



COUNTRY BASELINES UNDER THE ILO DECLARATION ANNUAL REVIEW (2000-2008)¹: BANGLADESH

THE EFFECTIVE ABOLITION OF CHILD LABOUR (CL)

REPORTING	Fulfillment of Government's reporting obligations	YES , except for the 2002 Annual Review (AR). 2003 and 2004 ARs: No change.	
	Involvement of Employers' and Workers' organizations in the reporting process	YES: According to the Government: Involvement of the Bangladesh Employers' Federation (BEF) and 23 national workers' federations (Jatiya Sramik League; Bangladesh Trade Union Centre; Bangladesh Jatiyatabadi Sramik Dal; Jatiya Sramik Federation; Jatiya Sramik Federation Bangladesh; Jatiya Sramik Party; Bangladesh Songjukta Sramik Federation; Bangladesh Trade Union Songha; Bangladesh Sramik Jote; Bangladesh Jatiya Sramik League; Bangladesh Trade Union Federation; Bangladesh Trade Workers' Congress; Samajtantrik Sramik Front; Bangladesh Workers' Federation; Jatiya Sramik Jote Bangladesh; National Workers' Federation; Jatiya Sramik Karmachary Jote Bangladesh; Bangladesh Jatiya Sramik Forum; Bangladesh Free Trade Union Congress; Bangladesh Sramik Federation; Bangladesh Sramik Kalyan Federation; National Trade Union Federation; Bangladesh Sramik Federation) through communication of Government's report.	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	2008 AR: Observations by the BEF. 2007 AR: Observations by the Bangladesh Employers Federation (BEF). 2006 AR: Observations by the BEF.	
	Workers' organizations	2008 AR: Observations by the Bangladesh Worker's Federation (BWF). 2005 AR: Observations by Bangladesh Mukto Sramik Federation (BMSF). 2001 AR: Observations by the Bangladesh Sanjukta Sramik Federation (BSSF). Observations by the World Confederation of Labour (WCL).	
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Ratification	Ratification status	Bangladesh ratified in 2001 the Worst Forms of Child Labour Convention, 1999 (No. 182) (C.182). However, it has not ratified the Minimum Age Convention, 1973 (No. 138) (C. 138).
		Ratification intention	YES, since 2001, for C.138. 2008 AR: The Government mentioned its intention to ratify C.138. According to the BEF: The BEF supports the Government's present approach and policy measures. The Tripartite Consultative Council has agreed that, for the time being, ratification of C. 138 is not advisable in view of implementation problems and has decided that elimination of child labour in the worst forms of employment should be given priority in view of the exploitation nature of employment. The BWF also expressed its support to ratification of C.138 by Bangladesh.

¹ Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: information provided by the Government under the Declaration Annual Review, observations by employers' and workers' organizations, case studies prepared under the auspices of the country and the ILO, and observations/recommendations by the ILO Declaration Expert-Advisers and by the ILO Governing Body. For any further information on the realization of this principle and right in a given country, in relation with a ratified Convention, please see: www.ilo.org/ilolex

			<p>2007 AR: The BEF expressed its support for ratification of C.138 by Bangladesh.</p> <p>2003 AR: The Government reiterated its intention to ratify C.138.</p> <p>2001 AR: The Government stated that it intended to ratify C.138 and C.182.</p>
	Recognition of the principle and right (prospect(s), means of action, basic legal provisions)	Constitution	NIL
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Recognition of the principle and right (prospect(s), means of action, basic legal provisions)	Policy, legislation, and/or regulations and/or	<ul style="list-style-type: none"> • Policy <p>2008 AR: The Government indicated that the National Child Labour Policy would be adopted by the Bangladeshi Parliament by the end of 2007.</p> <p>2007 AR: The Government stated it was now actively working on finalizing the national Child Labour Policy.</p> <p>2003 AR: The Government stated that it intends to adopt a national policy by the end of 2003.</p> <p>2001 AR: According to Government: The Tripartite Consultative Committee (TCC) discusses various issues of national importance such as the elaboration of labour policy, amendment of existing labour laws, adoption of ILO Conventions and Recommendations and the improvement of industrial relations. In 1998, the Government drew up a national plan of action for children.</p>
		Basic legal provisions	<ul style="list-style-type: none"> • Legislation: <p>2008 AR: According to the BEF: The Labour Act, 2006 was promulgated. This Act established not only minimum age requirements but put emphasis on strengthening the labour administration machinery to enforce legal measures.</p> <p>The revised and updated draft of the Labour Code prepared by the Bangladeshi Labour Law Commission is under active process of gaining approval by the competent authority.</p> <p>(i) The Factories Act, 1965; (ii) the Employment of Children Act, 1938; (iii) the Shops and Establishment Act, 1965; (iv) the Road Transport Workers Ordinance, 1961; and (v) the Tea Plantation Labour Ordinance, 1962; (vi) the Employment of Children Rules, 1955; (vii) the Children (Pledging Labour) Act, 1933; (viii) the Mines Act, 1923; (ix) the Factories Rule, 1970; (x) the Road Transport Workers' Ordinance, 1961.</p>
		Judicial decisions	NIL
	Exercise of the principle and right	Compulsory education	YES, the age of children at the end of free compulsory schooling is 10 years for both boys and girls, with a general requirement of 5 years of grades or instruction.
		Minimum Age	2003-2005 ARs: There is no general minimum age for admission to employment or work However, the Government states that the Bangladesh Export Processing Zones Authority (BEPZA) Act, 1980, provides that «no child before completion of 14 years of age shall be allowed to work in any factory.» Therefore, this minimum age covers work performed in export processing zones.

