



International
Labour
Organization



▶ **Assessing the
capacity of law
enforcement
agencies to address
child labour in
Pakistan**

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Acronyms

ARC	Asia Regional Child Labour Project
BISP	Benazir Income Support Programme
CPI	Child Protection Institute
CPU	Child Protection Unit
DVCs	District Vigilance Committees
EFA	Education for All
FCDO	Foreign, Commonwealth and Development Office of the United Kingdom
FIA	Federal Investigation Agency
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit (German Agency for International Cooperation)
ILO	International Labour Organization
IOM	International Organization for Migration
MoHR	Ministry of Human Rights
NCRC	National Commission on the Rights of Child
NGOs	Non-government organizations
NLPF	National Labour Protection Framework
OOSC	Out-of-school children
SDGs	Sustainable Development Goals
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children’s Fund
UNODC	United Nations Office on Drugs and Crime

Executive summary

Overview

This study assesses the capacities of national and provincial law enforcement agencies responsible for addressing child labour in Pakistan, with a view to informing the design of evidence-based programmes to enhance their capacities to eliminate child labour nationwide. As such, it represents a first step towards ensuring the relevance and responsiveness of a planned capacity building initiative by the International Labour Organization's (ILO) Asia Regional Labour (ARC) Project, implemented with the financial support of United Kingdom's Foreign Commonwealth and Development Office (FCDO). By improving understandings of law enforcement agencies' legal and policy capacity, systemic capacity, knowledge and skills, information and communication, motivational and attitudinal capacity, and financial and physical resource capacity, this study highlights where support is needed to address child labour across Pakistan.

Child labour refers to work that deprives children of their childhood, their potential and their dignity, and that is harmful to their physical and mental development. It is a serious human rights violation that jeopardizes children's health, safety and well-being, as well as hampering national development. Like all Member States of the United Nations (UN), Pakistan has committed to achieving the Sustainable Development Goals (SDGs), including SDG target 8.7 on ending modern slavery, human trafficking and the worst forms of child labour. It has also ratified eight core ILO Conventions, including two fundamental Conventions specifically related to child labour – the Worst Forms of Child Labour Convention, 1999 (No. 182) and the Minimum Age Convention, 1973 (No. 138). In line with its international commitments and constitutional provisions, Pakistan has enacted laws, developed policies and established institutional mechanisms at the federal and provincial levels to eliminate child labour nationwide.

Key findings

To assess stakeholders' capacities to eliminate child labour in Pakistan, 27 key informant interviews were conducted for this study with representatives of national and provincial entities. These include the National Commission on the Rights of the Child (NCRC), Departments of Labour, the judiciary, the police and police training institutes, the Federal Investigation Agency (FIA), the Child Protection Institute (CPI), Child Protection Units (CPUs) and Authorities, and District Vigilance Committees (DVCs).

The key informant interviews indicate both explicit and implicit acceptance of child labour among law enforcement agencies. Some respondents justified child labour on the grounds of household poverty and insufficient social protection. The findings highlight the need to transform attitudes and behaviours around child labour, both among law enforcement agencies, as well as among parents and communities. Knowledge about what constitutes child labour – such as the minimum age for employment, forms of child labour and punishments for engaging children in child labour – varies across key informants. Most respondents have limited knowledge of existing laws related to child labour. While they are aware of laws directly related to the mandates of their own organizations, they are often unaware of laws on child labour in general.

For instance, representatives of Child Protection Units have an understanding of legislation on child protection, and officials from the Federal Investigation Agency are aware of anti-trafficking legislation, but neither are well-versed on child labour laws. Labour Department representatives have far more knowledge about these laws, as they are directly related to their scope of work.

Overall, respondents have a narrow understanding of the mandates of other organizations working to eliminate child labour. This appears related to low levels of cooperation between different agencies, such as between law enforcement agencies and Departments of Labour, underscoring the need to improve interagency coordination to address child labour. The findings highlight how important it is for law enforcement agencies to understand their own roles and responsibilities, as well as the roles and responsibilities of other departments for ending child labour, in order to work together more effectively.

The interviews reveal how capacity gaps affect the enforcement of laws and implementation of policies on child labour. According to the respondents, labour laws are better implemented in the formal economy in urban areas that are easier to access and monitor. By contrast, implementation is weaker in the informal economy and remote areas due to geographical constraints, limited resources, inadequate coordination and cooperation between organizations, and a lack of sensitization on the need to end all forms of child labour. This study underscores how inadequate infrastructure, training, and financial and human resources limit efforts to address child labour. According to key informants, law enforcement agencies lack the skills to deal with cases of child labour, including how to treat affected children. These skills gaps are evident in police and investigation procedures, as well as in judicial proceedings.

While law enforcement agencies may be trained on child rights in general, there is a distinct lack of specific training on child labour for the police, Federal Investigation Agency, child protection authorities and the judiciary. Furthermore, lower level police officers – the frontline force that comes into direct contact with children engaged in child labour – receive less training than senior officials. In a similar vein, judicial institutions are hampered by a lack of robust, systematic training, particularly for the lower judiciary. The key informant interviews highlight the need to institutionalize learning and capacity building across the board.

