather sector with a wide variety of projects. Despite these efforts, till many children are found working in different parts of the production chain.

(ii) Objectives of the Study:

Against this backdrop, SAIEVAC in collaboration with ILO aims to undertake review of the existing policies and programs and prepare a report on mainstreaming child labour issues and concerns in the existing plans, programs and policies.

The Purpose of this assignment is to contribute to positioning child labour in Bangladesh’s larger socio-economic context and its policy frameworks, programmes and budgets. Such positioning is expected to lead to leveraging support for issues and

\(^1\) The definition of working children and child labour is based on the principles adopted in the 18\(^{th}\) International
concerns of child labour, particularly its worst forms initially, and to result in the prevention and elimination of child labour, thereby contributing to the Decent Work Country Programme in Bangladesh with a special focus on the leather sector.

The Process for the assignment will involve mapping, review and analysis of existing/planned policies, programmes and budgets (to be identified in consultation with SAIEVAC); and consultations with key stakeholders. The assignment gave special emphasis on the leather sector.

Among relevant policies, programmes and budgets would be those of national and local governments, international agencies and the private sector agencies that relate to child labour, particularly its worst forms. Of particular relevance would be those for poverty eradication, education and training, social security, and social development, labour, child development and women’s empowerment, justice and law reform, tourism, social services, manufacturing and social welfare, agriculture development and agrarian services, mass media and information, others.

The specific objectives of the assignment are:

(i) To assesses whether child labour issues and concerns have (or have not) been addressed in selected development policies, programmes and budgets;

(ii) To provides recommendations on integrating child labour issues and concerns in the selected existing polices and strategies/budgets; and

(iii) To provides recommendations for integration in future versions of policies, strategies/budgets.

(iii) Methodology

The methodology for the assignment is developed based on the terms of reference prepared by the SAIEVAC regional secretariat and later modified in close consultation with key stakeholders. It involved the review and analysis of documents, government laws, policies and budget allocations to identify the strategic direction within each area, the relevance of these issues for children and child labour, getting a broad overview of the projects that were being implemented and the available funding. It also involved in-person discussions and participation in consultative meetings with officials working in line ministries and other departments and the employers' and workers' representatives to determine the potential to mainstream.

This Report looks at the potential for mainstreaming child labour issues by providing brief analyses of the relevant policies, plans and programmes from the child labour perspective. These include, among others, the Perspective Plan, 7th Five Year Plan, National, National Social Protection Policy, National Child Policy, National Child
Elimination Policy, National Education Policy and budget documents of last three years.

Recommendations to mainstream child labour issues into policies and plans are provided for each sector, keeping in view the goals and targets of the respective sectoral policies and plans of action. A broader set of recommendations, which are common across the sectors, is provided as well. These are by no means exhaustive and can be built on, particularly in further stakeholder consultations.

(iv) Limitations and Challenges:

Short time period made the review necessary to focus on a few selected sectors. It also limited the scope of the consultations mainly to the national government agencies, and employers' and workers' representatives only in few selected sectors. Consultations with stakeholders including intended beneficiaries, service providers (governmental and non-governmental), city council, and local level employers' and workers' representatives would have added further value to the outcome of the review.

The review was undertaken in between two big religious festivals in Bangladesh. This affected the availability of children, employers and government officials.

(v) Key Recommendations:

1) Efforts may be made to incorporate working children under the coverage of the Children Act 2013 under section 89 where definition of disadvantaged has been provided. However, it is too early to propose any amendment of the law as the law just has been enacted. Under this circumstance, initiative may be taken to incorporate some of the issues concerning working children in the Rule that has been drafted recently to implement the Act. The draft Rule is now under review by the Law Commission. This may be an opportunity to advocate with the Directorate of Social Services and Law Commission.

2) Although the Children Act 2013 does not include any specific provision for working children, however, it deals with children who often come in contact with the law. For example, children living on the street, children working in the transport sector and waste pickers often exposed to abuse and exploitation by the members of the law enforcing agencies. In that context, efforts may be made to create pressure on the relevant Govt. Ministries to implement the Act soon in order to ensure child friendly judiciary system for the targeted groups of children.

3) It has been observed over the years that the civil society organizations create pressure on the government to enact laws and policies and its proper implementation for protecting the rights of the children. However, there have been very few initiatives in which the civil society organizations provide technical
and financial support to the government to implement those laws and policies. In that connection, CSOs along with other project partners and donors may have some proactive role to provide technical and financial support to the relevant ministries/departments to implement some specific parts of the Children Act 2013 as well as monitoring the implementation process.

4) Dialogues with the Ministry of Women and Children Affairs may be initiated aiming at amendment of The Children Policy 2011. As far as child labour issue is concern, the amendment should aim at capturing the key provisions of the Labour Act, National Child Labour Elimination Policy and National Plan of Action on Child Labour in order to make the policy consistent with child labour related laws and policies and avoid confusions among the duty bearers.

5) Another very important lack of the Children Policy is about child domestic workers. As mentioned above, the policy allows employers to employ children for domestic works and prohibits engaging children in hazardous work while they are engaged in domestic work. Therefore, the amendment of this policy should also address this issue by making specific provision that children under 18 years of age should not be employed for any hazardous work, including domestic work.

6) Advocacy initiative may also be taken to develop a Plan of Action with an indicative budget, roles and responsibilities of various ministries and departments (The Children Policy 2013 involves more than 10 ministries), mechanism to coordinate within the ministries and monitoring strategy in order to effective implementation of the policy. It will never be possible to achieve the goals of the Children Policy without a road map. And this road map should be linked with the national development plans e.g. Seventh Five Year Plan.

7) The NCLEP 2010 need to be reviewed and amended to make it updated capturing some of the important issues, such as, age of the child should be made 18 years instead of putting two definitions (children and adolescents) to make it consistent with the UNCRC, ILO Convention No. 182 and National Laws (The Children Act 2013, The Children Policy 2011). The policy should also include the list of hazardous work for children determined by the Government as an annex. Therefore, initiative may be taken to start dialogue for the amendment of the NCLEP.

8) Initiative may be taken to strengthening the capacity of the newly established Branch replacing the CLU under the Ministry of Labour and Employment in order to ensure monitoring of the child labour situation as well as coordinating
among projects and programs that are being implemented by various national and international development agencies.

9) It has been observed that majority of the stakeholders and duty bearers are not fully aware about the NCLEP 2010 and NPA at different levels. Therefore, it may be good idea to make an initiative to widely disseminate the key provisions of the policy.

10) There is an opportunity to initiate dialogue with the Ministry of Labour to amend the definition of child in consistent with other national laws, which define child as any person below the age of 18 years.

11) As mentioned earlier, the Labour Act is applicable only for the formal sector and thus a large number of working children engaged in the informal sector are not being protected by this Act. Therefore, dialogue may be organized with the relevant entities how to expand the coverage of Labour Act and NCLEP to address the problem of working children in the informal sector. This is a good time to start dialogue as the Rules are being drafted at the moment.

12) Initiative may also be taken to organize interactions/dialogue with the newly recruited Labour Inspectors to orient them on child labour related issues and encouraging them to make especial attempt while monitoring labour situation.

13) Efforts may be made to incorporate working children under the coverage of the Children Act 2013 under section 89 where definition of disadvantaged has been provided. However, it is too early to propose any amendment of the law as the law just has been enacted. Under this circumstance, initiative may be taken to incorporate some of the issues concerning working children in the Rule that has been drafted recently to implement the Act. The draft Rule is now under review by the Law Commission. This may be an opportunity to advocate with the Directorate of Social Services and Law Commission.

14) Dialogues with the Ministry of Women and Children Affairs may be initiated aiming at amendment of The Children Policy 2011. As far as child labour issue is concern, the amendment should aim at capturing the key provisions of the Labour Act, National Child Labour Elimination Policy and National Plan of Action on Child Labour in order to make the policy coherent with child labour related laws and policies and avoid confusions among the duty bearers.

15) Advocacy initiative may also be taken to develop a action plan with an indicative budget, roles and responsibilities of various ministries and departments (The Children Policy 2013 involves more than 10 ministries), mechanism to coordinate within the ministries and monitoring strategy in order to effective
implementation of the policy. The action plan should be linked with the national development plans e.g. Seventh Five Year Plan.

16) In alignment with the revision of the NCLEP 2010, the NPA should also be reviewed and revised in order to make it relevant with the present time scenario. Therefore, the CSID in collaboration with other child rights NGOs and NGO networks may go for dialogue with the Ministry of Labour and Employment.

17) The most significant difficulty in implementing the NPA was found lack of adequate resource allocation that was indicated in the NPA. Therefore, strong advocacy effort will be required with the Ministry of Labour, Ministry of Planning and Ministry of Finance for allocating adequate financial resources in the upcoming fiscal budget under the lead ministry for implementing the NPA as a matter of urgency.

18) Advocacy may also be initiated to make the inter-ministerial collaboration functional at a minimum level through strengthening NCLWC to making sure that all responsible ministries and departments set out in the NPA make their contribution effectively and efficiently. In collaboration with the Ministry of Labour and Employment, series of dialogue sessions may be organized that would be participated by focal persons of various ministries.

19) The Domestic Workers’ Welfare and Protect Policy 2015 should be supported by adequate financial resource and organizational arrangement to be enforceable.

20) Relevant stakeholders should take an immediate effort to incorporate child domestic work in the list of hazardous work. It was a great surprise for all child rights organizations not to find child domestic work in the list of hazardous work. Number of researches and studies revealed that child domestic workers are subject to all forms of abuse and exploitations and based on the criterion set in the ILO Convention No. 182 and NCLEP 2010 child domestic work is one of the most hazardous works.

21) Initiative may be taken to widely disseminate the list of hazardous work throughout the country as majority of the employers and duty bearers are totally unaware about this list.

22) The Primary Education Compulsory Act needs to be amended in order to make it relevant with the present time.

23) There should be provision in the amended Act to make Teachers, SMC members and other key stakeholders accountable in failing to fulfil their responsibilities.
24) Primary education should be considered as basic fundamental right, which is not guaranteed by the Constitution and not reflected in the Education Policy. Therefore, it is important to incorporate this provision in the Constitution as well as in the spirit of Education Policy.

25) There is a strong need to enact the Right to Education Act in order to implement the National Education Policy. A draft Act has been formulated, which should be finalized soon.

26) Specific provision for providing education to working and other vulnerable children should be included in the National Education Policy. There should be a clear link between NCLEP 2010 and National Education Policy 2010.