			<p>Hazardous work: Minimum age of 18 years for both boys and girls (Section 87 of the Factories Act, 1965). The Employment of Children Act, 1938, lists the following processes that are hazardous and thus, prohibited for children: (i) bidi-making; (ii) carpet weaving; (iii) cement manufacture, including bagging of cement, (iv) cloth-printing, dyeing and weaving; (v) manufacture of matches, explosives and fireworks; (vi) mica-cutting and splitting; (vii) shellac manufacture; (viii) soap manufacture; (ix) tanning; (x) wool cleaning.</p> <p>Hazardous work is defined in section 87 of the Factories Act, 1965, which makes a reference to Dangerous Operations.</p>
		Worst Forms Child Labour	2003 AR: According to the Government: Sale and trafficking are suspected to exist amongst girls and boys, while prostitution is believed to exist amongst girls.
	Exercise of the principle and right	Special attention to particular situations	2003 AR: According to the Government: Children in the 5 to 14 years age group are engaged in the following sectors: <i>bidi</i> , match, construction, domestic child labour, leather/tanneries, etc.
		Information/Data collection and dissemination	<p>2007 AR: According to the Government: The Bangladesh Bureau of Statistics (BBS conducted a national child labour survey in 2003) in collaboration with ILO/IPEC and another national survey on determining hazardous child labour sectors during 2005-2006. The report was published in August 2006.</p> <p>2003 AR: According to the Government: Information is recorded on the number of children withdrawn from child labour and the number of ex-child labourers pursuing formal or non-formal education. However, it does not record information on sanctions applied to employers of child labour. As concerns statistical information on the extent and/or nature of child work, government surveys are carried out occasionally, and the last one was undertaken in 1996. The results of such surveys are presented separately by sex and age (5-14 years).</p>
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Monitoring, enforcement and sanctions mechanisms	<p>2007 AR: According to the Government: The Ministry of Commerce has set up a high-level Social Compliance Forum (chaired by the Minister of Commerce) for the garment industry to ensure, <i>inter alia</i>, compliance with labour standards in this sector. The Ministry of Labour and Employment is heading the Task Force on Labour Welfare in the RMG Sector.</p> <p>2003-2005 ARs: According to the Government: The following measures have been implemented to enforce minimum age(s) for employment and eliminate the worst forms of child labour: inspection/monitoring mechanisms; penal sanctions; special institutional machinery.</p> <p>2001 AR: According to the Government: Labour laws provide the legal framework for the inspection and monitoring of workplaces. These laws provide for penalties ranging from fines to imprisonment for violations of the legal provisions.</p> <p>2000 AR: According to the Government: Violation of any provision is a punishable offence. There are government labour inspections, e.g. general, medical and engineering inspectors that visit and inspect work premises as their routine work. The inspectors instruct employers about the provisions of the law and take legal action if and when a violation is found. There are also inspection teams comprising BGMEA, ILO and government labour inspectors.</p>	
	Involvement of the social partners	<p>2007 AR: According to the Government: The tripartite partners are represented in high-level committees such as the Social Compliance Forum under the Ministry of Commerce. Also, the employers and workers organizations participate in other child-related activities carried out by the Government and other agencies.</p> <p>2001-2005 ARs: According to the Government: Employers' and workers' organizations are involved in the implementation of Action Programmes. They are also active members of different committees such as the Tripartite Consultative Council National Steering Committee, and the Sub-Committee and Monitoring Committee.</p>	