While capacity building would enhance knowledge, skills, attitudes and motivation for addressing child labour, it must be matched by adequate resources to achieve meaningful results. Respondents highlight a shortage of human resources in entities responsible for protecting and rehabilitating children involved in child labour. For instance, key informants from provincial Departments of Labour point to shortages of labour inspectors, logistical support and allowances for fuel, which restricts their capacity to carry out inspections and enforce child labour laws.

Due to a lack of public sector capacities, most respondents highlighted the prominent role of NGOs, such as trainings delivered by NGOs for law enforcement agencies and referrals to NGO-run shelters for children involved in the worst forms of child labour. This underscores the need to improve public sector service delivery capacities to address the protection and rehabilitation needs of children involved in child labour.

Recommendations



Raise awareness of child labour and change attitudes

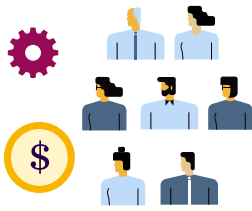
- ▶ Develop specific campaigns to sensitize stakeholders – especially Departments of Labour and the police – on child labour, particularly the state of child labour in underdeveloped areas and the often overlooked informal economy.
- ▶ Transform attitudes by raising awareness of the harmful effects of child labour – including harm to children’s health, well-being, education, physical and mental development, and prospects for gainful employment later in life, as well as the harm caused to households by perpetuating intergenerational poverty, and the harm caused to national development by reducing human capital accumulation. Use community outreach and engagement to counter justifications of child labour, employing a positive deviance approach.¹ Ensure that behaviour change campaigns target diverse stakeholders – including parents, teachers, local community members, government officials and private sector representatives – who explicitly or implicitly justify child labour on socio-cultural or economic grounds, such as poverty and the lack of social protection. Make it clear that child labour is a violation of child rights, and that support is available to poor households through social protection schemes.



Provide training on child labour

- ▶ Provide capacity building for law enforcement agencies and social welfare organizations to equip them to holistically address all forms of child labour. Provide specific, targeted training for all organizations mandated to address child labour – including the police, the Federal Investigation Agency and the judiciary, among others – to enhance their knowledge of laws, policies and mechanisms related to child labour and child protection.
- ▶ Provide training to lower ranking officers – especially in the police, Federal Investigation Agency, the judiciary, the legal profession and Child Protection Units – on how to handle cases involving children, including how to interact with children, follow up on cases, and connect children with referral mechanisms, medical examinations and rehabilitation services. Sensitize these stakeholders on issues related to children’s mental and physical health, education and well-being.
- ▶ Provide training for the staff of institutions responsible for caring for children, to equip them with the technical and emotional capacities required to safeguard children and uphold child rights.
- ▶ Ensure that trainings demonstrate the importance of, and pathways for, interdepartmental coordination to encourage information sharing and collaboration.
- ▶ Institutionalize the process of learning by making child labour and child protection laws a formal part of the training curricula of law enforcement, social welfare and other relevant agencies.

¹ Positive deviance is an approach to behavioural and social change based on the observation that, in any community, there are people whose uncommon but successful behaviours or strategies enable them to find better solutions to a problem than their peers, despite facing similar challenges and having no additional resources or knowledge than their peers. These individuals are referred to as positive deviants.



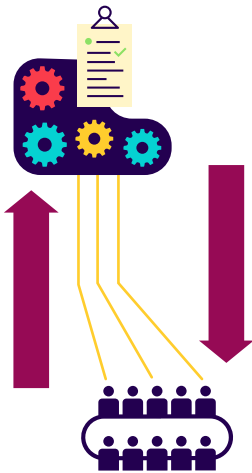
Strengthen human and financial resources

- ▶ Increase human and financial resources, and expand infrastructure, in departments mandated to address child labour in order to advance the effective implementation of laws, policies and programmes in a sustainable manner.
- ▶ Communicate, lobby and engage with decision-makers to advocate for sustained increases in human and financial resources to enable law enforcement agencies to address child labour nationwide.



Improve coordination

- ▶ Promote interdepartmental and across-sectoral cooperation between organizations mandated to address child labour, using an integrated approach – with a view to building mutual trust and confidence, developing partnerships and synergies, and enhancing knowledge sharing and learning. Encourage all relevant stakeholders to work together as a team.
- ▶ Promote the role of District Vigilance Committees in advancing accountability, cooperation, coordination and following up on cases, as well as on updating other stakeholders about the state of child labour in their specific district.



Chapter 1

Introduction

1.1. Child labour

Child labour is work that deprives children of their childhood, their potential and their dignity, and that is harmful to their physical and mental development. The term refers to work that:

- ▶ is mentally, physically, socially, or morally dangerous and harmful to children; and/or
- ▶ interferes with their schooling by depriving them of the opportunity to attend school, obliging them to leave school prematurely, or requiring them to attempt to combine school attendance with excessively long and heavy work.²

The worst forms of child labour involve children being enslaved, separated from their families, exposed to serious hazards and illnesses and/or left to fend for themselves on the streets of large cities – often at a very early age.³ While there are many different forms of child labour, eliminating the worst forms of child labour without delay is a global priority, as defined by Article 3 of the Worst Forms of Child Labour Convention, 1999 (No. 182) (see chapter 2 for more information).