27) Adequate budget should be allocated to implement the Technical and Vocational Education that has been set out in the Education Policy. Adequate budget in the seventh five year plan should be allocated for full implementation of the Education Policy. The education sector got 11.68 percent of the total budget, which is equal to less than 2% of the GDP. The ideal allocation would be 20% of the total fiscal budget or 6% of the GDP. It is important to note that our education system is highly dependent on the development partners, which has seen a significant decline in the recent past. Therefore, the Government should increase its contribution from revenue budget.

28) Specific provisions, including policy formulation and its proper implementation with adequate resource allocation should be made in the seventh five year plan to protect the rights of the working children, especially child domestic workers. Specific measure should be taken to make the National Child Labour Welfare Council functional. Adequate resources should be allocated to implement the Terms of Reference of this council.

29) Special financial allocation should be made in the seventh five year plan to strengthen the newly established Branch under the MoLE to monitor and report child labour situation in the country.

30) Private sector needs to engaged in the child labour elimination activities no matter who is taking the initiative. The Private sector can start sponsoring child education program, establish training center and vocational schools for the children withdrawn from the work.
1. Introduction

1.1 Background

1.1.1 Despite the very fact that Bangladesh has ratified ILO Convention 182 on the Worst Forms of Child Labour, and several government and nongovernment organizations have been working on eliminating child labour, the incidence of child labour in Bangladesh is one of the highest in the region. The National Child Labour Survey 2013 has shown that there are 3.45 million working children in the country between ages 5 to 17 years among which 1.75 million are not child labour by definition\(^2\) (BBS, 2015). However, within 1.70 million of child labour 75% are engaged in hazardous work. About 0.29 million child labour is working in urban areas, of whom 0.25 million is concentrated in larger cities. The number of male child labour is 0.095 million while female child labour is 0.75 million (BBS, 2015).

1.1.2. Globally, there are about 250 million children aged 5-14 years who are forced to work, child labor\(^3\), and about 120 million of them works as full-time worker and the most widespread abuses of child workers are in Bangladesh, Chad, DR Congo, Ethiopia, India, Liberia, Myanmar, Nigeria, Pakistan and Somalia. Large number of children works in commercial agriculture, fishing, and hunting (70.4%); manufacturing (8.3%); mining and quarrying (0.9%), and community, social and personal services (6.5%).\(^4\)

The 1991 census shows that approximately 19% of the total child population (5-14 years) of Bangladesh work as child labor. The proportion is much higher in case of boys (22%) than in case of girls (16%). About 95% of the children are employed as child labor in informal sectors. About 35% of the child labor works in agriculture and 8% of them work in manufacturing. In 2003, around 12.8 percent of the children, aged 5-14, is engaged in child labor and in slums the rate of child labor for the given age group is 19.1.\(^5\)

\(^2\) The definition of working children and child labour is based on the principles adopted in the 18\(^{th}\) International Conference of Labour Statistics and Bangladesh Labour Act 2006 and its amendment in 2013. Working children include those who are 12 to 17 years old carrying out non-hazardous/light work up to 42 hours each week. However, a child who is old by 5 to 11 years and working for any period of time in nonhazardous job is considered child labour.

\(^3\) Child labor is work that exceeds a minimum number of hours, depending on the age of a child and on the type of work.

\(^4\) https://laboreconomics.wordpress.com/2012/04/29/child-labor/

\(^5\) http://www.unicef.org/bangladesh/Child_labor.pdf
<table>
<thead>
<tr>
<th>HIES</th>
<th>Male</th>
<th>Female</th>
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<td></td>
<td>%</td>
<td>Million</td>
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<td>2005</td>
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<td>2010</td>
<td>12.69</td>
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Note: In calculation the child labor, the revised definition of child, aged 5-18, is considered and the individual is considered economically active if s/he earned in the last week.

*The statistics on child labor for 2014 is estimated considering a constant child labor reduction rate. Therefore, the actual child labor is subject to the changes for varying rates of child labor reduction.

More than 42.9 percent of the child labor is engaged in hazardous activity. Around 5 percent of the child labor, aged 5-18 years, involves with selling flowers or newspapers or fruit selling food, 10 percent is transport worker, around 20 percent is industrial or shop worker, approximately 9 percent works in workshop, 14.7 percent works as domestic worker, around 20 percent works in tailor or boutique house, 10.7 percent has no specific tasks but works and 11.1 percent is involved with unspecified activities. Child labor constitutes an important obstacle to achieving Universal Primary Education, Education for All, and other Millennium Development Goals in Bangladesh. Child labor reduces class attendance and increases health hazards. It affects not only the welfare of individual children but also the endeavor of human development of the country.

6 A. Manzoor, U. Layli, and H. Altaf (2009), Child Labor and Education in Bangladesh, Bangladesh Education Journal

Child Labor Survey, 2013: BBS conducted a child labor survey in 2013 and published the report on October 2015. The report shows that there are 39.65 million of children aged 5-17 among which there are 3.45 million of working children. There is about 1.7 million child labor of which 1.28 million is engaged in hazardous activities. The working children are engaged in different sectors like agriculture (36.9%), manufacturing (27.6%), construction, wholesale, retail, transport and others. Less than one third of the working child attends school due to mostly poverty. The child labor also works 39 hours each week and earns an average monthly income of Tk. 5859.

The incidence of child labor in Bangladesh is high. Bangladesh is a lower middle income country. Children either drop out or become irregular attendees at school, to work to augment the family income. According to Psacharapoulos (cited in Ravallion and Wodon, 2007), child labor leads to two years less schooling on average. But the foremost cause of child labor in Bangladesh is the economic impoverishment. Sometimes idiosyncratic shocks forced some children to work. The underprivileged children not going to school, the drop-out children and idiosyncratic/covariate shocked child involve themselves in various occupations. The employers also prefer to engage children at work as they can easily be exploited to work longer hours with minimum wages. Various initiatives of the government have contributed in reducing child labor in Bangladesh. According to BBS (2013) (the report on child labor survey published in 2015), shows that for working children and child labour it has reduced by 53.52% and 46.55% respectively. But children have their own rights and the fundamental rights of the citizens including the children are spelled out in the Constitution of the People’s Republic of Bangladesh.

1.1.3. Leather industry is well established and ranked fourth in terms of earning foreign exchange in Bangladesh. In consideration of being a value added sector the Ministry of Industry (MoI) of the Government of Bangladesh (GoB), has declared it as a priority sector. The leather products sector have huge opportunities in generating employment, entrepreneurship and investment by increasing export of higher value added products rather than finished leather and by utilizing locally made raw material (finished leather) to convert into more value added leather products (including footwear and other leather goods). Export Promotion Bureau of Bangladesh source shows that for the Financial Year 2011-12, the leather sector grew by 17.5 percent and earned $765 million in revenue. Of this $434.8 million was attributed from leather products, accounting for approximately 57 percent of the total revenue (PKF, 2013).

1.1.4. Historically, the tannery industry got concentrated in the Hazaribagh area of Dhaka city where nearly 90% of all tanneries are located. This concentration occurred in an

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unplanned manner posing grave threat to the environment. Hence, the government has taken a move to shift the industry to a leather estate at Savar outside the city (Ahmed and Bakht, 2010).

Leather footwear industry in Bangladesh also follows locational concentration. Nearly 90% of all leather footwear making units is located in and around Dhaka city with some units existing in Chittagong and Khulna city and in Bhairab of Kishoreganj district. Within Dhaka city, there is a concentration of small leather footwear making units (having 10-49 workers) in two areas known as Siddique Bazaar and Bongshal where nearly half of these small units are located. Others areas of concentration of small and medium leather footwear making units in and around Dhaka city include Lalbag, Nazirabazar, Sitpatli, Bangladesh, Alu Bazar, Dakhin Moishundi, Pagla and Nawabpur (Ahmed and Bakht, 2010).

1.1.5 Since the Government of Bangladesh identified the leather sector as a priority sector for the country’s economy, the eradication of child labour from this sector has been put high on the agenda. The three main associations of leather and leather products producers declared, “no child labour is employed in the leather sector”. It furthermore states that this child labour is “actively monitored by ILO” and that “BFLLFEA coordinates and supervises the compliance issues” (BFLLFFA et al. 2008). High-level officials involved in the sector are eager to declare that the leather industry is almost child labour free. The Ministry of Labour, ILO Bangladesh Country Office and several NGOs have been working in an attempt to eradicate child labour in the leather sector with a wide variety of projects. Despite these efforts, till many children are found working in different parts of the production chain.

1.2. **Objectives of the Assignment**

Against this backdrop, SAIEVAC in collaboration with ILO aims to undertake review of the existing policies and programs and prepare a report on mainstreaming child labour issues and concerns in the existing plans, programs and policies.

The Purpose of this assignment is to contribute to positioning child labour in Bangladesh’s larger socio-economic context and its policy frameworks, programmes and budgets. Such positioning is expected to lead to leveraging support for issues and concerns of child labour, particularly its worst forms initially, and to result in the prevention and elimination of child labour, thereby contributing to the Decent Work Country Programme in Bangladesh with a special focus on the leather sector.

The Process for the assignment will involve mapping, review and analysis of existing/planned policies, programmes and budgets (to be identified in consultation with SAIEVAC); and consultations with key stakeholders. The assignment gave special emphasis on the leather sector.
Among relevant policies, programmes and budgets would be those of national and local
governments, international agencies and the private sector agencies that relate to child
labour, particularly its worst forms. Of particular relevance would be those for poverty
eradication, education and training, social security, and social development, labour, child
development and women’s empowerment, justice and law reform, tourism, social
services, manufacturing and social welfare, agriculture development and agrarian
services, mass media and information, others.

The specific objectives of the assignment are:

(iv) To assesses whether child labour issues and concerns have (or have not) been
addressed in selected development policies, programmes and budgets;

(v) To provides recommendations on integrating child labour issues and concerns in
the selected existing polices and strategies/budgets; and

(vi) To provides recommendations for integration in future versions of policies,
strategies/budgets.

2. Methodology

The methodology for the assignment is developed based on the terms of reference
prepared by the SAIEVAC regional secretariat and later modified in close consultation
with key stakeholders. It involved the review and analysis of documents, government
laws, policies and budget allocations to identify the strategic direction within each area,
the relevance of these issues for children and child labour, getting a broad overview of
the projects that were being implemented and the available funding. It also involved in-
person discussions and participation in consultative meetings with officials working in
line ministries and other departments and the employers' and workers' representatives to
determine the potential to mainstream.

This Report looks at the potential for mainstreaming child labour issues by providing
brief analyses of the relevant policies, plans and programmes from the child labour
perspective. These include, among others, the Perspective Plan, 7th Five Year Plan,
National, National Social Protection Policy, National Child Policy, National Child
Elimination Policy, National Education Policy and budget documents of last three years.

