

Elimination of Child Labour in Bangladesh: Probability and Reality

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Abstract: Bangladesh is a fertile land of child labour. Child labour is a visible part of everyday life of Bangladesh. Child labour is experiencing in every sector of Bangladeshi labour market like agriculture, transport, textile, restaurant, ship breaking, recycling operations etc. This paper tries to scrutinize the present scenario and severity of child labour. This paper proceeds to foreground the ILO Convention No.182, ICCPR, ICESCR and discusses laws, strategies and policies of the country aligned with International Standards. This paper also speaks about the challenges in the way to eliminate child labour. Finally some recommendations have been provided on what government can do further in partnership with civil society to eliminate child labour.

Keywords: child labour, causes of child labour, challenges, Recommendations.

Date of Submission: 16-10-2018

Date of acceptance: 31-10-2018

I. INTRODUCTION

Children have the right to be children: to be loved and cherished, educated, nourished, clothed, pampered, and fostered as children when they are children” (Mahfizur, Rasheda and Absar 2004, 10). But unfortunately millions of children today have no hope, no future, no childhood. Children are the important assets and the future of a nation. The state as well as the society should offer them ample opportunities for their proper education, physical, mental, social and moral growth and development. But like other developing countries Bangladesh is not free from the curse of child labour. A large portion of labour force is engaged in informal activities and child labour is a common feature of the country’s labour market. Though the Government of Bangladesh is committed to the elimination of child labour and full realization of children rights, but till today child labour remains a key concern.

Justification of the Study

The United Nations Convention on the Right of the Children stipulates that all work done by children under the age of 15 and all hazardous work done by children under the age of 18 is illegal” (SOMO, Factsheet 2014, 1). Bangladesh ratified CRC in 1989. In 1998, Bangladesh ratified International Convention on Economic, Social and Cultural Rights (ICESCR). Bangladesh also ratified International Convention on the Civil and Political Rights (ICCPR) in 2000. Bangladesh has also ratified the ILO Convention on the Worst Form of Child Labour, 1999 (No. 182), pledging to take effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency (Article 1). As a ratified country Bangladesh is supposed to comply with the spirit of ICCPR, ICESCR, ILO Convention No.182. Bangladesh has enacted the Bangladesh Labour Act 2006 and formulated the Child Labour Elimination Policy 2010. Relevant government agencies along with development partners have implemented various programmes to reduce child labour. Moreover The Constitution requires the State to ensure children’s rights to protection (Article 14), social security (Article 15) and free and compulsory education (Article 17). Owing to its Constitutional obligation The Government of Bangladesh, remains committed to eliminating child labour and realizing child rights. But the reality is that the child labour is a common issue in Bangladeshi labour market.

Objectives of the Study

The General Objectives of the Study is to find out the challenges and its way-out in the way to eliminate child labour in Bangladesh. In particular this study aims –

- to depict the present scenario of child labour in Bangladesh.
- to analyze the express and implied causes of child labour.
- to examine the gaps among different stakeholders who are trying to eliminate child labour.
- to focus on the barriers and its probable way-out in the way to eliminate child labour.

II. METHODOLOGY

This research is qualitative in nature, but when it was needed quantitative approach also applied. This study relies on contents analysis of documents collected in the course of the work. Information have been collected from the secondary sources like survey reports, academic reports, journals, books , internet and newspapers .

Defining Child Labour

There is no universally agreed upon definition of child labour. There is always a confusion between ‘children in employment’ and the children in ‘child labour’. ‘child labour’ is carried out by children that is unlawful in terms of national and international law . On the otherhand, ‘children in employment’ is considered as lawful when their health, education , growth and development do not face any negative consequence .

According to the Conventions on the Rights of the Child(CRC) under Article 1, “a child is a person under the age of 18 ”(CRC1989, Article:1)

According to the Minimum Age Convention 138, under Article 3, “The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons shall not be less than 18 years . ”

According to International Programme on the Elimination of Child Labour the term “child Labour” is often defined as work that deprives children of their childhood, their potential and their dignity and that is harmful to physical and mental development .