Child labour is a serious human rights violation that jeopardizes children's health, safety and well-being – both immediately and in later life. This is particularly true for the large number of children engaged in hazardous work. Child labour is associated with greater difficulties in entering and remaining in school, as well as learning effectively in the classroom. The educational and developmental toll of child labour, in turn, makes it much less likely for children to transition to gainful employment upon entering adulthood.⁴

Child labour also has broader consequences for national development. Children who grow up compromised educationally and developmentally due to early involvement in child labour will be in a poor position to contribute to socio-economic growth as adults. Development goals agreed upon by the international community – such as the Sustainable Development Goals (SDGs), the Universal Primary Enrolment Initiative (UPI), Education for All (EFA) and the Decent Work Agenda – cannot be achieved without eliminating child labour.⁵

1.2. Asia Regional Child Labour Project

The International Labour Organization (ILO), the only tripartite agency of the United Nations (UN), brings together governments, employers' and workers' representatives of Member States to set labour standards, develop policies and devise programmes that promote decent work for all women and men.

The ILO's Asia Regional Child Labour (ARC) Project, implemented with the financial support of United Kingdom's Foreign Commonwealth and Development Office (FCDO), works to reduce vulnerability to child labour and enhance the protection of children from exploitation in six countries – Afghanistan (suspended in view of the law and order situation), Bangladesh, India,

Nepal, Myanmar and Pakistan. The programme aims to contribute to the eradication of child labour, particularly its worst forms, thereby advancing the achievement of SDG target 8.7 on ending modern slavery, trafficking and child labour. To do so, the programme works with ILO constituents and other stakeholders towards the following objectives:

- ▶ building a credible knowledge base on the causes and drivers of child labour, and effective interventions to address them;
- ▶ aligning legislation and policies with international conventions on child labour, forced labour and trafficking in persons, and enforcing and implementing them; and
- ▶ developing and applying a holistic approach to eradicating child labour, particularly its worst forms, in selected regions of each country.

1.3. Introduction to this study

1.3.1. Objectives

To end child labour, law enforcement agencies must have the capacities required to enforce laws effectively. As such, the ARC Programme plans to deliver capacity building for relevant law enforcement agencies in Pakistan responsible for the elimination of child labour. This requires a strong understanding of stakeholders' current capacities, gaps and needs.

This study represents a first step towards ensuring that the capacity building initiative is relevant, responsive and meaningful. The study's objective is to assess the capacities of national and provincial entities responsible for addressing child labour in Pakistan, identifying capacity gaps, administrative challenges and measures taken to mitigate capacity deficits strategies adopted by these stakeholders, with a view to informing the design of evidence-based programmes to respond to their needs and enhance their capacities to eliminate child labour.

Specifically, this study assesses stakeholder capacities including, but not limited to:

- ▶ Legal and policy capacity (law enforcement agencies can only implement policies and enforce laws when a coherent, enabling legal and policy framework exists).
- ▶ Systemic capacity (even if laws and policies are clear, law enforcement agencies can only implement and enforce these if specific tasks related to addressing child labour are mentioned in their mandates and job descriptions).
- ▶ Knowledge and skills capacity (a certain level of relevant knowledge and skills sets are essential for effective law enforcement in terms of addressing child labour).
- ▶ Information and communication capacity (law enforcement agencies require timely and relevant information, coupled with the communication skills needed to share this information, in order to take action on child labour).
- ▶ Motivational and attitudinal capacity (there needs to be a way to recognize and reward law enforcement's efforts, work and achievements in order to motivate relevant officials to address child labour).
- ▶ Financial and physical resource capacity (adequate budgets and physical infrastructure are essential for law enforcement agencies to effectively address child labour).

1.3.2. Rationale

Legislation can play important role in ending child labour. A solid legislative framework translates the aims and principles of international standards into national law, offers a clear definition of child labour to be abolished, and sets the principles, objectives and priorities for national action to address child labour, especially its worst forms. It establishes the institutional machinery needed to carry out national action, defines stakeholders' rights and responsibilities, establishes sanctions for violators and provides legal redress for survivors/victims. It also articulates and formalizes the State's duty to protect children, creates a common understanding among all the actors involved, provides a yardstick for gathering data and evaluating performance, and creates a basis and procedure for complaints and investigations. However, legislation cannot end child labour unless it is effectively enforced.⁶

Pakistan has committed to international frameworks, enacted relevant laws and established institutional mechanisms to address child labour. Primarily, responsibility for the elimination of child labour lies with the Government. Provincial governments are responsible for enforcing labour laws, including those related to child labour, while provincial Departments of Labour collect data on the enforcement of labour laws at the district level. Entities responsible for enforcing labour laws include provincial and regional police forces, the Federal Investigation Agency (FIA), the Anti-Trafficking Units, labour courts, District Vigilance Committees, Child Protection Units (CPU), the Ministry of Human Rights and Ombudspersons (Commissioners for Children). Several United Nations (UN) agencies and international organizations support Pakistan's efforts to strengthen systems and service delivery to end child labour – including the International Labour Organization (ILO), the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), the International Organization for Migration (IOM), the United Nations Office on Drugs and Crime (UNODC), the United Nations High Commissioner for Refugees (UNHCR) and the German Agency for International Cooperation (GIZ), among others.