Recommendations to mainstream child labour issues into policies and plans are provided
for each sector, keeping in view the goals and targets of the respective sectoral policies
and plans of action. A broader set of recommendations, which are common across the
sectors, is provided as well. These are by no means exhaustive and can be built on,
particularly in further stakeholder consultations.
2.1. Limitations and Challenges

Short time period made the review necessary to focus on a few selected sectors. It also limited the scope of the consultations mainly to the national government agencies, and employers' and workers' representatives only in few selected sectors. Consultations with stakeholders including intended beneficiaries, service providers (governmental and non-governmental), city council, and local level employers' and workers' representatives would have added further value to the outcome of the review.

The review was undertaken in between two big religious festivals in Bangladesh. This affected the availability of children, employers and government officials.

In addressing child labour issues and concerns, laws and policies are necessary tools. In recent years the Government of Bangladesh has put a host of legislations and policies in place to curb child labour and hazardous child labour and ensuring rights and opportunities of the children in Bangladesh. A number of government ministries and agencies are involved in formulating and implementing these laws and policies including Ministry of Children and Women Affairs, Ministry of Labour and Employment and Ministry of Social Welfare.

3.1. The Bangladesh Labour Act 2006

The Bangladesh Labour Act 2006 has laid the basic principles as to the employment of children and adolescents (GoB, 2006). It has which includes a specific chapter (Chapter 3) on child labour. The law has barred the employment of any children under 14 years of age, as well as prohibiting hazardous forms of child labour for persons under age 18 in any occupation and establishment. However, children who are aged 12 and above may be engaged in “light work” that does not pose a risk to their mental and physical development and does not interfere with their education. The adolescents are permitted while at possession of fitness issued by a registered medical practitioner (Section 34/2). The law has put restrictions on the employment of adolescents in certain works (Section 39) empowering the Government in the same vein to issue a list of hazardous works not suitable for the adolescents (39/3). The working time for an adolescent in any establishment is 42 hours in a week at the maximum (Section 41/2). Some relaxation on the employment of a child aging 12 years is made allowing him in the case of light work that does not affect health, development and education (GoB, 2006).

Limitations:

The law does not provide a strong enforcement mechanism for the child labour provisions. Additionally, the vast majority of children (93 per cent) work in the informal sector (BBS, 2004)\(^9\), which makes enforcement of the relevant legislation challenging.

The Labour Act 2013 is only applicable for the formal sector employees and employers. However, in reality it is observed that more than ninety percent of the children are employed in informal sector. As a result, majority of the children in hazardous work will not be protected by the Labour Act. One of the other limitation of the Labour Act is creates confusion about the definition of child. The Labour Act divided children into two

categories namely, child and adolescent. A person who has not completed 14 years is defined as child and person completed 14 years of age but below 18 years defined as adolescent. This is inconsistent with the UNCRC and other national legislations, such as, Children Act 2013, National Children Policy 2011.

**Implementation status:**

There has significant progress been made in enforcing the Labour Act. In fact an Act needs to be translated into workable rules in order to be effectively enforceable. The designated committee under the MoLE is now drafting the Rules for the Labour Act 2013, which is expected to be finalized by 2016.

One important achievement the MoLE has made in connection with the Labour Act is that a total of 160 new Labour Inspectors have been recruited in 2014 and another 30 Inspectors will be recruited soon. Now the total number of Labour Inspectors in the country is around 200 and demand from MoLE was for 575. The newly recruited Labour Inspectors received basic orientation recently.

### 3.2. The Children Act 2013

Ministry of Social Welfare of Bangladesh Government has enacted this new law in 2013 by repealing the previous Children Act of 1974 as part of harmonizing the national legislation with the principles and provisions of the UNCRC.

This new law has provided comprehensive coverage to most of the aspects that affect lives of children in Bangladesh in accordance with international standard. In comparison with the previous Children Act 1974, the new Children Act is featured with some new provisions including ensuring alternative care, setting up minimum standard of care, establishing child friendly desk at police stations, formation of Children’s Board at national, district and Upazilla level, identifying duties and responsibilities of the probation Officers, expediting case management process etc.

In relation to child labour, one of the most important issues is that the new law clearly defined the **Age of child**: Section 4 of the new law says a child is defined as anyone up to the age of 18 years. This provision is perfectly aligned with the UNCRC. In addition, the Children Act 2013 introduced a series of new institutional provision that are likely to create positive impact in reducing overall vulnerability of he children, including child labour if the law is enforced properly.

Among other new provisions, the most important provision under the Children Act is the establishment of National, District and Upazila Child Welfare Boards: In the law three levels of Child Welfare Boards (CWB) are indicated to form for ensuring protection of child. A separate chapter in the Act is devoted to the establishment of these Child
Welfare Boards at national, district and upazila levels.

It was expected that the new legislation shall support and for benefit of all children of the country. The title of the Act also gives an impression that it would address issues of all children of the country. This Act, however, appears to have been more beneficial for the child either in contact or in conflict with the law or child who is brought or otherwise comes to the police station. Despite the fact that there are some provisions which reflect some of the provisions of the Convention on the Rights of the Child (CRC), Beijing Rules and others, most of these provisions cover only to dispute resolution, care and protection, alternatives and diversion of children who come into contact/conflict with law. But most importantly support to the children in different circumstances such as children involved in hazardous labour, child marriage, child trafficking, out of school children are not protected adequately by this Act. Most importantly, no reference has been made to working children and child labour related laws and policies. One section of the Act provides definition of the disadvantaged children, however, one of the most important groups of disadvantaged children is the working children and they were left out in this definition. As a result, the Children Act 2013 may not be relevant for the working children at all.

**Implementation Status:**

The Children Act 2013 was officially approved by the Government on 20 June 2013 and circulated through gazette notification on 21 August 2013. Since then the Act is officially functional. However, the Rules for setting up implementing modalities are yet to be finalized. The draft Rules is under review by the Law Commission. It may take couple of months to get it finalized. It is to be noted that without the relevant Rules the enforcement won’t take place in its full strength. In the mean time some initiatives have been taken on an ad hoc basis. For example, the Children Court has been established in all districts and the Law Commission organized an orientation for the staff of the Directorate of Social Services (DSS) (Alamgir, 2015).

It has been observed over the years that the civil society organizations create pressure on the government to enact laws and policies and its proper implementation for protecting the rights of the children. However, there have been very few initiatives in which the civil society organizations provide technical and financial support to the government to implement those laws and policies. Civil society organizations and development partners may have some proactive role to provide technical and financial support to the relevant ministries/departments to implement some specific parts of the Children Act 2013 as well as monitoring the implementation process.

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The National Children Policy, 2011 has been adopted by repealing the National Children Policy 1994 with a spirit to accommodate the changed scenario in different sectors of the country, as well as accommodating the principles and provisions of the UNCRC. The National Children Policy draws on certain principles including as non-discrimination, best interest of children, respecting children’s opinions and ensuring children’s participation and ensuring transparency and accountability of all individuals and institutions responsible for realizing child rights.

The Policy has given special emphasis on children’s right to health, education, cultural activities and leisure, birth registration and identity, protection, special rights of the children with disabilities, rights of the minority and ethnic minority children and rights of the adolescents and their development.

The Children Policy 2011 defined child as any person below the age of 18 years, which is fully consistent with the UNCRC. Section 9 of the policy deals with child labour elimination related issues. The policy made 11 provisions referring National Child Labour Elimination Policy 2010 in order to gradually eliminate child labour in the country. These include:

(i) Conducive environment should be made for the physical and mental development of all children. Children should not be engaged in any unsocial and humiliating activities, including hazardous labour.

(ii) Working children should be provided with educational facility after working hour.

(iii) If any child face an accident during his/her work, the employer should be made responsible for his/her treatment.

(iv) Children engaged in domestic work should be allowed to meet their parents at least once in a month.

(v) Children in domestic work should not be asked for hazardous work.

(vi) Working children should be protected from all forms of abuse and exploitatations.

(vii) Vulnerable parents of the working children should be provided with economic support to break the poverty cycle of these families.

(viii) Mass awareness programme should be initiated to create awareness among the parents and other stakeholders regarding the negative impact of child labour

(ix) There must be short, medium and long term planning and programs to eliminate child labour.
Limitations:
The Children Policy 2011 lacks clarity in certain areas. For example, in one hand, the policy allows employers to employ children for domestic work, and on the other hand, the policy says that children in domestic work should not be engaged in hazardous work while it is observed that domestic work itself is one of the most hazardous work in Bangladesh where every year a significant number of children become victims of violence, abuse and injury.

The Children Policy 2011 does not provide any specific guideline/implementation strategy and no mentioning about required human and financial resources, except a vague statement that adequate budget should be allocated in order to implement the policy.

The connection between National Children Policy and the National Child Labour Elimination Policy 2010 is properly established. The Children Policy 2011 has referred to the NCHLP, however, it is limited to few statements only, which may create confusion among the duty bearers. The policy should have captured the key provisions of the National Child Labour Elimination Policy 2010.

Implementation status:
The National Children Policy was amended in 2011 replacing the Children Policy 2009. There are more than 10 ministries got a role to achieve the goals set in the Children Policy. The ministries include Ministry of Labour and Employment, Ministry of Planning, Ministry of Finance, Ministry of Women and Children Affairs, Ministry of Sports and Cultural Affairs, Ministry of Primary and Mass Education, Ministry of Health and Family Welfare, and Ministry of Information. It is really difficult to determine the level of implementation of this policy without reviewing the activities of the ministries mentioned. However, having considered the status of the children portrayed in the State of the Children (BSF, 2013) it can be said that no significant changes have taken place in terms of achieving objectives and goal of the Children Policy. Moreover, no mechanism for coordination between the responsible ministries has been set out in the policy in making the entities accountable and no action plan was attached to this policy.

With regard to the formulation of laws and policies the Government has partly achieved its goal set out in the Children Policy. Enacting Children Act 2013 is one of the examples.

3.4. National Child Labour Elimination Policy, 2010

The National Child Labour Elimination Policy (NCLEP) 2010 was adopted in 2010. The Ministry of Labour and Employment (MoLE) has been the lead ministry in implementing this policy in coordination with other relevant ministries. The main purpose of the policy is to prevent and eliminate child labour, especially hazardous forms of child labour. The
NCLEP aims at withdrawing working children from different forms of occupations, including the hazardous work and the worst forms of child labour.

The policy suggests a multi-stakeholder approach involving parents of working children in income generating activities with a view of getting children out of the vicious cycle of poverty, offering stipends and grants in order to get children back to school. The policy also put special attention to the children affected by various natural disasters. NCLEP provided emphasis for ethnic minority and children with disabilities to bring them back to congenial environment. The policy laid the moral and pragmatic foundation for enacting necessary laws and strengthening institutional capacity for the enforcement of the laws and undertaking short, medium and long term activities to eliminate various forms of child labour by 2015.