	Promotional activities	<p>2008 AR: The Government stated that four workshops on the issue of child labour had been organized in collaboration with other social partners. A last one will be held on the 1st of July 2007 before the Child Labour Policy is drafted before the Tripartite Consultancy Council (TCC). The Government also noted the work undertaken by Save the Children (Denmark) that has been focusing on child labour along with the issue of child trafficking in Bangladesh.</p> <p>According to the BEF: Targeted programmes have been launched to reduce family's dependency on child's earnings; mothers receive food for education grants and also some assistance to start their own business. Moreover, endeavoring to achieve the MDGs, the Government has targeted the elimination of child labour from the ready-made garments sector where workers below the age of 14 are not allowed to work.</p> <p>The BWF mentioned that a campaign on the elimination of child labour had been carried out and that several workshops and trainings were also available.</p> <p>2007 AR: The BEF referred to its cooperation with ILO/IPEC.</p> <p>2003-2005 ARs: According to the Government: The following measures have been implemented to enforce minimum age(s) for employment and eliminate the worst forms of child labour: (i) free compulsory education; employment creation/income generation; (ii) child rehabilitation following removal from work; (iii) vocational and skills training for young workers; (iv) awareness raising/advocacy; and (v) international cooperation programmes or projects.</p> <p>The Government stated that since 1995, it had been trying to eliminate child labour through the ILO-International Programme on the Elimination of Child Labour (IPEC).</p> <p>2003 AR: According to the Government: The Government has undertaken a project under the Annual Development Programme (ADP) with the assistance of USAID - namely, the Eradication of Hazardous Child Labour in Bangladesh. The project was to provide Non-Formal Education (NFE) and Skills Development Training (SDT) for 10,000 working children and micro-credit for 5,000 parents of child labour in Dhaka and the Chittagong Metropolitan areas, in shop factories, bangle-making, rickshaw/van pulling, fishery, book-binding, welding and automobile workshop sectors.</p> <p>2001 AR: According to the Government: with the help of IPEC, the three action programmes (AP) to combat child labour, launched since 1995, have been completed.</p> <p>It added that UNICEF provides funds for the implementation of the skills training programmes dedicated to students.</p> <p>The Bangladesh Garments Manufacturers and Exporters' Association (BGMEA) launched the «Earn and learn programme' in 1998 with the aim to implement the 1994 Memorandum of Understanding (MOU).</p> <p>The Government also initiated a project called «Preventing and eliminating the worst forms of child labour in selected formal and informal sectors». And the MOLE launched a project entitled «Eradication of hazardous child labour in Bangladesh» aimed to raise awareness on the negative consequences of hazardous work.</p>
		<p>2000 AR: According to Government: Formal and non-formal education is provided. Technical training is also given through «earn and learn» programmes. Scholarships, stipends and books are also granted to students.</p> <p>The Government signed a Memorandum of Understanding (MOU) in 1994 with the ILO International Programme for the Elimination of Child Labour (IPEC).</p>
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Special initiatives/Progress	<p>2008 AR: The Government indicated that it was offering monthly scholarships in order to sensitize the population on the importance of education.</p> <p>According to the BEF: Bangladesh's success in withdrawing child labour from the garments sector has been appreciated nationally and internationally; awareness is spreading in other sectors. Some children have even been withdrawn and provided with non-formal education before their enrollment in formal schools. Bangladesh has made significant strides towards education for all programme. Enrollment in primary schools has increased though attendance rates are low. Free education for the girls and education for food programmes have achieved rapid success in enrollment for education of children of poor families.</p>