While law enforcement agencies in Pakistan are taking action on child labour, gaps in capacities, human resources and financial allocations limit the enforcement of labour laws and, in turn, efforts to end child labour. Therefore, the rationale behind this study is that law enforcement capacities need to be enhanced across Pakistan to effectively address child labour.

Law enforcement agencies are on the frontline of the criminal justice system. They are called upon to intervene when acts of violence are in progress, or shortly after these occur. They work with survivors, offenders, witnesses and service providers, in addition to handling various forms of evidence. Their attitudes, roles and responses have a huge impact on the resolution of cases of violence against children and gender-based violence, as well as the prevention of violence. Law enforcement agencies provide different forms of protection to children – including children who experience violence, abuse and injustice at work – through response and protection mechanisms. Specialized, dedicated, trained and child-responsive law enforcement teams are vital in this regard.

Capacity building is an important tool to change attitudes and strengthen law enforcement agencies' knowledge and capacities for addressing child labour, including their understandings of its impacts, remedies and response mechanisms. This will ultimately improve the delivery of services, such as shelters, counselling and legal assistance, in addition to enhancing the presentation of evidence at trial and the application of effective measures to protect survivors and witnesses.

It is especially important to assess law enforcement capacities for addressing child labour in the

⁶ ILO, World Bank, and UNICEF, *Joining Forces Against Child Labour: Inter-agency Report for the Hague Global Child Labour Conference of 2010*, 2010.

wake of the COVID-19 pandemic. The pandemic caused widespread job losses which are poised to push more households into poverty,⁷ and disproportionately affected women and children – among the most vulnerable groups in the country. Therefore, the impacts of the pandemic are expected to contribute to an increase in child labour, with particularly harmful effects on poor, disadvantaged and vulnerable groups – such as children involved in child labour, victims of forced labour and of human trafficking, particularly women and girls.⁸

Pakistan already has the world's second-highest number of out-of-school children (OOSC) between 5 and 16 years old according to UNICEF estimates (22.8 million), who account for 44 per cent of all children in this age group. Some 5 million children between 5 and 9 years old are out of school, while more than twice as many (11.4 million) children between the ages of 10 and 14 are not enrolled in education. Disparities based on gender, socio-economic status and geography are significant. For instance, 52 per cent of the poorest children in Sindh (58 per cent of whom are girls) are out of school, while in Balochistan, 78 per cent of girls are not enrolled in school. While approximately 10.7 million boys and 8.6 million girls are enrolled in primary education, their numbers drop to 3.6 million boys and 2.8 million girls at the lower secondary level.

1.3.3. Methodology

To achieve the objectives of this study, a literature review was carried out, followed by the identification and selection of key informants, the development of research tools (interview guides), the process of primary data collection (key informant interviews) and data analysis, as discussed below.

Literature review

The study began with a desk review of available literature to understand the landscape and dynamics of child labour in Pakistan. The review looked at all relevant laws, policies, programmes and law enforcement organizations responsible for addressing child labour. During the first stage of the desk review, relevant literature was collected, scanned and analysed. During the second stage, reviewed materials were segregated thematically – distinguishing between literature related to global guidelines, ILO Conventions, and national laws and policies, among other issues. The review helped to identify the kinds of key informants who could be interviewed, while facilitating the preparation of an interview guide by shedding light on the gaps that exist in available literature.

Identifying and selecting key informants

In line with the study's Terms of Reference (ToRs) and the desk review, a list of relevant stakeholders to interview was compiled, in consultation with ILO specialists. To facilitate the interview process, ILO Pakistan provided official letters introducing the study and requesting respondents' participation in key informant interviews. While efforts were made to include high-level officials from law enforcement agencies, if they were unavailable, mid-level officials were interviewed instead. Overall, 30 key informants were identified across Pakistan's four provinces.

Sample size

A total of 27 in-depth key informant interviews were conducted as despite several attempts, all 30 informants identified were not available for interviews. The table below presents the distribution of the interviewed sample according to the participants' professional affiliations.

⁷ Government of Pakistan, Finance Division, "Annex IV: Impact of COVID-19 on Socioeconomic Situation of Pakistan", in *Pakistan Economic Survey 2020–21*, 2021.

⁸ UNICEF, "Education: Giving Every Child the Right to Education".

▶ **Table 1. Number of key informant interviews conducted, by participants' professional affiliations**

Professional affiliation of the participants	Number of interviews
Provincial and regional police forces (high level, mid-level and field level officers)	4
Police training institutes – national and provincial Police Academies and the National Bureau of Police	2
Federal Investigation Agency (FIA)	1
Departments of Labour/labour inspectors	4
National Commission on the Rights of the Child	1
Provincial Anti-trafficking Units	4
Labour courts/judiciary	2*
District Vigilance Committees	4
Child Protection Bureaus/Authorities/Units/Commissions	4
Ministry of Human Rights (MoHR)	1
Total	27

Note: * One interview with a judicial official at Rawalpindi's Labour Court did not yield information specifically on child labour, as the respondent focused on matters related to labour disputes which are the court's focus. Therefore, this interview is not included in the final sample size.