This policy has focused on nine areas of interventions including Policy Implementation and Institutional Development, Education, Health and Nutrition, Social Awareness Raising and Motivation, Legislation and Enforcement, Employment and Labour Market, Prevention of Child Labour and Safety of Children Engaged in Labour, Social and Family Reintegration, and Research and Training. With these areas of intervention the NCLEP has put forward a comprehensive set of guidelines and strategies to eliminate child labour in Bangladesh.

**Limitations:**

Despite the fact that the NCLEP has been one of the progressive policies in Bangladesh, the policy did introduced an unnecessary confusion about the definition of child. It defines child as a person not completed 14 years of age and adolescent who has completed 14 years but fall below 18 years. This is inconsistent with the UNCRC as well as The Children Act 2013 and Children Policy 2011.

Another limitation of NCLEP is that this is only applicable for the formal sector while larger portion of the children employed in hazardous work are found in the informal sector. The informal sector child labourers are likely to be left out from the coverage of the policy. Moreover, NCLEP policy says the national and international organizations and donor agencies that are willing to work towards the elimination of child labour in Bangladesh should undertake and implement their respective programs and projects in line with the policy. However, no mechanism has been proposed to coordinate and monitor whether this is taking place on ground.

**Implementation status:**

In order to implement the NCLEP the government of Bangladesh developed the National Plan of Action (NPA) on child labour in 2012. In other words, the implementation of the NCLEP fully depends on the implementation of the NPA.
This policy set target for eliminating child labour, especially hazardous form of child labour by 2015. However, no significant progress has been made so far. Therefore, by now some of the provisions may have been outdated and needs revision.

3.5. National Plan of Action on Child Labour 2012

National Plan of Action (NPA) has been formulated to implement the National Child labour Elimination Policy (NCLEP) 2010. The NPA has focused on nine strategic areas as identified in the NCLEP. The NPA is well drafted as it has suggested specific interventions corresponding to the outputs under the strategic areas with specific roles and responsibilities of various government and non-government stakeholders at local and national level. The NPA also incorporated an indicative budget for its effective implementation.

Limitations:

Proper implementation of NPA depends on a numbers of ministries and agencies. It requires a functional coordination mechanism placed and practiced on ground. However, this part is relatively overlooked in NPA. Also, no inter-ministerial mechanism has been set to get the required amount of budget by the responsible agencies.

Implementation status:

As far as the implementation of the NPA is concern, no significant progress has been achieved so far after three years of its formulation. In fact, not much has been addressed so far except formation of some committees. A 26-members National Child Labour Welfare Council (NCLWC) headed by the Minister of the MoLE established in February 2014; until recently this committee has held few meetings only. In 2015-16 Divisional Child Labour Welfare Council (DCLWC) and Upazila Child Labour Monitoring Committee (UCLMC) have been formed through a Government Order (GO). Responsibility of monitoring child labour at district level has been given to District Child Rights Monitoring Forum (DCRMF), which has already been formed under the Ministry of Women and Children Affairs (MoWCA). However, members of these committees are yet to receive any formal orientation about their roles and responsibilities except one or two meetings organized at divisional level.

The MoLE has initiated a project called Country Level Engagement and Assistance to Reduce Child Labour (CLEAR) jointly with International Labour Organization (ILO) supported by the United States Department of Labour (USDOL) to address two strategic areas of intervention of the NPA, namely awareness raising and strengthening capacity of the committees at local and national level.

The MoLE has recently taken a very good initiative towards restructuring and reactivating the former Child Labour Unit (CLU). According to MoLE, a new Branch has
been established under Women and Child Labour Section of MoLE to replace the CLU without making any changes in its Terms of Reference (ToR). This new Branch is headed by a Joint Secretary with one Deputy Secretary and one Senior Assistant Secretary.

With regard to the allocation of resources for implementing of the NPA, no specific budget has been allocated so far. According to MoLE, this is also a responsibility of many other ministries to develop programs with adequate budget for the implementation of the NPA. However, the coordination between MoLE and other responsible ministries is very weak. Now MoLE is planning to strengthen this coordination mechanism through NCLWC.

3.6 Domestic Workers Protection and Welfare Policy 2015

The Domestic Workers Protection and Welfare Policy was drafted in 2010 following continuous advocacy and pressure by the child rights and human rights organizations with the view to protect the rights and welfare of a large number of child and adult domestic workers in the country. The government prepared a draft in 2010 and since then a series of advocacy initiatives were taken to get it approved. Between 2010 and 2014, the draft policy was debated at the inter-ministerial process, and at the Tripartite Consultative Council meetings. Such a lengthy and formal policy process has produced another fine-tuned version of a draft policy, widely known to be the Domestic Workers Protection and Welfare Policy. Finally, in December 2015, the policy got the approval of the Cabinet.

Among the 16 provisions in the 2015 policy, the most important ones focus on fair wage, minimum age, decent working conditions, and fixed working hours. The policy also includes identity cards, contract of employment, maternity leave, vocational training, healthcare support, compensation for accidents, and legal actions against physical or verbal abuse and sexual harassment. It suggests formation of a central monitoring cell at the labour ministry and local monitoring cells at the Dhaka city corporation and at the district and sub-district levels. It also calls for the government to form a 24-hour help-line and create more public awareness.

Limitations:

The most alarming issue about the policy is that it allows children for domestic work. More importantly, it allows 12 years aged children for domestic work. While it is clearly evident that domestic work is one of the most hazardous works due to its nature and circumstance, the policy allows the children to do it.

According to the Labour Act 2013 and NCLEP 2010, no child under 14 years of age should be employed in any occupations and children under the age of 18 years should not be employed for hazardous work. Therefore, the draft policy on the domestic workers rights and welfare contradicts with both these Law and policy. We all must resist
finalizing this draft policy without necessary changes with regard to child domestic works.

**Implementation status:**

Domestic Workers Protection and Welfare Policy 2015 is already in effect. However, detailed strategy, action plan, monitoring plan are not formulated yet. MoLE sources said that they are working on it and will submit the detail action plan very soon to the Minister.

**3.7.List of Hazardous Work for Children**

The Government of Bangladesh ratified the ILO Convention No. 182 in March 2001 and it took 12 years to come up with this list. However, total of 38 works have been identified by the Government in consultation with all relevant stakeholders at local and national level. A gazette notification was issued on 10 March 2013. According to the Labour Act 2013 and National Child Labour Elimination Policy 2010 no child/adolescent below the age of 18 years should be employed for hazardous work determined by the government.

**Limitations:**

The main limitation of the list is that it hasn’t included child domestic work in the list of hazardous work.

**Implementation status:**

It is found that majority of the stakeholders, especially employers are not aware at all regarding the list of hazardous work due to lack of proper dissemination of the list. In addition, the number of Labour Inspectors is still inadequate compare to the size of labour market and labour force. Therefore, monitoring hazardous forms of work being undertaken by children may not get full attention by the Labour Inspectors. In relation to the leather sector, it is seen that a good numbers of children are engaged in hazardous works, but no initiatives were taken by the labour inspector.

**3.8.Primary Education (Compulsory) Act 1990**

Education is directly related with child labour. Having considered this strong association we need to look at the education policies and acts as well. Bangladesh Government enacted Primary Education (Compulsory) Act in 1990. This Act shall support of all children aged between 6-10 years to get admission only in primary education.

The act, among other things, clearly defined several issues such as the schooling age of the children, role of parents, role and responsibilities of school authority. In relation to child labour the sub-section 4 of section 3 mentioned that ‘In the areas where primary education shall be obligatory no person shall keep children engaged in such occupations
as may prevent them from attending a primary education institute for the purpose of receiving primary education’.

Limitations:

The Act covers only the permanent dwelling children to get admission in the primary education classes. It may be mentioned here that the Act is suitable for the rural areas as the most dwellers are permanent in the area. In the urban context it is difficult to cover children particularly who live in the slum or families who live in pavements do not have address and they move from one place to another. Many working children live in employers address, streets without parental care and support. These children are not covered and not clearly mentioned how they admit in primary education classes. Finally, the Act does not mention anything about the children of vulnerable families and how to bring them school following any special effort.

Implementation status:

The main purpose of the Compulsory Primary Education Act was to bring all school age children into school. According to the latest MDG Progress report, Bangladesh has achieved 97% of enrollment, which means the Act has been implemented with necessary policy and resource support. However, government is now designing activities to bring in the dropped out 3% of the children into school.

3.10. National Education Policy 2010

Under the leadership of the Ministry of Education (MoE), the National Education Policy 2010 has been formulated for the first time in Bangladesh in order to ensure quality education for all children. The new education policy puts emphasis on hundred per cent enrolment and retention of students at primary and secondary levels. The most important feature of the new education policy is to extend compulsory primary education up to grade eight with scope for vocational education at primary level and inclusion of pre-school in all government primary schools.

National Education Policy draws on several principles including removing barriers to education, removing class denials, ensuring parental choice, instruction in own language, child as a subject of right, alternative arrangement for working children. With reference to child labour, the Education Policy states that, “All socially and economically disadvantaged children, including street children will be brought under the education service”. The Education Policy also mentions that “opportunity will be created to ensure quality education for all children irrespective of social and economic vulnerability, physical and mental limitations and geographical locations.

Moreover, the Education Policy clearly suggests several steps, which are critical to bring the child labourers back in to school: (1) The policy says by 2010-11 cent percent children will be enrolled in primary education; (2) Measures will be taken to ensure equal
opportunity for all children irrespective of their physical and mental disability and socio-economic conditions; (3) The duration of primary education will be eight years instead of five years; (4) School environment will be created in such a way that will attract children and method of education will be joyful and child friendly; (5) Stipend program will be introduced for children from poor families; (6) Mid day meal will be gradually introduced in all schools; (7) Hostel facility will be made available for children of the hard to reach areas; (8) Special measures will be taken, including free admission, free education materials, mid day meal and stipend for street children and other disadvantaged children in order to prevent them from dropped out; (9) Admission age will be expanded from 8 years to 14 years in case of non-formal education.

**Limitations:**

Most of the provisions made in the education policy are highly ambitious compare to the existing infrastructure and other facilities available. For example, goal has been set for 100% enrollment in primary education by 2010-11. Now we are living in 2015 and we know how many school aged children are still out of school.

It is highly important to remember that without achieving the goal of eliminating child labour, the goal of education for all will never be achieved. Therefore, there must be a link between these two efforts while formulating policies on education and child labour. Both prevention and elimination of child labour are equally important to ensure education for all children of the country.