The Bangladesh Bureau of Statistics considers children aged 5-14 who work for one or more hours per week in both paid and unpaid settings to be child workers .

The Bangladesh Labour Act 2006 prohibits employment of a child below 14 years, with the exception of a child who is 12 years old and over who may be employed in light work that is not harmful to his or her health and development, and does not interfere with school attendance.

Severity of Child Labour

In the absence of updated national estimates on child labour among children aged 5-17 years, the Child Equity Atlas: Pocket of Social Deprivation in Bangladesh (hereafter called Child Equity Atlas) – prepared by Bangladesh Bureau of Statistics(BBS),Bangladesh Institute of Development Studies(BIDS) and UNICEF using 2011 population and Housing Census data- illustrates the severity of child labour among children aged 10-14 years .The proportion of child labour (aged 10-14 years) is higher in rural areas (9 percent) than that of urban areas (5 percent). Of the 1 million child labourers, about 699,000 (70 percent) work in rural areas and 300,000 (30 percent) in urban settings. Disaggregated by sex, the proportion of male child labour as a percent of the total population of that age group is significantly higher (9 percent) than that of female child labour (3 percent). Among the total population of child engaged in labour, 796,000 (80 percent) are male and 203,000 (20 percent) are female (see Table1).

Table1: Distribution of male and female child labour (in thousands) by rural and urban areas ,Bangladesh,2011

Category	Area		Total
	Rural	Urban	
Male child	601(60)	195(20)	796(80)
Female child	98(10)	105(10)	203(20)
Total	699(70)	300(30)	999(100)

Note: Figures in parentheses indicate ‘percent’

Source: Bangladesh Bureau of Statistics(BBS),Bangladesh Institute of Development Studies(BIDS) and UNICEF, Child Equity Atlas: Pocket of Social Deprivation in Bangladesh.

Disparities also exist between administrative divisions and districts. Dhaka and Sylhet divisions have the highest proportion of child workers, at 8.0 per cent and 7.5 per cent respectively and Khulna has the lowest at 3.7 per cent . Among the districts, Dhaka, Narayanganj, Bandarban, Cox’s Bazar, Sunamganj and Gazipur have the highest incidence of child labour whereas Jhalokati, Bagerhat, Chandpur, Manikganj, Barguna, Pirojpur, Joypurhat and Satkhira have the lowest (see Table 2). The proportion of child labour in Dhaka district (14.6 per cent) is more than two times the national average .

Table2: proportion of child Labour(10-14) years in Bangladesh, 2011, best and worst district

serial	Best Districts		Worst Districts	
	Districts	Percentage	Districts	Percentage
1	Jhalokathi	2.2	Dhaka	14.6
2	Bagerhat,Chandpur	3.0	Narayanganj	13.2
3	Manikgonj	3.1	Bhandarban	11.8
4	Baruguna,Pirojpur	3.2	Cox'sBazar, Sunamganj	9.4
5	Joypurhat, Satkhira	3.3	Gazipur	8.9

Source: Bangladesh Bureau of Statistics(BBS),Bangladesh Institute of Development Studies(BIDS) and UNICEF, Child Equity Atlas: Pocket of Social Deprivation in Bangladesh.

Forms of Child Labour

Forms of Child Labour may be divided under two categories : *formal sector* and *informal sector* .

Informal sector: Under the category of informal sector the most common forms of work is agriculture, in rural areas, and domestic service, in urban areas. Agricultural activities include poultry farming, drying fish, salt mining, shrimp farming and produce logistics. Children in agriculture use dangerous tools, carry heavy loads, and apply harmful pesticides. Domestic child labourers, mostly girls, work as domestic servants in private households in Bangladesh. They work long hours and subject to harassment, emotional, physical, and sexual abuse. Restaurants, garbage picking and trash hunting, vending, ship breaking recycling operations, transport etc. may also be considered under informal sector.