Development of tools

Once the targeted respondents had been identified, an outline of broader themes and sub-themes related to the study's objective and scope was developed. These informed the formulation of questions for semi-structured in-depth interview guides, which included a combination of open-ended and close-ended questions. The draft questions and guidelines (in English) were reviewed and finalized with the ILO's technical inputs. A total of eight interview guides were prepared, broadly covering the same themes and sub-themes. However, the nature of the questions included varied slightly based on the respondents' professional affiliations.

Data collection

After the desk review, the identification of information gaps and the mapping of relevant stakeholders, primary data collection was conducted. Key informant interviews, guided by the aforementioned semi-structured interview guides, shed light on the roles and mandates of each agency vis-à-vis national and provincial laws. The interviews helped to identify capacity gaps – in terms of legal capacity, systemic capacity, knowledge and skills capacity, information capacity, motivational and attitudinal capacity, and financial and physical resource capacity. They provided first-hand insights on the obstacles faced by relevant actors and organizations, as well as opportunities for capacity building.

Ethical considerations

Ethical considerations were taken into account when conducting the key informant interviews – both face-to-face and remotely. Informants were briefed on the background and purpose of the study, and their informed consent was obtained before the interviews began.

They were explicitly informed that their personal identity would remain confidential, that the information they provided would be presented anonymously, and that their insights would not be used for any purpose other than the stated research objectives. Since most key informants were government officials representing operational and frontline management with tight schedules, the interviews were kept focused. Standard Operating Procedures (SOPs) related to COVID-19 were strictly complied with. When informants were unavailable for face-to-face interviews, either due to the COVID 19 situation or due to their schedules, interviews were conducted through telephone calls or online (Zoom/Skype), as appropriate. To achieve the study's objective within the agreed timeframe, local researchers were engaged to conduct interviews if the scheduled timings overlapped.

Data analysis

Data obtained through the key informant interviews was analysed using Nvivo, a globally recognized type of software for qualitative data analysis. The thematic data generated categories, which were merged to form sub-themes and themes. This technique is particularly appropriate for qualitative research that explores respondents' capacities, experiences, knowledge, opinions and views. Data obtained through the desk review – including the legislative and policy analysis – and primary data collected through key informant interviews was triangulated according to the themes and sub-themes.

1.3.4. Limitations

As the targeted key informants were government officials with busy schedules, it proved challenging to secure appointments with them. Some scheduled interviews had to be postponed when informants were unavailable. The political situation – in terms of the change in government – also posed coordination challenges, as did the ongoing COVID-19 pandemic. Due to delays, the deadline for completing the study had to be extended.

Chapter 2

Literature review

2.1. Pakistan's international commitments related to child labour

Pakistan has committed to key international frameworks on child protection and the elimination of child labour, including the United Nations Convention on the Rights of the Child, the ILO Convention on the Worst Forms of Child Labour, 1999 (No. 182), the ILO Minimum Age Convention, 1973 (No. 138)⁹ and the ILO Declaration on Fundamental Principle of Rights at Work, 1998,¹⁰ among others.

2.1.1. Relevant ILO Conventions, Recommendations and declarations

Pakistan has ratified 36 ILO Conventions, including all eight fundamental Conventions. Among these fundamental Conventions are the Forced Labour Convention, 1930 (No. 29), which Pakistan ratified in 1957, and the Abolition of Forced Labour Convention, 1957 (No. 105), which it ratified in 1960. The former prohibits forced and compulsory labour in all its forms, and requires ratifying States to ensure that the exaction of forced labour is punishable as a penal offence, and that the penalties imposed by law are adequate and strictly enforced.¹¹ Pakistan has also ratified the two fundamental Conventions specifically related to child labour, the Worst Forms of Child Labour Convention, 1999 (No. 182),¹² which it ratified in 2001, and the Minimum Age Convention, 1973 (No. 138), which it ratified in 2006, as discussed below.

The incidence of child labour, including its worst forms, decreased by almost 40 per cent between 2000 and 2016, as ratification rates of Conventions No. 182 and No. 138 increased and countries adopted related laws and policies.¹³ Nevertheless, despite significant progress in reducing child labour in the past two decades, at the beginning of 2020, one in ten children aged 5 and over were involved in child labour worldwide – an estimated 160 million children (63 million girls and 97 million boys).¹⁴ Nearly half of these children are engaged in hazardous work likely to cause physical and emotional harm.¹⁵ Moreover, in 2021, the ILO and UNICEF found that global progress to end child labour has stalled since 2016 for the first time in 20 years. The number of children between 5 and 17 years old engaged in hazardous work – defined as work that is likely to harm their health, safety or morals – rose by 6.5 million since 2016, reaching 79 million in 2020.¹⁶

⁹ According to the ILO Minimum Age Convention, 1973 (No. 138), 'employment' encompasses any form of market production and certain types of non-market production (principally that of goods such as agricultural produce for one's own use). It includes work in both the formal and informal economy, inside and outside family settings, for pay or profit (cash or in-kind, part-time, or full-time) and domestic work outside one's own household for an employer (either paid or unpaid).