Another limitation of the Education Policy is that it does not propose any coordination mechanism among the ministries. Only the Education Ministry will not be able to implement this policy.

**Implementation status:**

The Government has already achieved some of the objectives of the National Education Policy that would include: (i) A 20 member Technical Committee has been formed to set up detailed implementation modalities of the Education Policy, (2) Pre-primary education has been introduced in all primary schools, (3) Some schools have already started primary education up to grade six and in some schools up to grade seven, (4) ICT based education has been introduced in a good number of schools, (5) Teachers-students ratio has been improved in primary education. The current ratio is 46:1 against 60:1 (7) 40,000 new teachers have been recruited and training were provided to all these new teachers through creating double shifts in Primary Teacher Training Institute, (8) National Skills Development Policy has been formulated, (9) More than 7% of the education budget has been allocated for skill development training, (10) Although Mid-day meal has not started but school feeding program has been introduced in 83 Upazia as pilot basis and (11) Stipend programme for children from vulnerable families are ongoing in all primary schools.

Bangladesh has a long history of social safety net programs. The Government of Bangladesh has been providing supports in both cash and kind to vulnerable groups since the early eighties, which have increased many folds in both coverage and amount in recent years. For example, in the 2014-15 financial year the Government allocated a total amount of 226171.3 Million Taka for social protection programs, which is about 9% of the annual budget and 1.63% of GDP (GoB, 2014).

However, under the existing social protection programs there was no specific program targeted to working children. The proposed National Social Protection Strategy proposed two direct supports to the children of poor and near poor family:

- A child grant of Taka 300 per month for children of poor and near poor family up to age 4.
- A school stipend of Taka 240 per month for all primary and secondary school going children belonging to the poor and near poor households.

But these two proposals were not implemented. Recently the Government of Bangladesh has formulated a comprehensive National Social Security Strategy. This strategy designed along the Life Cycle Risks. It is expected that the NSSS will strengthen transformation of the existing disconnected the social protection programmes towards a lifecycle system by consolidating programmes in a small number of priority schemes. The aim is to identify the high priority schemes make the system more inclusive by incorporating a higher proportion of poor and vulnerable people within it.

The NSSS benefits will be non-discriminatory and will be available to all poor and vulnerable people who satisfy the income criteria and other selection criteria relating to life-cycle or disability described below, irrespective of religion, ethnicity, profession and location.

Children has been adequate given attention in the NSSS. In fact, children are one of the five core life-cycle programmes of NSSS. The strategy advocates following programmes for children:

(i) A child grant for children of poor and vulnerable family up to age 4. The child grant will be limited to a maximum of two children per family to avoid any adverse implications for the population management policy.

(ii) A school stipend for all primary and secondary school going children belonging to the poor and vulnerable households.

(iii) The children will also have the disability benefit, the school meals programme, the orphans programme and the legal provision to ensure that abandoned children get the financial support from the responsible parent.

(iv) Supply side interventions relating to immunization, childcare health and nutrition, water supply and sanitation and nutrition outreach will be
strengthened. Programmes for the Working Age: The reformed strategy for the working age includes:

(v) Strengthening education and training programmes to motivate the adolescent and youth to complete education and to enable the working youth and the older workforce to acquire required skills.

**Limitations:**

The National Social Security Strategy is an ambitious but very timely initiative for the government. However, the main limitation of the strategies that it has not laid out the mechanism of how to transform the existing practices into a new system while the existing social protection programmes are being managed by 10 different ministries with their 85 social protection programmes of different nature. Moreover, the NSSS didn’t clearly mentioned how to implement the newly designed social security programs.

**Implementation Status:**

National Social Security Strategy has been launched in November 2015. The Government of Bangladesh has started implementing it. However, no significant progress has been made s of now. Meanwhile, the government has kept making incremental increase in its annual allocation for existing safety net programs.

**3.12. Seventh Five Year Plan 2016 - 21**

The Seventh Five Year Plan focuses on ensuring inclusive and sustainable development in Bangladesh. As a part of its overarching development framework child issues have been considered in different sections of the plan.

In the Seventh Five Year Plan the vision regarding children’s advancement and rights is that “all children in Bangladesh, irrespective of gender and socio-economic background, should be ensured access to essential services, including social security, health care, nutrition and education, and enjoy protection from all forms of violence, abuse and exploitation, to be able to reach their full potential and realize their rights” (GoB, 2015). The Plan outlined a set of goals to be achieved during the plan period as follows:

(i) ensuring children’s rights and advancement through the implementation of government policies and legislations;
(ii) providing health services the children need;
(iii) ensuring access to food and nutrition they need;
(iv) providing access to girls to education, training and development opportunities;
(v) ensuring access to urban poor children to early childhood development, education, sports and cultural activities providing knowledge and life skill;
(vi) protecting children from all forms of abuse, exploitation and violence;
(vii) providing access to children particularly in urban and remote settings to clean water and sanitation, and a healthy environment;

(viii) ensuring participation of children in defining their needs, developing programmes, implementing interventions, and evaluating their success;

(ix) ensuring support of duty bearer, parents and other care givers on whom children have to depend; and (x) ensuring widespread public support for survival and development of children.

The Seventh Five Year Plan draws the activities and interventions from relevant policies and in line with provisions of the National Children Policy 2011. With specific reference to child labour, the Seventh Five Year Plan clearly mentions that:

“Effective measures will be taken to reduce child labour, and eliminate worst forms of child labour with a particular focus on child domestic workers, migrants, refugees and other vulnerable groups. In this context, a policy for children in the formal sector focusing on those caught up in the worst forms of child labour will be formulated. Street children will be assisted in accessing their rights and protecting them from all forms of abuse and exploitation. Coordination between government agencies, NGOs working on child issues, parents and community people will be required for an effective rehabilitation and development of street children. Working children such as waste collectors, leather workers, brick breakers, auto-workshop workers and tempo helpers will have access to learning opportunities in formal and non-formal facilities. Extreme poor households, where the occurrence of child labour is highest, will be covered by livelihoods interventions for adult earners.

For implementation of the Seventh Five Year Plan and management and coordination, the Plan has put The Ministry of Women and Children Affairs at the center. It says that he MoWCA will conduct public advocacy and coordinate interventions for children’s wellbeing and rights. An inter- ministerial coordination committee consisting of government ministries with children’s portfolios and organizations representing children’s mandate will be chaired by the Secretary of the Ministry of Women and Children Affairs and will coordinate implementation of the Children Act 2013, CRC, CEDAW, and the World Fit for Children Plan of Action.

Limitations:

As an overarching policy guideline, the Seventh Five Year Plan has covered most of the issues concerning child development and empowerment with a focus on Child labour. However, the implementation proposals seem to be broad and unspecified. Moreover, the financing part is also not clear.

Implementation Status:

Three crucial piece of legislation have been passed as a mean to implement the children empowerment section of the Sixth Plan. The key one was the National Children Policy
was adopted in Bangladesh in 2011. This policy aimed to empower children and protect their rights by eliminating all form of abuse, violation and discrimination that may impact their well-being. Amongst the objective of this policy, the importance of providing all children (regardless of age, gender, religion, ethnicity and location) with equal opportunity for development is highlighted. The policy recognizes that children are a heterogeneous social group, with different needs that must be met. Prior to that, the National Child Labour Elimination Policy was approved in 2010 with the aim of improving children’s life and well-being through the removal of all types of child labour, especially dangerous and degrading work. Emphasis was put on children with more predispositions to enter child labour, such as children from poor households and ethnic minorities. The policy looks at increasing the incentives for these children to return to the education system. The stakeholders are directed to coordinate amongst themselves to develop short, medium and long-term programmes to eliminate child labour in Bangladesh. Finally, the Government passed the Children Act of 2013 based on the Convention of the Rights of the Child. It defines children as an individual under the age of 18, a definition universally recognized. It also provides legal instruments to protect children with regards to a wide range of potential exploitation and abuse such as child marriage, work, and issues with the justice system.

Despite the impressive progress made through the ratification of such policies and acts, the changes in child labour and other potentially harmful attitudes and norms has been slow to come by. The reasons for this include the lack of enforcement capacity for these laws and the lack of public awareness. The Government must persist in its efforts to empower children by scaling up awareness campaigns to ensure these laws become common knowledge to all and that every household is sensitized in the different risks children may face.

In addition to laws, the strategies have also been put into action via various new and ongoing projects. A Child Focus Budget has been adopted on a pilot basis to monitor the adequacy of budget allocation and actual spending on child related programmes. Emphasis has been placed on early detection and screening of child autism to help this disability at an early stage. Another programme, the “Services for Children at Risk” aims to strengthen the protection of children and the government’s capacity to do so, and the “Child Sensitive Social Protection in Bangladesh” improves children’s access to social protection programmes. A Child-Helpline Programme is being implemented, 250 Community-based Child Protection Committees are being formed and 7 Integrated Child Protection Service Centres have already been established. Regarding the Human Resource Development strategies, their review was done in the chapter 11 of part 2 of the Seventh Five Year Plan. The evaluation showed that education access and participation was improved, both for boys and girls, especially within the primary and secondary cycles. Furthermore, the number of schools offering pre-school classes had increased as well, offering children the opportunity for early development. In terms of health,
important advances have been made in detecting and preventing communicable and non-communicable diseases, as well as in reducing the under-5 mortality rates. However, challenges remains in terms of education quality and nutrition which continues to hinder children’s empowerment and development.
4. Review of Government Budget and Programs

4.1. National Budget Allocation for Child and Child Labor Elimination

Children are, to different extents, deprived of access to basic social services, such as health, education, food, water, sanitation, shelter and information and are rarely engaged in decisions that affect their socioeconomic rights. The deprivation and vulnerability of children that arise from ineffective coverage of basic social services limits their opportunities to develop and reach their full potential. Child deprivation, therefore, needs to be addressed directly through policies, programmes and interventions that are adequately funded by the national budget.

All the national policies and plans of Bangladesh would indicate that Bangladesh is strongly committed to promoting the welfare of children. In order to align with the commitments made to the global and national stakeholders, Bangladesh has adopted relevant domestic laws, policies and strategies. It is now imperative to examine whether these commitments are reflected through the allocation and utilization of public resources.

