



# "EXECUTION OF NATIONAL CHILD LABOR ELIMINATION POLICY 2010, COMPLIANCE OF ILO CONVENTION 182 AND IMPORTANCE OF RATIFICATION OF ILO CONVENTION 138"

**BSAF, ILO and The Daily Star organised a roundtable on "Execution of National Child Labor Elimination Policy 2010, compliance of ILO Convention 182 and importance of ratification of ILO Convention 138" on 04 October 2011. We publish a summary of the discussions.**

--Editor

**Mahfuz Anam , Editor and Publisher, The Daily Star**

We The Daily Star as a newspaper is very committed to the issue of child labour, child rights and elimination of oppressive environment in the child life in Bangladesh. Though on the issue of child rights we have signed a lot of convention and a lot of laws some significant gaps remain. The issue of child labour which is the topic of the discussion today has been a constant struggle. It is true that we have made some significant progress in the garments sector and areas where child labour has been, if not totally eliminated, drastically reduced. But in the overall social context child labour remains a very serious challenge. Obviously there are the economic compulsions of families to send their children to work to mitigate the oppression of poverty. But on the other hand we know such uses of child labour, depriving the child of education, of a normal healthy growth depriving the child of the childhood by involving him or her in work have a long term cost to the nation. Not only we put them to work sometimes we put them to hazardous work. So we have basically two challenges. One how to eliminate child labour in general over a long term if not as soon as possible. The other is the immediate task of eliminating them from hazardous work which is something that we can and should address immediately. As a media outlet I can only reiterate my commitment to this process and also if there are new ideas on how we as a newspaper can contribute. We in The Daily Star welcome such transfer of knowledge.

**Dr. Ridwanul Haque, Associate Professor, Department of Law, University of Dhaka ( Key Note Presenter )**



Child labour in its different manifestations exists in every society. It is indeed a complex phenomenon that comprises of social, economic, cultural, ideological and political factors. However the dominant trend among the global actors is to universalize the problem of child labour and prescribe its elimination through legal sanction. For most working children in Bangladesh the choice is often not so straightforward as many of them work in response to compulsions beyond their control. In the domain of problems of child labour rather than a single problem there is a set of problems. Therefore there is no quick fix. The problem varies from society to society, although the concern throughout the world for justice for the working child has some commonalities.

At the core of the discourse of children and their development is the question of whether we should allow child in work. This is the first and foremost question. Then when many will conditionally concede to certain work by child another perplexing issue arises that is how to define childhood. In Bangladesh we have been fighting for a template of actions to eliminate child labour.

Today we are talking about the Child Labour Elimination Policy (NCLEP) 2010. It has been the result of 10 years of persistent movement by development activists. The salient features of the policies are prohibition of children in hazardous work, prescription of long term intervention like education, health and nutrition, employers' obligation, improvement of legal framework and establishment of National Child Labour Welfare Council to effectively oversee child labour situation. Bangladesh government should frame the promised National Plan of Action to eliminate child labour incorporating the strategies outlined in NCLEP 2010.

The ILO Convention 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.

The ILO Convention 138 prescribes elimination of child labour and protection of children by providing a range of minimum ages for employment. Bangladesh government should ratify the ILO Convention 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.

**Abdul Hye Mondal ( Ph.D ) , Senior Research Fellow, Bangladesh Institute of Development Studies (BIDS)**



We have to closely look into the conventions. The 182 convention identifies four worst forms of child labour. They are slavery like practices, use of children for prostitution and pornography, use of children for illicit purposes like drug trafficking, war and the works which are physically and mentally harmful for children. Bangladesh officially recognises only the fourth. We should also consider the other three forms.

Our first priority is to stop hazardous work for children's healthy growth. We need to give full protection to children for their fullest development. An ILO study

shows that engagement of children in work will seriously retard our national growth and production. In the Labour Act 2006 minimum age is 12 but it does not clarify what type of work. Minimum age must not be below than the compulsory age of education.