¹⁰ ILO, "ILO Declaration on Fundamental Principles and Rights at Work".

¹¹ ILO, "Ratifications for Pakistan", NORMLEX database, accessed 16 December 2022.

¹² On 4 August 2020, the International Labour Organization (ILO) announced that the Convention on the Worst Forms of Child Labour, 1999 (No. 182) had been ratified by all 187 ILO Member States, marking the first time in the organization's history that all Members have ratified a labour convention. See: ILO, "ILO Child Labour Convention Achieves Universal Ratification".

¹³ "Child Labor Convention Ratified by All ILO Member States, a First in ILO History", *Library of Congress*, 1 October 2020.

¹⁴ ILO and UNICEF, *Child Labour: Global Estimates 2020, Trends and the Road Forward*, 2021.

¹⁵ ILO, "2021: International Year for the Elimination of Child Labour".

¹⁶ ILO and UNICEF, *Child Labour: Global Estimates 2020, Trends and the Road Forward*, 2021.

Minimum Age Convention, 1973 (No. 138)

The Convention prohibits the employment of persons under the 15 years old, and specifies that the minimum age for employment should not be less than the age for the completion of compulsory schooling. However, in countries where education facilities are not well-developed, the minimum age for employment may be 14 years old. The Convention requires States to develop a national policy concerning the abolition of child labour and for the entry of young persons into employment, in line with their physical and mental development. It permits light work¹⁷ for children and prohibits the employment of persons under 18 years old that pose risks to the health and safety of young persons.

Worst Forms of Child Labour Convention, 1999 (No. 182)

The Convention calls for the prohibition and elimination of the worst forms of child labour, as defined by Article 3:

- ▶ all types of slavery, the sale and trafficking of children, , debt bondage and serfdom and forced or compulsory labour, including the forced or compulsory recruitment of children for use in armed conflict;
- ▶ the use, procuring or offering of a child for illicit activities, for the production and trafficking of drugs as defined in the relevant international treaties; and
- ▶ [hazardous] work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.¹⁸

Worst Forms of Child Labour Recommendations, 1999 (No. 190)

The Recommendation outlines guidelines and priorities to be considered while States design action plans for the eradication of the worst forms of child labour. It operationalizes and provides direction for which kinds of work may be declared 'hazardous'. It emphasizes the need to simplify procedures and improve measures – in administrative terms, and in the context of the implementation of laws – including the rehabilitation of children, and international cooperation to eradicate the worst forms of child labour.

Declaration on Fundamental Principles and Rights at Work (FPRW)

The ILO Declaration on Fundamental Principles and Rights at Work (FPRW), adopted in 1998 and amended in 2022, defines core labour standards which all ILO Member States are obligated to *"respect, promote and realize"*, irrespective of whether or not they have ratified ILO Conventions.¹⁹ These fundamental principles and rights at work – which are covered by the eight core ILO Conventions – are:

- ▶ freedom of association and the effective recognition of the right to collective bargaining;
- ▶ the elimination of all forms of forced or compulsory labour;

¹⁷ 'Light work' refers to work that is not harmful to a child's health or development, and does not interfere with their schooling or participation in vocational training programmes. For instance, light work may include helping parents with household chores, assisting the family business or earning pocket money outside school hours and during school holidays. These activities contribute to children's development and prepare them to be productive members of society during their adult life. The concept of permitted light work stems from article 7 of the Minimum Age Convention, 1973 (No. 138), which states that national laws or regulations may permit the employment or work of persons from 13 years of age (or 12 years in countries that have specified the general minimum working age as 14 years old) in light work that is not likely to harm their health or development. It should also not limit school attendance, participation in vocational orientation or training programmes, or the capacity to benefit from instruction. For statistical measurement, light work in this report includes employment and non-hazardous work for less than 14 hours per week performed by children who are 12 to 14 years old. See: ILO and UNICEF, *Child Labour: Global Estimates 2020, Trends and the Road Forward*, 2021.

¹⁸ ILO, "C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)", NORMLEX database, accessed 16 December 2022.

¹⁹ ILO, "ILO Declaration on Fundamental Principles and Rights at Work".

- ▶ the effective abolition of child labour;
- ▶ the elimination of discrimination in respect of employment and occupation; and
- ▶ a safe and healthy working environment (this principle on occupational safety and health was added in June 2022).²⁰

2.1.2. Other relevant international frameworks

Convention on the Rights of the Child

Pakistan ratified the United Nations Convention on the Rights of the Child (CRC) in 1990. The Convention sets out the civil, political, economic, social, health and cultural rights of children, affirming that children are individual human beings with their own rights. It recognizes that childhood is separate from adulthood and lasts until the age of 18. According to the CRC, *“childhood is a special, protected time in which children must be allowed to grow, learn, play, develop and flourish with dignity.”*²¹ The CRC promotes four key principles:

- ▶ the right to survival;
- ▶ the right to protection;
- ▶ the right to development; and
- ▶ the right to participation.