In National Budget, a variety of programmes operating under several ministries are involved in delivering services assigned for the children. The majority of the programmes addressing children’s issues are financed under the development budget of the ministries. Child related programmes are scattered throughout the ADP, most programmes fall under four sectors (out of the 17 sectors of the ADP). These are 1) Education and religion, 2) Health, Population and Family Welfare, 3) Social Welfare, Women and Youth Development, and 4) Labor and Employment. In the targeted ADP of 2010-2011, these four sectors received 25 percent of total ADP for the year. This share has remained more or less same over the last several years.

| Table 2: Age -specific Child related Programmes

<table>
<thead>
<tr>
<th>Programs</th>
<th>Hazardous Child Labor Alleviation Program</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Second Chance Education Program for out of school and drop out</td>
</tr>
<tr>
<td></td>
<td>Stipend for Primary Education</td>
</tr>
<tr>
<td></td>
<td>Fundamental Education for Working Child</td>
</tr>
<tr>
<td>Age</td>
<td>5</td>
</tr>
</tbody>
</table>

Child related programmes have been classified into three broad categories: *education, health and social protection and welfare*. In recent years, several programs are being implemented to eliminate the child vulnerability and to increase the access to education. For education, the key activities are implemented by the Ministry of Primary and Mass
Education whereas the Ministry of Social Welfare is taking care of disable children. However, Ministry of Women and Child Affairs and Ministry of Labour and Employment are also being involved in several ways with various programs for the wellbeing of the children in the Country.

The child related budget in various ministries shows that a significant portion of allocation goes to child development particularly to the Ministry of Primary and Mass Education. Budget of Ministry of Primary and Mass Education almost entirely related to the development of child related infrastructure and social development. Some programs have been taken by this ministry to reduce the dropout, which could be taken at direct initiative to reduce the probability of child labor. The programs “hazardous child labor elimination” and “Fundamental Education for Working Children” are the direct intervention to reduce child labor. On the other hand, direct initiatives toward child labor elimination are decreasing in the Ministry of Labor and Employment since all the projects related to child labor elimination ended in 2013–14.

4.1.1. Child Health Budget

Although there is no separate budget for child health as it is difficult to segregate between child health and mother’s health, the budget of Ministry of Health and Family Welfare (MoHFW) can be considered as pseudo child health budget. The budget allocation, directly or indirectly, for child health is given to the Ministry of Health and Family Welfare. The aim of MoHFW is to ensure better health services for all to build a healthy nation.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Non-development Health Budget as % of TNDB</th>
<th>Development Health Budget as % of TDB</th>
<th>Total health budget as % of national budget</th>
<th>Total health budget as % of GDP</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011-12</td>
<td>4.46</td>
<td>7.20</td>
<td>5.13</td>
<td>0.73</td>
</tr>
<tr>
<td>2012-13</td>
<td>4.16</td>
<td>6.70</td>
<td>4.87</td>
<td>0.71</td>
</tr>
<tr>
<td>2013-14</td>
<td>4.51</td>
<td>6.64</td>
<td>5.00</td>
<td>0.70</td>
</tr>
<tr>
<td>2014-15</td>
<td>4.15</td>
<td>5.64</td>
<td>4.74</td>
<td>0.75</td>
</tr>
<tr>
<td>2015-16</td>
<td>3.76</td>
<td>5.32</td>
<td>4.13</td>
<td>0.71</td>
</tr>
</tbody>
</table>

Note: TNDB = Total non-development budget, TDB= total development budget, GDP = Gross Domestic Products

*Source: Finance Division, Ministry of Finance*

From the table, we find that total health budget as percentage of national budget was over 5 percent in 2011-12 and 5 percent in 2013-14. But in other fiscal years, the health budget as percentage of national budget was less than 5 percent. The general trend is that total health budget as percentage of GDP has been declining and similar trend is observed in
case of total budget as percentage of national budget which is obvious. The total non-development health budget as percentage of total non-development budget as well as total development health budget as percentage of total development budget has been declining. While health, child health and mother health, is important, the declining trend is alarming. It is making the suspense whether the country is shifting from pro-health expenditure to other sectoral development.

4.1.2. Child Education Budget

The major allocation to child education is made through the Ministry of Education and Ministry of Primary and mass Education (MoPME). The MoPM deals with children enrolled in class I-V. On the other hand, the Ministry of Education (MoE) deals with secondary, higher secondary, vocational, and higher education management. Like health, although not in the same trend, the recent trend of total education budget as percentage of GDP and as percentage of national budget have been declining. The total development budget for education as percentage of total development budget declined from 14.27 percent in 2013-14 to 10.41 percent in 2015-16.

Table 4: Trend of development and non-development budget of education, primary and mass education ministries

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Non-development budget as % of TNDB</th>
<th>Development Budget as % of TDB</th>
<th>Total budget for education, primary and mass education ministry as % of national budget</th>
<th>Total budget for education, primary and mass education ministries as % of GDP</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011-12</td>
<td>12.74</td>
<td>11.79</td>
<td>12.51</td>
<td>1.78</td>
</tr>
<tr>
<td>2012-13</td>
<td>11.78</td>
<td>11.90</td>
<td>11.81</td>
<td>1.73</td>
</tr>
<tr>
<td>2013-14</td>
<td>13.37</td>
<td>14.27</td>
<td>13.33</td>
<td>1.87</td>
</tr>
<tr>
<td>2014-15</td>
<td>12.03</td>
<td>10.89</td>
<td>11.91</td>
<td>1.89</td>
</tr>
<tr>
<td>2015-16</td>
<td>11.29</td>
<td>10.41</td>
<td>10.72</td>
<td>1.84</td>
</tr>
</tbody>
</table>

Note: TNDB = Total non-development budget, TDB= total development budget, GDP = Gross Domestic Products

Source: Finance Division, Ministry of Finance

4.1.3. Child Safety, Welfare and Development Budget

Various ministries work for the safety, security, and welfare of children. But ministry of social welfare and ministry of women and child affairs play the leading role and most of the child development programs and projects are being implemented through these ministries.
Table 5: Trend of development and non-development budget of MoSW and MoWCA

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Non-development budget of MoSW and MoWCA as % of TNDB</th>
<th>Development Budget of MoSW and MoWCA as % of TDB</th>
<th>Total budget for MoSW and MoWCA as % of national budget</th>
<th>Total budget for MoSW and MoWCA as % of GDP</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011-12</td>
<td>2.45</td>
<td>0.66</td>
<td>2.01</td>
<td>0.27</td>
</tr>
<tr>
<td>2012-13</td>
<td>2.25</td>
<td>0.91</td>
<td>1.87</td>
<td>0.28</td>
</tr>
<tr>
<td>2013-14</td>
<td>2.36</td>
<td>0.64</td>
<td>1.84</td>
<td>0.26</td>
</tr>
<tr>
<td>2014-15</td>
<td>2.49</td>
<td>0.28</td>
<td>1.80</td>
<td>0.27</td>
</tr>
<tr>
<td>2015-16</td>
<td>2.31</td>
<td>0.39</td>
<td>1.67</td>
<td>0.28</td>
</tr>
</tbody>
</table>

Note: TNDB = Total non-development budget, TDB= total development budget, GDP = Gross Domestic Products

We observe in the above table that the budget for social welfare and budget for women and children affairs is less than 2 percent and there is a declining trend in investing in child and women development. Most of the investment for child health development comes from ADP whereas most of investment in developing child education comes from revenue budget. The revenue budget is almost half of the budget of ministry of primary and mass education. Majority, over 90 percent, of the budget for women and child affairs come from revenue budget.

Table 6: Revenue and Development Budget in various ministries

<table>
<thead>
<tr>
<th>Ministry</th>
<th>Type of budget</th>
<th>Budget 2015-16 (% of the total budget for the ministry)</th>
<th>Revised 2014-15 (% of the total budget for the ministry)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health and Family Welfare</td>
<td>Revenue budget</td>
<td>8.03</td>
<td>7.99</td>
</tr>
<tr>
<td></td>
<td>ADP</td>
<td>91.97</td>
<td>92.01</td>
</tr>
<tr>
<td>Education</td>
<td>Revenue budget</td>
<td>75.75</td>
<td>75.09</td>
</tr>
<tr>
<td></td>
<td>ADP</td>
<td>24.25</td>
<td>24.91</td>
</tr>
<tr>
<td>Primary and Mass Education</td>
<td>Revenue budget</td>
<td>50.07</td>
<td>60.72</td>
</tr>
<tr>
<td></td>
<td>ADP</td>
<td>49.93</td>
<td>39.28</td>
</tr>
<tr>
<td>Social Welfare</td>
<td>Revenue budget</td>
<td>69.04</td>
<td>78.19</td>
</tr>
<tr>
<td></td>
<td>ADP</td>
<td>30.96</td>
<td>21.81</td>
</tr>
<tr>
<td>Women and Child Affairs</td>
<td>Revenue budget</td>
<td>94.15</td>
<td>95.23</td>
</tr>
<tr>
<td></td>
<td>ADP</td>
<td>5.85</td>
<td>4.77</td>
</tr>
</tbody>
</table>

Source: Ministry of Finance
The trends of budget allocation for some specialized programs under various ministries are presented in the following table.

**Table 7: Some Projects Related to Child Development (In Tk. Thousand)**

<table>
<thead>
<tr>
<th>Ministry of Education</th>
<th>Project Name by Ministry</th>
<th>2015-16</th>
<th>2014-15</th>
<th>2013-14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reaching out of School Children (ROSC) Project</td>
<td>17000000</td>
<td>1655300</td>
<td>1480000</td>
<td></td>
</tr>
<tr>
<td>EC Assisted School Feeding Program (1st Revised)</td>
<td>178600</td>
<td>360000</td>
<td>525000</td>
<td></td>
</tr>
<tr>
<td>School Feeding Program in Poverty Stricken Areas (1st Revised)</td>
<td>5600000</td>
<td>4188000</td>
<td>4630000</td>
<td></td>
</tr>
<tr>
<td>Primary Education Development Project (IDB)</td>
<td>523300</td>
<td>940000</td>
<td>400000</td>
<td></td>
</tr>
<tr>
<td>Stipend for Primary Education (3rd Phase)</td>
<td>4160000</td>
<td>0.00</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>Primary Education Development Program-3</td>
<td>37400000</td>
<td>24043700</td>
<td>25100000</td>
<td></td>
</tr>
<tr>
<td>Equivalence non-formal vocational Education curriculum Development Project (Revised)</td>
<td>37400000</td>
<td>24043700</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Promotion of Services and Opportunities to the Disabled Person in BD</td>
<td>374200</td>
<td>272000</td>
<td>272000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child Sensitive Social Protection in Bangladesh</td>
<td>201000</td>
<td>180800</td>
<td>160679</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service Delivery Program for Vulnerable children</td>
<td>277000</td>
<td>133700</td>
<td>106500</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ministry of Women and Children Affairs</td>
<td>2000000</td>
<td>2506500</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child day care service for working women of low and middle class</td>
<td>33100</td>
<td>31600</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Establishment of Child and Women Cardiac unit in National Heart Foundation</td>
<td>29600</td>
<td>40000</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ministry of Labor and Employment</td>
<td>761000</td>
<td>1426500</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eradication of hazardous child labor (3rd phase)</td>
<td>-</td>
<td>0</td>
<td>420000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northern area reduction of poverty initiatives (NARI)</td>
<td>-</td>
<td>30,00,00</td>
<td>894500</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Source: Ministry of Finance*

4.2. National Programs to Eliminate Child Labour

The following table shows long-term budget trend for various programs that have been implanting in the country.