Formal sector: The garment industry is the largest employer of child labour in the formal sector. “In the 1990s, the garment factories topped the list to absorb the highest number of child workers” (Khanam, 2003, 2). Glass, jute, leather, textiles etc. may also be considered under formal sector. The study shows of the 1 million children aged 10- 14 years engaged in labour, the services and agriculture sectors employed the highest number, about 407,000 (41 percent) and 390,000 (39 percent), respectively . Industry employed about 202,000 (20 percent), almost half of the service sector. In terms of disaggregation by sex, the highest number of female child engaged in labour is employed in the service sector and the lowest in agriculture, 112,000 (11 percent) and 32,000 (3 percent), respectively. Among male child engaged in labour, the agricultural sector employed the highest at 358,000 (36 per cent) and industry the lowest at 143,000 (14 per cent). In absolute numbers, male child labour is higher than that of the female child labour in all the three sector.

III. CAUSES OF CHILD LABOUR

Poverty : Poverty is considered as prime and primary cause of child labour across the world. Evidence shows that the link between family poverty and child labour is straightforward everywhere in the world: the higher the poverty level, the greater the magnitude of child labour. Bangladesh is no exception. Most of the children who engaged in work are coming from poor families . “Poverty undoubtedly mirrors individuals and family’s socio-economic development, and reflects upon the total number of child laborers in the country” (Holmstorm 2015, 39)

Cheap Labour : The Labour cost, specially price of child labour in Bangladesh is very low.If the employer recruited a child, they can set a lowest salary per month . “The use of children in the labour market depends largely on poverty and the production costs for the employer ” (Holmstom 2015,41).

Illiteracy : It has been found that illiteracy rates are a predictor of child labour prevalence. “Research has shown that often both the family and the child do not have a specific interest in education, as they believe that education is not the fundamental key to wholesome life, which also effects the common norms concerning importance of education and the willingness to work” (Bernhard, Nashir, Hamiduzzaman 2009,1).

Dropping out of school : Child labour is also linked to children dropping out of school. Whether to remain in school or to drop out is often determined by enabling school environments, the opportunity cost of schooling over work, and the ability of families to meet the indirect costs of education. The dropout from school is highly sensitive in Bangladesh. According to UNICEF, “the dropout rate from primary school in Bangladesh in 2001 was 33 percent” (UNICEF 2003, 2). It seems that the high dropout rate increase the high chances to become a

child labour.

Culture of Exploitation : Children are easily manageable. Employers exploit them in many ways. “Employers always prefer to employ children because they are cheaper and considered to be more compliant and obedient than adult” (Ahmed 2013, 2).

Family Dynamics: Family dynamics also contributed to child labour incidence rates. Children in households where all adults are working are more likely to work. Children in households where there is a larger portion of paid adult workers are even more likely to work.

Political Instability: Due to political clash many families migrate from one place to another, many parents lose their job. Moreover many political parties use children for political purposes. These create chances to become a child labour.

IV. LAWS, POLICIES AND PROGRAMMES RELATING TO CHILD LABOUR IN BANGLADESH

At National Level

Constitutional Provisions : The Constitution of Bangladesh provides lots of provisions regarding promotion and protection of child rights . The Constitution requires the State to ensure children’s rights to protection (Article 14), social security (Article 15) ,free and compulsory education (Article 17). Article 28 (4) empowers the Government to make special provisions for children

Birth and Death Registration Act 2004 : Bangladesh introduced Birth and Death Registration Act 2004. “This adoption has a strong connection to the obligation under CRC, but is certainly important for recognizing all children’s rights and regulates labour conditions for children” (Holmstein 2015, 65). The legal importance of Birth Registration Act is that it provides a legal ground for registration of children. Therefore, it creates a small chance to use children as a child labour .

The Bangladesh Labour Act 2006: The Government also enacted the Bangladesh Labour Act 2006, which harmonized age-related differences into earlier legislation. The law prohibits employment of a child below 14 years, with the exception of a child who is 12 years old and over who may be employed in light work that is not harmful to his or her health and development, and does not interfere with school attendance.