		<p>2003-2005 ARs: According to Government: Since 1995 a good number of action programmes have been implemented successfully through Government agencies, employers' organizations, trade unions and NGO's. The MOU signed with the ILO in 1994 to work with IPEC can be considered as a successful example in the realization of the PR.</p> <p>2001 AR: According to Government: The child labour programme under the MOU can be regarded as a successful example in the realization of the principle and right (PR).</p>
CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT	According to the social partners	<p>Employers' organizations</p> <p>2008 AR: According to the BEF: Bangladesh shares the global concern about the health, safety and welfare of working children. In spite of rigorous laws regarding this, children in hazardous work is a reality that cannot be denied. Moreover, child labour is closely linked to poverty. About 60% to 85% of the people living in villages live in absolute poverty. Moreover, employment of child children is seen mostly in the agriculture and informal sectors, which are both family enterprises and is thus more difficult to monitor the situation.</p> <p>2007 AR: According to the BEF, child labour is prevalent in the informal economy.</p>
	Workers' organizations	<p>2008 AR: The BWF indicated that child labour was observed mainly in the informal economy, especially in the rural areas where poverty is prevalent.</p> <p>2001 AR: According to the BSSF: There are no special organizations for child workers. The WCL identified the main difficulties encountered in Bangladesh in realizing the PR as follows: (i) a considerable number of children work in garment manufacturing; (ii) widespread poverty; (iii) historical and cultural factors; (iv) lack of sufficient educational facilities for all children; (v) exploitation of very poor children.</p>
	According to the Government	<p>2008 AR: The Government stated that parents in the villages are still not sufficiently aware of the negative outcome of child labour. Moreover, it added that skill training is lacking in certain sectors such as in the garments, electronics areas. Moreover, skill trainings are lacking in certain sectors such as in the garments and electronic industries. The Bangladesh Workers' Federation (BWF) notes that child labour is prevalent in the informal economy, especially in poor rural areas. According to the Bangladesh Employers' Federation (BEF), health, safety and welfare of working children is a global concern. In spite of rigorous laws regarding children in hazardous work, the reality cannot be denied. Moreover, child labour exists in the agriculture and informal sectors, both of which are family enterprises, and this makes it more difficult to monitor.</p> <p>2006 AR: According to the Government: The main challenges in promoting the principle and right (PR) are as follows: (i) Harmonization and interpretations of existing labour laws with regard to minimum age for admission into employment; (ii) implementation and enforcement of the laws, particularly in the informal sector where child labour is more prevalent; (iii) the magnitude of child labour, particularly hazardous child labour which is currently estimated to be around 1.3 million; and (iv) multi-sectoral and complex nature of the child labour problem such as a weak cooperation among the large number of agencies, departments and actors, and high incidence of poverty leading to child labour.</p> <p>2003-2005 ARs: According to the Government: The main obstacles encountered in Bangladesh in the realization of the PR are the following: (i) lack of adequate awareness and education (skills development); (ii) lack of adequate policy laws and regulations; (iii) poverty; (iv) absence of general minimum age for admission to employment; (v) lack of adequate effective rehabilitation programmes; and (vi) lack of adequate institutional and logistic support.</p> <p>2001 AR: The Government stated that the informal sector is not covered by the law, which prohibits children's employment. As a result, labour inspectors cannot make any intervention in this sector.</p>
TECHNICAL COOPERATION	Request	<p>2008 AR: The Government requested ILO technical cooperation for the elaboration of awareness-raising programmes designed especially for rural areas.</p>

		<p>The BWF stated that different seminars and workshops should be developed in order to further sensitize the population on the issue of child labour.</p> <p>2007 AR: The BEF requested ILO technical cooperation for capacity building on the PR among employers' organizations.</p> <p>2006 AR: According to the Government: there is a need for the formulation and implementation of a nationally-owned TBP programme and direct support to the various programmes through training, information system and database development, determination of the list of hazardous child labour, advocacy and promotional activities, legal reform, and capacity building of unions and employers' organizations.</p> <p>2005 AR: According to the Government: Needs for ILO technical cooperation to facilitate the realization of the PR in Bangladesh exist in the following areas, in order of priority: (i) employment creation, skills training and income generation; (ii) special programme for the elimination of the worst forms of child labour; (iii) social protection systems; (iv) training of other officials (e.g. police, judiciary, social workers, teachers) and awareness raising, legal literacy and advocacy; (v) capacity-building of responsible government institutions (e.g. labour inspection and administration); (vi) strengthening capacity of employers' and workers' organizations; (vii) data collection and analysis; (viii) legal reform; (ix) cross-border cooperation mechanisms; (x) sharing of experience across countries/regions; (xi) policy advice; (xii) inter-institutional coordination.</p>
	<p>Offer</p>	<p>ILO/IPEC (A time-bound programme for the elimination of the worst forms of child labour is being formulated); UNICEF; NGOs</p> <p>-In October 2000, the ILO and the Dutch Government for the elimination of child labour signed a US\$4.8 million assistance agreement. With the extension of the project, the total funding commitment of the project is about 5.7 million USD and is scheduled to continue up to the end of 2006.</p> <p>-The Government is working with the United States Agency for International Development (USAID) on the Eradication of Hazardous Child Labour in the country.</p>
<p>EXPERT-ADVISERS' RECOMMENDATIONS/OBSERVATIONS</p>	<p>2008 AR: The ILO Declaration Expert-Advisers (IDEAs) considered that universal ratification of the child labour Conventions was not a distant dream but an achievable goal, in view of the number of States, including Bangladesh, having expressed their intention to ratify C.138 and/or C.182 (Cf. Paragraph 56 of the 2008 Annual Review Introduction – ILO: GB.301/3).</p> <p>2005 AR: The IDEAs listed Bangladesh among the countries where some efforts were being made in terms of research, advocacy, activities, social dialogue, national policy formulation, labour law reform, preventive, enforcement and sanctions mechanisms and/or ratification (Cf. Paragraph 13 of the 2005 Annual Review Introduction – ILO: GB.292/4).</p>	
<p>GOVERNING BODY RECOMMENDATIONS/OBSERVATIONS</p>	<p>NIL</p>	