**Table 8: Budget trends of the programs enhancing education facility among vulnerable child (in Hundred Thousand Taka)**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Eradication of Hazardous Child Labor in Bangladesh (3rd Phase)</td>
<td>50</td>
<td>500</td>
<td>2000</td>
<td>2000</td>
<td>Project has expired</td>
<td></td>
</tr>
<tr>
<td>Reaching out of School Children (ROSC) Project</td>
<td>12200</td>
<td>6916</td>
<td>9401</td>
<td>24849</td>
<td>16553</td>
<td>17000</td>
</tr>
<tr>
<td>EC Assisted School Feeding Program</td>
<td>6800</td>
<td>2650</td>
<td>4800</td>
<td>2102</td>
<td>3600</td>
<td>1786</td>
</tr>
<tr>
<td>School Feeding Program in Poverty Prone Areas</td>
<td>-</td>
<td>23950</td>
<td>43000</td>
<td>49300</td>
<td>35992</td>
<td>56000</td>
</tr>
<tr>
<td>Establishment of Hostel for the Visually Impaired Children</td>
<td>-</td>
<td>415</td>
<td>538</td>
<td>1555</td>
<td>1200</td>
<td>2028</td>
</tr>
</tbody>
</table>
The table shows that some programs have been funding for long term to alleviate poverty led school dropout and/or child labor. Special programs are being maintained for vulnerable child and disable persons.

The specialized program, “Eradication of Hazardous Child Labor in Bangladesh”, was a three-year government program that targeted 50,000 children between ages 10 and 14 for withdrawal from hazardous labor through non-formal education and skills development training. This program started in fiscal year 2002-03 with an allotment of 0.75 crore taka and the allotment increased to Tk. 2.81 crore in 2003-04 and Tk. 3.56 crore was given under this project up to 2004-05 to 5000 parents of those children who are engaged in hazardous labor\textsuperscript{11}. In the third phase of the program, 0.5 crore was allocated for 2010-11, 5 crore for 2011-12, 20 crore for 2012-13 and another 20 crore for 2013-14.

As part of collaboration between UNICEF, the Ministries of Women and Children’s Affairs, and MoSW, the two-year project, “Initiative to Eliminate Child Labor from Urban Slums and Rural Areas”, provided conditional cash transfers and employment training, outreach and referral services, and social protection services to 500,000 children and 30,000 adolescents.

The Reaching out of School Children (ROSC) project was sponsored by ministry of primary and mass education with the aim of supporting Government of Bangladesh (GoB) towards achieving its national goal of Education for all (EFA). Besides the national goal, the aims of this project were to provide access to primary education to those children who are out of school and ensure retention of disadvantaged children. At the same time, it targets to improve the quality and efficiency of primary education by strengthening the capacity of learning centers and related organizations.

EC Assisted School Feeding Program is a relatively small scale primary school dropout prevention initiative undertaken by the Ministry of Primary and Mass Education (MoPME) of GoB. The core idea of the project is to inculcate in children, i.e. primary school students, the habit of being more attentive in class (and thus reduce the prevalent dropout rates) by providing incentives to them in the form of in school feeding programs.

School Feeding Program in Poverty Prone Areas is a project was initiated by the inspiration of the success and popularity of WFP’s School Feeding programme at the global level. Government of Bangladesh (GoB) launched the “School Feeding Programme in Poverty-Prone Areas” in 2011 with the technical assistance of WFP. The project was scaled up in different parts of the country. As of 2012, a total of 2.5 million children received School Feeding assistance from both the WFP and the Government.

\textsuperscript{11} Economic Review of Bangladesh, BBS, 2014
The Government now aims to meet the challenge of assisting all estimated 16.4 million primary school-going children in Bangladesh through the School Feeding Programme.

**Protection, Development and Welfare of the Persons with Disabilities:** In light of the special needs of persons with disabilities, efforts have been made to integrate them into the mainstream of society as skilled manpower by providing accommodation facilities, education and training under special management, and supplying those in need, with assistive devices. Since protecting the rights of the persons with disabilities will have vital contribution to the development of the country, this activity has been considered as priority in the policy documents. The education, health, training, and housing facilities for disabled women would be ensured through various programmes as disabled women’s inclusion is regarded as a priority in these programmes which would enhance their social security and reduce the potential harms and risks as.

**Child Sensitive Social Protection in Bangladesh (CSPB) project** aims to enhance the protective environment for children and adolescents, particularly girls (females), against violence, abuse and exploitation through strengthening child protection systems which encompass appropriate laws, policies, and services, and through social change. With a focus on prevention, action to promote positive behaviors, minimize vulnerability to harmful practice and natural disaster, address known risk factors, and strengthen children and adolescents’ own resilience. By the end of 2016, children, women and youth – especially from the 20 selected districts—will demand and benefit from effective social protection policies and improved services aimed at eliminating abuse, neglect, exploitation, and trafficking in the long-run (Ministry of Social Welfare).

**Establishment of Hostel for the Visually Impaired Children** project aims to: (i) to ensure the constitutional rights of education for the visually impaired children; (ii) to construction 37 hostel building for the visually impaired children in 37 districts; (iii) to ensure integrated education facilities to the Visually impaired Children as per Handicapped Welfare Act, 2001; (iv) to create opportunities for ensuring the rights of education for Visually Impaired Children; and (v) to help Visually Impaired student for psycho social development and integrate them in mainstream of the society.

**Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) project** is a $7.7 million USDOL-funded, 4-year capacity building project implemented by the ILO in at least 10 countries, to build local and national capacity of the Government to address child labor. In Bangladesh, aims to build local and national capacity of the Government to address child labor by improving legislation on child labor. This includes bringing local or national laws into compliance with international standards; improving monitoring and enforcement of laws and policies on child labor; developing, validating,
adopting, and implementing the NPA; and enhancing the implementation of national and local policies and programs aimed at the reduction and prevention of child labor\textsuperscript{12}.

**Expanding the Evidence Base and Reinforcing Policy Research for Scaling Up and Accelerating Action Against Child Labor** is USDOL-funded, 3-year project implemented by ILO-IPEC to provide technical assistance to develop a national child labor survey. The Bangladesh Bureau of Statistics collected data from January 1 to December 31, 2013 for a National Child Labor Survey as part of the Labor Force Survey. Final report scheduled to be published and disseminated in 2014\textsuperscript{13}.

### 4.3 How much it does cost to Eliminate Child Labour in Bangladesh: A tentative estimate

Child labor elimination strategy follows multiple approaches. First, building awareness among parents and in the society about cons of child labor and creating public pressure; second, open-up and extend the opportunity to education by various incentive based programs; third, taking preventive measures especially for those who are bound to work for survival; and fourth, introducing wage equivalence cash transfer (direct support program).

The stereotypical reason for children’s being into the labor market in less developed country is mainly poverty; and poverty led inaccessibility to fundamental human rights specially education. Therefore, solutions to the child labor problem are therefore inevitably connected to the enhancement of the economic development of a given country or region and to the elimination of poverty.

In NPA for implementing the NCLEP output one is to make sure that children aged below 14 years are prevented from engaging in child labor and ensured that they stay in school. To achieve this output, the government aims to identify school going children, through poverty mapping exercises in the whole country, who are at risk of drop out from school and out-of-school children through school or education mapping exercises at schools, households and village levels and to provide financial and in-kind incentives assistance to school going children “at risk” of drop-out such as books, school bags, uniforms, transportation allowance, counseling and remedial program for slow learners, school breakfast or lunch programs. It was recommended in NPA to provide financial incentives of Tk. 500 per month to 50,000 children in the first year. In the second year, the beneficiaries were planned to increase to 150,000 and in the third and onward years, the number of beneficiaries were planned to keep constant to 200,000 and the financial


\textsuperscript{13} ILO-IPEC. *Global SIMPOC*. Technical Progress Report. Geneva; October 2013
The incentive has also been kept constant to Tk. 500. In total, Tk. 480 crore was estimated to eliminate school going working child. However, the amount of financial incentive may be meager for those children who are earning more. For example, children doing hazardous jobs are paying in the range Tk. 1000 to Tk. 6500 per month. Moreover, the inflation adjusted earnings are expected to increase in nominal terms and the constant financial incentives may be a constraint to achieve the output.

The study of Eusuf and Khaleque (2015) found that a portion of working child may come out of labor force if s/he is minimally paid of Tk. 1000. On average, Tk. 3600 per month for complete eradication of hazardous child labor or Tk. 1800 per month for 50 percent financial incentives. In total, for complete elimination of hazardous child labor, it may need Tk. 356.3 crore annually which is almost 0.142 percent of the national budget. A fifty percent financial incentive, monthly Tk.800 per hazardous child labor, compared to their opportunity cost will require 178.1 crore.

The BBS study shows that the average monthly earning of a child labor is around 5900 which is almost 1.64 times higher than the estimated values of Eusuf and Khaleque (2015). Therefore, the actual cost of 25% child labor elimination is relatively high. If the cash transfer is around 50 percent of the opportunity cost of joining classes, then the expected 25% child labor elimination cost will be over 4000 crore in 2017 but the costs will decline overtime and the costs will be below 2300 crore in 2021.

Figure 1: 25% Child labor elimination costs scenario

But if the child labor elimination becomes faster each year, the costs of child labor elimination decline as given in the following table.