The Children Act 2013

The Children Act 2013 repealed the previous Children Act 1974 which was inconsistent with international standards particularly with the UN Convention on the Rights of the Child 1989. Section 4 of this Act provides that notwithstanding anything contained in any other law for the time being in force every person shall be deemed to be a child who is below the age of 18 years.

Policies : The Government has adopted the National Child Labour Elimination Policy 2010, which provides a framework to eradicate all forms of child labour by 2015. The policy states a standard framework concerning education, health, working environment, specific working conditions, recreation, treatment and security, and promotes social awareness-building in order to manage and reduce risks of child abuse by employers.

Programmes : The Government has taken various programmes to reduce child labour directly or indirectly, including Eradication of Hazardous Child Labour in Bangladesh (Third Phase), the Primary Education Stipend Programme (PESP), School Feeding Programme (SFP), the Female Stipend Programme (FSP) for Secondary and Higher Secondary Students, Reaching Out-of-School Children (ROSC), Basic Education for Urban Working Children (BEHTRUWC) and Child Sensitive Social Protection project. Of these, ROSC, BEHTRUWC and Eradication of Hazardous Child Labour in Bangladesh are the programmes that directly address children engaged in labour .

At International Level

Convention on the Rights of the Child (CRC): In order to reduce child labour in Bangladesh one of the important attempts taken by the Government of Bangladesh is adopting the Convention on the Rights of the Child (CRC) in 1989 which protects and promotes the rights of children .

International Convention on Economic, Social and Cultural Rights (ICESCR) : In 1998, Bangladesh ratified International Convention on Economic, Social and Cultural Rights (ICESCR). “The legal importance of this rights is that ratifying states has to protect children from economic and social exploitation, legislate minimum age for paid employment, and legislate penalties for violations of these provisions” (ICESCR Art.31).

International Convention on the Civil and Political Rights (ICCPR) : Bangladesh also ratified International Convention on the Civil and Political Rights (ICCPR) in 2000. The resolution 2200A stated that “In case of child labour the national law has to prohibits the engagement of individuals in slavery, servitude, and forced and compulsory labour” (ICCPR Resolution 2200A 1966).

ILO Convention on the Worst Form of Child Labour (No. 182) : Bangladesh has also ratified the ILO Convention on the Worst Form of Child Labour, 1999 (No. 182), pledging to take effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency (Article 1).

The Child Labour Deterrence Act 1993 : Tom Harkin, the US Senator was the originator of Harkin's Bill. This bill banned imports of items that were associated with child labour at various stages of production, whether it was direct involvement in the product or indirect involvement such as packaging. This law affected the labour situation in Bangladesh because garment industries, fearing a loss of business, fired many child labourers.

V. CHALLENGES IN THE WAY TO ELIMINATE CHILD LABOUR

Inadequate Social Protection Programmes : social protection programmes (cash and in-kind) are effective ways to mitigate economic vulnerabilities associated with child labour. BEHTRUWC directly addresses child labour, but only in six city corporations. However, data show that child labour is also high in some districts and upazilas. Clearly, the coverage of this project is inadequate compared to the extent of the problem. The current value of the stipend is significantly lower than its initial value. The objective of the primary and secondary education stipend programmes is to reduce dropout and increase students' performance, the amount of the stipend provided per child per month is far less than even the private cost of schooling. The stipend amount has not been adjusted in the last 12 years. Evidence shows that with the falling value, the programme has no discernible impact in reducing dropout rates. (Baulch B, 2011, 3(2),

Allocation of Poor Budget : While the Bangladesh economy is consistently growing, the social protection budget, as a percentage of the national budget, is decreasing (16 percent in 2010-11 to 12.28 percent in 2014-15). The programmes that address the vulnerabilities of children are inadequate both in terms of budget and coverage. The social protection programmes that directly address child vulnerabilities received only about 9 percent of the social protection budget in 2013-14, indicating a negligible amount given the proportion of children living in poverty.