**Karel De Rooy, Country Representative, UNICEF**



The most important asset in Bangladesh is her population. Bangladesh actually exports manpower who earns a lion share of her GDP. But they have to do menial job abroad. If the government can impart proper training to them they would bear real value for Bangladesh. That means you have to pay concentrated focus on the development of the children as a human capital. This is a major strategic issue for the development of Bangladesh. It is also an issue of the viability of the state.

Another important point is breaking the inter-generational poverty cycle. It means children will go to school and find a better job later rather than follow the fate of child labour.

The government allotment for social safety net in Bangladesh is laudable. It is \$2.7 b, 2.2% of the GDP. It is very populist but not effective because of lack of efficiency. To be effective the target should be shifted from poverty alleviation to breaking inter-generational poverty cycle.

**Andre Bogui, Country Director, ILO**



Although Bangladesh has not ratified the ILO Convention 138 but the country adopted the ILO's declaration on fundamental principles and rights at work in 1998. The fundamental principles and rights at work cover many parts of the ILO Convention 138.

I would like to underscore the importance of political will in bringing about the change in the state of child labour. I acknowledge the fact that there is political will in the Bangladeshi leadership but how to translate it into concrete and meaningful outcomes is a challenge.

**Sophea Mar, Chief Technical Advisor, ILO**



Bangladesh has enacted the Labour Act 2006 which is aligned with the National Education Policy, National Child Labour Elimination Policy and National Children Policy. Therefore there is no barrier in terms of legal framework in Bangladesh to ratify the ILO Convention 138. Recently

Bangladesh government allocated \$8.6 m for addressing child labour through implementing a project by the Ministry of Labour and Employment. Although the amount is not very significant compared to the problem but it shows the commitment of the government to address the child labour problem.

Media's main role is to sensitize the general people. However, it should also focus on the accountability issues of the stakeholders.

**Roy Romesh Chandra, General Secretary, Jatio Sramik League**



I think there is no problem in ratifying 138 Convention. The more important thing is to implement the laws. Does the basic economic theory of demand and supply permit child labour? Do we need any child labour? As we are suffering from high unemployment rate then why we would use a child? We have to give more

focus on the guardians who do not know the bad effect of child labour. So we need to educate parents. Employers should be engaged also.

Neither the government nor the NGOs have concrete statistics of the sectors who involve most child labour. From my experience it is agriculture where most of the children are engaged but they are excluded from our labour policy. The real cause of expanding child labour is the decrease of public industries. You would not find a single child labour in the public industries. So we need huge investment in that sector. Moreover we have to incorporate complementary activities like family planning to make the child labour elimination programme successful.

**Sharfuddin Khan, Programme Officer, ILO**



We, the child rights activists need more consciousness on child labour related information. We should give authentic information not any hype which can create confusion. We need some targeted actions to prevent and eliminate child labour in the country.

Lack of coordination among the child rights actors is another challenge for us. Media should not only create awareness but it has to take a role to monitor the situation.



**Kafil Uddin, Director, BSAF**



Despite many initiatives, the child rights situation in the country is not yet up to the desired level. A large number of children all around the country are not having any identity, address and are even involved in hazardous work. In the socio-economic and cultural context of Bangladesh such concerns become more pertinent. BSAF is trying to improve the situation through raising awareness, advocacy on child rights, capacity building of member's organisation, stopping child abuse, child labour, child trafficking and participation of children at all levels of the development process and social security. We want to move ahead as a team involving all the stakeholders and build a social movement against child labour.

According to the National Child Labour Elimination Policy 2010, National Child Welfare Council should be institutionalised. This institution should take the lead role in monitoring child labour elimination interventions. Moreover, the government should approve the list of hazardous work for children on urgent basis. It would be considered as an important step to stop child labour, especially the hazardous child labour.

**Mahmudul Kabir , Country Director , Terre des Hommes, Netherlands**



We should quickly finalise the hazardous list so that we can save the children engaged in hazardous work. We should include domestic labour in the hazardous list. It is usually hidden but have serious ill effects upon the child, specially girl child.