Article 32 of the CRC requires States to *“recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development.”* It also requires states to take *“legislative, administrative, social and educational measures”* to implement this article, including by establishing a minimum age or minimum ages for admission to employment, regulating the hours and conditions of employment, and establishing appropriate penalties for violations.²²

Sustainable Development Goals

Pakistan was among the 193 UN Member States that unanimously adopted the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals (SDGs) in 2015. SDG target 8.7 calls on all States to *“Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.”* This is considered an essential step to achieve decent work for all, full and productive employment, and inclusive and sustained economic growth.

The process leading to the formulation of the SDGs fostered an understanding that all parts of society – including governments, social partners, the private sector, development partners, academia and others – must work together in new, innovative ways to achieve the transformation at the heart of the global goals. As such, the SDGs recognize that ending child labour and modern slavery will require integrated thinking, coordinated actions, effective policy-making and the efficient use of resources.²³

²⁰ ILO, *“ILO Declaration on Fundamental Principles and Rights at Work”*.

²¹ United Nations, *“Convention on the Rights of the Child”*.

²² United Nations, *“Convention on the Rights of the Child”*.

²³ ILO, *SDG Alliance 8.7: Joining Forces Globally to End Child Labour, Forced Labour, Modern Slavery and Trafficking*, 2016.

As the COVID-19 pandemic has put 9 million more children at risk of involvement in hazardous work and threatens to reverse progress on SDG target 8.7 – due to widespread school closures, economic challenges and job losses that threaten to push millions of households into poverty – the United Nations declared 2021 the International Year for the Elimination of Child Labour (IYEC).²⁴

2.2. Legislation, policies and institutional mechanisms that address child labour in Pakistan

2.2.1. Legislative frameworks

Pakistan’s Constitution guarantees the basic rights of workers, particularly through the following articles:

- ▶ Article 11 prohibits slavery, all forms of forced labour, trafficking in human beings and child labour.
- ▶ Article 25A requires the State to provide free and compulsory education for all children between 5 and 16 years old.
- ▶ Article 37(e) outlines provisions for secure and humane conditions of work, specifying that children and women must not be employed in vocations “*unsuited to their age or sex*”.

In line with these provisions, several important laws have been passed to end child labour and Pakistan has integrated the elimination of child labour into its National Labour Protection Framework (NLPF).²⁵ In 2018, the Government of Punjab adopted the Punjab Bonded Labour System (Abolition) Amendment Act, which increased penalties for employing bonded labourers and strengthened protection for survivors of forced labour, including children.

To address human trafficking, the Government of Pakistan enacted the Prevention of Trafficking in Persons Act of 2018. The tables below list relevant national and provincial laws and policies related to child labour.

▶ **Table 2. Provincial and national laws related to child labour**

Level/province region	Law
Pakistan (national level)	Pakistan Employment of Children Act, 1991*
	Pakistan Bonded Labour System (Abolition) Act, 1992
	Prevention and Control of Human Trafficking Ordinance, 2002
	National Commission on the Rights of the Child Act, 2017
	Prevention of Trafficking in Persons Act, 2018
	Juvenile Justice System Act, 2018
	Zainab Alert Response and Recovery Act, 2020
	Islamabad Capital Territory Domestic Workers Act, 2022

²⁴ ILO, “2021: International Year for the Elimination of Child Labour”.

²⁵ ILO, “National Labour Law Symposium: Towards Compliance with International Labour Standards through Social Dialogue in Pakistan”, 27 July 2017.

Level/province region	Law
Punjab	Punjab Destitute and Neglected Children Act, 2004 (Act XVIII of 2004)** Punjab Restriction on Employment of Children Act, 2016 Punjab Prohibition of Child Labour at Brick Kilns Act, 2016 Punjab Bonded Labour System (Abolition) (Amendment), 2018 Punjab Domestic Workers Act, 2019
Sindh	Sindh Child Protection Authority Act, 2011 (Act No. XIV) Sindh Prohibition of Employment of Children Act, 2017 Sindh Home-Based Workers Act, 2018
Khyber Pakhtunkhwa	Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010, and Amendment, 2018 Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015 Khyber Pakhtunkhwa Bonded Labour System (Abolition) Act, 2015
Balochistan	Balochistan Child Protection Act, 2016 (No. VII) Balochistan Employment of Children Act, 2021
Azad Jammu and Kashmir	Azad Jammu and Kashmir Child Rights (Care and Protection) Act, 2016 Azad Jammu and Kashmir Prohibition of Child Labour and Regulation of Labour at Brick Kilns Act, 2017
Gilgit-Baltistan	Gilgit-Baltistan Prohibition of Employment of Children Act, 2019

Notes: * The Pakistan Employment of Children Act, 1991 was a national law before the 18th Amendment to the Constitution of Pakistan in 2010 devolved responsibility for key social sectors (including labour) to the provincial level. After devolution, this Act has been referred to the federal level.