Contradictory Legislation : The country reached a milestone by introducing the Bangladesh Labour Act 2006. The law prohibits employment of a child below 14 years, with the exception of a child who is 12 years old and over who may be employed in light work that is not harmful to his or her health and development, and does not interfere with school attendance. On the other hand The Children Act 2013 repealed the previous Children Act 1974 which was inconsistent with international standards particularly with the UN Convention on the Rights of the Child 1989. Section 4 of this Act provides that notwithstanding anything contained in any other law for the time being in force every person shall be deemed to be a child who is below the age of 18 years. This act recognized the international definition in one hand and on the other hand challenged the Bangladesh Labour Act 2006. Therefore, it seems that the laws are self-contradictory to recognize child and prohibit child labour.

Lack of Enforcement Mechanism : Another important challenge is enforcement mechanism of the law. For instance, enforcement of the Labour Act 2006 is weak since the Department of Inspection for Factories and Establishments does not have adequate financial and human resources to guarantee compliance and execution of the law in the formal sector.

Exclusion of informal Sector : The law makes no reference to the problem of child labour in the informal sector, where the data indicates a vast number of children are employed.

Lack of Cooperation : Lack of coordination among the child rights actors is another challenge. Due to absence of effective cooperation and coordination among the stakeholder is a barrier to eradicate child labour.

Booming Population : The population density of Bangladesh is 1,246 per-square kilometers" (World Bank Report 2016, 23). So, it seems that it is an overpopulated country in terms of population density. So, without controlling the booming population the country would not get rid of child labour.

Widespread Corruption : Bangladesh Government is conducting various programmes (PESP, SFP, FSP, ROSC, BEHTRUWC) to eliminate child labour. But corruption is a vital barrier to achieve the desired result.

VI. RECOMMENDATIONS

After above-mentioned discussion and analysis of data and their implications following recommendations may be given:

- Social protection programmes are effective ways to mitigate economic vulnerabilities associated with child labour. That's why social protection programmes should extend and improve up to the desired level.
- Contradictory provisions among different legislations regarding child labour and child rights should be removed.
- The Bangladesh Labour Act 2006 should be reformed so that it may apply not only to formal sector but also to the informal sector.
- Department of Inspections for Factories and Establishment should be enriched through adequate financial and human resources so that execution of laws and compliance can be monitored properly.

- Bangladesh Government should frame the promised National Plan of Action to eliminate child labour incorporating the strategies outlined in NCLEP 2010 .
- The ILO Convention No.182 prescribes prohibition and immediate elimination of worst forms of child labour. As a ratifying state , Bangladesh should enact new laws and initiate new measures in order to fully incorporate the convention into domestic law.
- Bangladesh Government should ratify the ILO Convention No.138 to set an implementable age and to strictly regulate the rules concerning hours of work, standard wages and other welfare imperatives for the protection of children .
- As there is little Evidence that employers are punished for failing to comply with the child rights related laws , that's why exemplary punishment should be given in this regard.
- Information campaign and awareness about child rights, the consequences of child labour and the penalties for non compliance with existing laws need to be created among different stakeholders .
- Effective cooperation and coordination among the child rights actors should be ensured. It is essential to create an environment where all the stakeholders would join hands .
- Use of modern technology can successfully reduce the burden on child labour . So, cost effective technologies should be introduced so that employers happily turn towards the incentive .

VII. CONCLUSION

Though Bangladesh is one of the fastest growing economy in South Asia ,child labour remains a major problem for the country . When children are engaged in the labour market, they are often out of school, jeopardizing the country's ability to achieve the Millennium Development Goal linked to primary education and other associated goals. If Bangladesh is not able to eliminate child labour gradually, the country will fail to reap the rewards of an educated nation ,which may affect the economic growth of the country as well as institutional dimension of democracy .So, to get rid of the curse of the child labour concentration should be given to enforcement of the existing laws and also enact new laws and initiate new measures in order to fully comply with ILO Convention No.138 and 182 . At the same time it is much more essential to enhance awareness and promote cooperation and coordination among different child rights actors .

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Sheikh Md. Mozammel Haque.” Elimination of Child Labour in Bangladesh: Probability and Reality.” IOSR Journal Of Humanities And Social Science (IOSR-JHSS). vol. 23 no. 10, 2018, pp. 16-21.