We have achieved some success in eliminating child labour in the formal sectors but the informal sectors have been neglected. So we should have equal focus on the informal sectors.

**Fazlul Haque Chowdhury, Executive Director, SEEP**



Economic motivation is the main reason of child labour. Culture and society are the ramifications of the basic structure. So we have to start with economic framework analysis of child labour. We have seen in the developed countries that use of modern technology successfully reduces burden on child labour. We can follow the good practice and avail cost effective technologies so that employers happily turn towards the incentive.

**Fazlul Haque, Advisor, BSAF**



We should follow step by step. First save the children from hazardous work and then eliminate child labour. We need an effective coordination among the stakeholders under the lead of the government. Further we have to make it clear that education is not only for skill development but mental growth also.

**M. Ehsanur Rahman, Executive Director, Dhaka Ahsania Mission**



Bangladesh government has indirectly agreed to the Convention 138 because it is complementary to the national child policy, education policy and National Child Labour Elimination Policy. Another important point is that in the National Action Plan short term, medium term and long term objectives are less highlighted. We should prioritise them.

We have to support families. Once the family gets some sort of support or the employer gets some incentive not to involve child labour then it really works. We have to target parents to break the inter-generational poverty cycle. Moreover we need more facts and figures to strengthen our knowledge base. We have to incorporate our field level experience.

**A.A Mukit Khan, Acting President, Bangladesh Free Trade Union Congress**



Child labour is extremely hazardous because a child is not supposed to work during the period of his mental and physical growth. Moreover, we should engage employers' representatives in such meetings. We have to build a social movement against child labour.

**Khadiza Sultana, Executive Director, Shishu Palli Plus**



The best way to eliminate child labour is to impart education to children. Besides school time we have to care what the child does in his or her leisure period. We have to also support them in those times to help their mental and physical development. We have to target families and give them support so that they do not send

**Aminul Islam, Programme Manager, Aparajeyo Bangladesh**



When we sign any international accord we do not bother whether it complies with the local laws. This is a serious problem. We have to device way for our local laws to comply with ILO 138 convention. Moreover we have enough money but we lack strong political will and targeted policy.

**Md. Iqbal Uddin , Advocacy Coordinator , RDRS**



Why we are sorting which is hazardous or not? We have to totally eliminate child labour. There is no compromise. Another important issue is population control. Without controlling the booming population we would not be able to get rid of the child labour problem.

**Ruhi Das, Executive Director, BASTOB**



I do not find any hindrance to ratify Convention 138 as we have ratified Convention 182 and passed National Child Labour Elimination Policy.

**Brig-Gen ( Retd.) Shahedul Anam Khan, Editor, Defense and Strategic Affairs, The Daily Star**

On principal we are supporting child labour elimination but on the contrary we are talking about elimination of child labour only from the hazardous works. This is something confusing. I urge you that our slogan should be 'no child labour.'

We have to create a social movement to eliminate this curse where all the stakeholders would join hands. This type of discussion should continue further. We, The Daily Star, are fully supportive of your programmes.

**Emranul Haque Chowdhury, Director, Uddipon and Chairperson, BSAF**



We need a collective effort. The government is the real doer and we, all the stakeholders, have to provide the government holistic and continuous support. We have to make laws more effectively. In the Labour Act 2006 a major deficit is that it has no superseding provision. So the law is limited by itself. BSAF has submitted a convincing list of 47 hazardous works. I would urge the government to pass the hazardous list.

There is no hindrance to ratify 138 Convention as Bangladesh government have passed the Child Labour Policy 2010 and Child Policy 2010, which are complementary to that convention. Moreover, the allocated budget for the child is not enough because a large portion of the budget is used for education. The budget should ensure that a child, even in a remote corner of the country, would get the basic amenities. It is regrettable that not a single school in Bangladesh has observed the child week this year. School authorities are not properly sensitized to the importance of child rights. I would sincerely hope that in the next year all the schools would observe the day with due importance.