**Table 9: Expected cost scenario of eliminating child labour (crore taka)**

<table>
<thead>
<tr>
<th>Incentive as % of current wage</th>
<th>Expected rate of child labor elimination</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5.00%</td>
</tr>
<tr>
<td>2017</td>
<td></td>
</tr>
<tr>
<td>40%</td>
<td>4165</td>
</tr>
<tr>
<td>60%</td>
<td>6247</td>
</tr>
<tr>
<td>80%</td>
<td>8330</td>
</tr>
<tr>
<td>2018</td>
<td></td>
</tr>
<tr>
<td>40%</td>
<td>1484</td>
</tr>
<tr>
<td>60%</td>
<td>1978</td>
</tr>
<tr>
<td>80%</td>
<td>2473</td>
</tr>
<tr>
<td>2019</td>
<td></td>
</tr>
<tr>
<td>40%</td>
<td>1410</td>
</tr>
<tr>
<td>60%</td>
<td>1879</td>
</tr>
<tr>
<td>80%</td>
<td>940</td>
</tr>
<tr>
<td>2020</td>
<td></td>
</tr>
<tr>
<td>40%</td>
<td>1339</td>
</tr>
<tr>
<td>60%</td>
<td>1785</td>
</tr>
<tr>
<td>80%</td>
<td>2232</td>
</tr>
<tr>
<td>2021</td>
<td></td>
</tr>
<tr>
<td>40%</td>
<td>1339</td>
</tr>
<tr>
<td>60%</td>
<td>1785</td>
</tr>
<tr>
<td>80%</td>
<td>2232</td>
</tr>
</tbody>
</table>


The costs of eliminating child labor are relatively sensitive to the benefit package as percentage of current wage, the opportunity cost of attending school, as well as expected rate of child labor reduction over time. If the child labor declines sharply at aggregate level due to social and economic development, then with little effort and cost the child labor can be brought under certain level and in the long-run the country will be free of child labor probably by 2030.

It is noted that the approach of wage equivalence conditional cash transfer could be potentially hampered by various factors. Therefore some initiatives involved with direct payment to the household having child labor and an indirect incentive for enrolling them to the education system so that they can spend in the educational institutions at least their childhood.
5. Recommendations to Mainstream child Labour issues and Concerns in Bangladesh

Elimination of child labour is a complex task, especially in a poverty ridden situation. It requires a multi-sector and multi-dimensional approach to address engaging all relevant stakeholders including communities. Bangladesh has taken several steps toward eradicating child labor especially the hazardous child labor. The committed government already enacted several policies to combat child labor. Several direct as well as indirect initiatives/programs/projects had been designed and implemented through the budgetary allocation. Not only budgetary responses, a host of policy and institutional measures need to be taken immediately. Some of these potential measures are presented in the following:

31) Efforts may be made to incorporate working children under the coverage of the Children Act 2013 under section 89 where definition of disadvantaged has been provided. However, it is too early to propose any amendment of the law as the law just has been enacted. Under this circumstance, initiative may be taken to incorporate some of the issues concerning working children in the Rule that has been drafted recently to implement the Act. The draft Rule is now under review by the Law Commission. This may be an opportunity to advocate with the Directorate of Social Services and Law Commission.

32) Although the Children Act 2013 does not include any specific provision for working children, however, it deals with children who often come in contact with the law. For example, children living on the street, children working in the transport sector and waste pickers often exposed to abuse and exploitation by the members of the law enforcing agencies. In that context, efforts may be made to create pressure on the relevant Govt. Ministries to implement the Act soon in order to ensure child friendly judiciary system for the targeted groups of children.

33) It has been observed over the years that the civil society organizations create pressure on the government to enact laws and policies and its proper implementation for protecting the rights of the children. However, there have been very few initiatives in which the civil society organizations provide technical and financial support to the government to implement those laws and policies. In that connection, CSOs along with other project partners and donors may have some proactive role to provide technical and financial support to the relevant ministries/departments to implement some specific parts of the Children Act 2013 as well as monitoring the implementation process.

34) Dialogues with the Ministry of Women and Children Affairs may be initiated
aiming at amendment of The Children Policy 2011. As far as child labour issue is concern, the amendment should aim at capturing the key provisions of the Labour Act, National Child Labour Elimination Policy and National Plan of Action on Child Labour in order to make the policy consistent with child labour related laws and policies and avoid confusions among the duty bearers.

35) Another very important lack of the Children Policy is about child domestic workers. As mentioned above, the policy allows employers to employ children for domestic works and prohibits engaging children in hazardous work while they are engaged in domestic work. Therefore, the amendment of this policy should also address this issue by making specific provision that children under 18 years of age should not be employed for any hazardous work, including domestic work.

36) Advocacy initiative may also be taken to develop a Plan of Action with an indicative budget, roles and responsibilities of various ministries and departments (The Children Policy 2013 involves more than 10 ministries), mechanism to coordinate within the ministries and monitoring strategy in order to effective implementation of the policy. It will never be possible to achieve the goals of the Children Policy without a road map. And this road map should be linked with the national development plans e.g. Seventh Five Year Plan.

37) The NCLEP 2010 need to be reviewed and amended to make it updated capturing some of the important issues, such as, age of the child should be made 18 years instead of putting two definitions (children and adolescents) to make it consistent with the UNCRC, ILO Convention No. 182 and National Laws (The Children Act 2013, The Children Policy 2011). The policy should also include the list of hazardous work for children determined by the Government as an annex. Therefore, initiative may be taken to start dialogue for the amendment of the NCLEP.

38) Initiative may be taken to strengthening the capacity of the newly established Branch replacing the CLU under the Ministry of Labour and Employment in order to ensure monitoring of the child labour situation as well as coordinating among projects and programs that are being implemented by various national and international development agencies.

39) It has been observed that majority of the stakeholders and duty bearers are not fully aware about the NCLEP 2010 and NPA at different levels. Therefore, it may be good idea to make an initiative to widely disseminate the key provisions of the policy.
40) There is an opportunity to initiate dialogue with the Ministry of Labour to amend the definition of child in consistent with other national laws, which define child as any person below the age of 18 years.

41) As mentioned earlier, the Labour Act is applicable only for the formal sector and thus a large number of working children engaged in the informal sector are not being protected by this Act. Therefore, dialogue may be organized with the relevant entities how to expand the coverage of Labour Act and NCLEP to address the problem of working children in the informal sector. This is a good time to start dialogue as the Rules are being drafted at the moment.

42) Initiative may also be taken to organize interactions/dialogue with the newly recruited Labour Inspectors to orient them on child labour related issues and encouraging them to make especial attempt while monitoring labour situation.

43) Efforts may be made to incorporate working children under the coverage of the Children Act 2013 under section 89 where definition of disadvantaged has been provided. However, it is too early to propose any amendment of the law as the law just has been enacted. Under this circumstance, initiative may be taken to incorporate some of the issues concerning working children in the Rule that has been drafted recently to implement the Act. The draft Rule is now under review by the Law Commission. This may be an opportunity to advocate with the Directorate of Social Services and Law Commission.

44) Dialogues with the Ministry of Women and Children Affairs may be initiated aiming at amendment of The Children Policy 2011. As far as child labour issue is concern, the amendment should aim at capturing the key provisions of the Labour Act, National Child Labour Elimination Policy and National Plan of Action on Child Labour in order to make the policy coherent with child labour related laws and policies and avoid confusions among the duty bearers.

45) Advocacy initiative may also be taken to develop a action plan with an indicative budget, roles and responsibilities of various ministries and departments (The Children Policy 2013 involves more than 10 ministries), mechanism to coordinate within the ministries and monitoring strategy in order to effective implementation of the policy. The action plan should be linked with the national development plans e.g. Seventh Five Year Plan.

46) In alignment with the revision of the NCLEP 2010, the NPA should also be
reviewed and revised in order to make it relevant with the present time scenario. Therefore, the CSID in collaboration with other child rights NGOs and NGO networks may go for dialogue with the Ministry of Labour and Employment.

47) The most significant difficulty in implementing the NPA was found lack of adequate resource allocation that was indicated in the NPA. Therefore, strong advocacy effort will be required with the Ministry of Labour, Ministry of Planning and Ministry of Finance for allocating adequate financial resources in the upcoming fiscal budget under the lead ministry for implementing the NPA as a matter of urgency.

48) Advocacy may also be initiated to make the inter-ministerial collaboration functional at a minimum level through strengthening NCLWC to making sure that all responsible ministries and departments set out in the NPA make their contribution effectively and efficiently. In collaboration with the Ministry of Labour and Employment, series of dialogue sessions may be organized that would be participated by focal persons of various ministries.

49) The Domestic Workers’ Welfare and Protect Policy 2015 should be supported by adequate financial resource and organizational arrangement to be enforceable.

50) Relevant stakeholders should take an immediate effort to incorporate child domestic work in the list of hazardous work. It was a great surprise for all child rights organizations not to find child domestic work in the list of hazardous work. Number of researches and studies revealed that child domestic workers are subject to all forms of abuse and exploitations and based on the criterion set in the ILO Convention No. 182 and NCLEP 2010 child domestic work is one of the most hazardous works.

51) Initiative may be taken to widely disseminate the list of hazardous work throughout the country as majority of the employers and duty bearers are totally unaware about this list.

52) Advocacy effort may be initiated to introduce community based child labour monitoring system by NGOs and other civil society members to supplement government inspection system.

53) The Primary Education Compulsory Act needs to be amended in order to make it relevant with the present time.
54) There should be provision in the amended Act to make Teachers, SMC members and other key stakeholders accountable in failing to fulfil their responsibilities.

55) Primary education should be considered as basic fundamental right, which is not guaranteed by the Constitution and not reflected in the Education Policy. Therefore, it is important to incorporate this provision in the Constitution as well as in the spirit of Education Policy.

56) There is a strong need to enact the Right to Education Act in order to implement the National Education Policy. A draft Act has been formulated, which should be finalized soon.

57) Specific provision for providing education to working and other vulnerable children should be included in the National Education Policy. There should be a clear link between NCLEP 2010 and National Education Policy 2010.

58) Adequate budget should be allocated to implement the Technical and Vocational Education that has been set out in the Education Policy. Adequate budget in the seventh five year plan should be allocated for full implementation of the Education Policy. The education sector got 11.68 percent of the total budget, which is equal to less than 2% of the GDP. The ideal allocation would be 20% of the total fiscal budget or 6% of the GDP. It is important to note that our education system is highly dependent on the development partners, which has seen a significant decline in the recent past. Therefore, the Government should increase its contribution from revenue budget.

59) Specific provisions, including policy formulation and its proper implementation with adequate resource allocation should be made in the seventh five year plan to protect the rights of the working children, especially child domestic workers. Specific measure should be taken to make the National Child Labour Welfare Council functional. Adequate resources should be allocated to implement the Terms of Reference of this council.

60) Special financial allocation should be made in the seventh five year plan to strengthen the newly established Branch under the MoLE to monitor and report child labour situation in the country.

61) Private sector needs to engaged in the child labour elimination activities no matter who is taking the initiative. The Private sector can start sponsoring child education program, establish training center and vocational schools for the
children withdrawn from the work.

62) To give particular focus on child related issues, it is required to set up a separate child directorate so that all the child related programmes can be designed and implemented under one umbrella and the welfare of child can be maximized.

63) Direct incentive based education should be implemented in child labor prone areas especially in slum areas. The incentives based education facilities have to offer among the poor and vulnerable individual children or households.

64) Some vocational education with financial support can be provided among the adolescent boys and girls having no alternative to do work.
6. References