**While Punjab does not have a Child Protection Act, the Punjab Destitute and Neglected Children Act, 2004 (Act XVIII of 2004) addresses the involvement of children in the worst forms of labour and the need to establish a Child Protection and Welfare Bureau.

▶ **Table 3. Provincial and national policies related to child labour**

Level/province	Policy
Pakistan (national level)	National Policy and Action Plan to Combat Child Labour, 2000 National Policy and Plan of Action for the Abolition of Bonded Labour, 2001 National Strategy to Eliminate Child and Bonded Labour in Pakistan, 2016 National Labour Protection Framework, 2018
Punjab	Punjab Domestic Worker Policy, 2015 Punjab Labour Policy, 2018
Sindh	Sindh Home-Based Workers Policy, 2017 Sindh Labour Policy, 2018
Khyber Pakhtunkhwa	Khyber Pakhtunkhwa Labour Policy, 2018 Khyber Pakhtunkhwa Child Labour Policy, 2018

2.2.2. Institutional mechanisms

Various government entities across Pakistan work to combat child labour, especially its worst forms, in addition to advancing children's education, healthcare, protection, welfare and development. These institutional mechanisms have different mandates and jurisdictions, but the issues they address often overlap. This highlights the need for holistic approaches to address the multi-faceted challenge of child labour in terms of prohibition, protection, rescue and the rehabilitation of children.

To enforce national and provincial laws, and implement policies, institutional mechanisms have been created to address child labour at the federal and provincial levels. As discussed in chapter 1, relevant entities at the national level include the Ministry of Human Rights, the Ministry of Overseas Pakistanis and Human Resource Development, the Ministry of Law and Justice, the National Commission on the Rights of Child, the Benazir Income Support Programme (BISP), Pakistan Bait-ul-Mal (PBM) and the Federal Investigation Agency. At the provincial level, relevant entities include Departments of Labour, Child Protection Bureaus, Social Welfare Departments, and Zakat and Ushr Departments, among others. While the 18th Amendment to the Constitution in 2010 devolved responsibility for key social sectors to the provinces – including labour and child protection – gaps in capacities, and human and financial resources pose challenges for the enforcement of provincial laws and the implementation of provincial policies on child labour.

For instance, the Federal Government established the National Commission on the Rights of Child to exercise the powers conferred by section 3(1) of the National Commission on the Rights of Child Act of 2017 (XXXII of 2017). The Commission has an overarching mandate in line with Pakistan's international obligations on matters related to the promotion, protection and fulfilment of child rights.²⁶ The Pakistan Bonded Labour System (Abolition) Act of 1992 is enforced through District Vigilance Committees (DVC), which are mandated to:

- ▶ advise the district administration on the effective implementation of the law;
- ▶ support the rehabilitation of freed bonded labourers; and
- ▶ monitor the implementation of the law.

Following the Prevention of Trafficking in Persons Act of 2018, the Government set up Anti-Trafficking Units within the Federal Investigation Agency, alongside a Child Helpline. Provincial Child Protection Units are mandated to take custody of children at risk of harm and street children, providing them with food, counselling, healthcare, education and recreational facilities, in addition to catering to their other needs.²⁷ In line with the 18th Amendments to the Constitution in 2010 – which devolved responsibility for key social sectors to the provincial level, such as labour – provincial Departments of Labour Departments are mandated to enforce labour laws, including laws related to child labour.

However, as noted above, capacity gaps limit the effective enforcement of labour laws and the implementation of policies, reflecting challenges related to human resources, financing and administration. This is reflected, for instance, in low budget allocations for child-related programmes. According to the Child Rights Movement (CRM) National Secretariat, Sahil and Save the Children, in 2013–2014, 0.74 per cent of public expenditure at the federal level was allocated for child-related programmes (amounting to 190,813 million rupees), slightly more than in 2010–2011 (46,785 million rupees). At the provincial level, Punjab allocated the largest budget to child-related programmes (31,120 million rupees), followed by Sindh (101,654 million rupees), Balochistan (14,444 million rupees) and Khyber Pakhtunkhwa (10,876 million rupees) in 2013–2014.²⁸

²⁶ NCRC, "National Commission on the Rights of Child Act 2017".

²⁷ United States Department of Labor, *2017 Findings on the Worst Forms of Child Labour – Pakistan*, 2018.

²⁸ Child Rights Movement (CRM) National Secretariat, Sahil, and Save the Children, *Budget Analysis from a Child Rights Perspective 2010–11 and 2013–14*, 2013.

These figures reflect the urgent need to invest in addressing child protection and expanding social services for children, including education and skills development.

The table below lists major organizations responsible for addressing child labour in Pakistan and their respective roles.

► **Table 4. The roles of organizations responsible for addressing child labour in Pakistan**

Organization	Role
Provincial Departments of Labour	Conducting labour inspections of industrial areas and establishments to identify child labour violations, enforce both national and provincial labour laws, and pursue legal action against violators.
District Vigilance Committees (DVCs)	Implementing the Bonded Labour System (Abolition) Act, assisting the rehabilitation of bonded labourers, and helping to achieve the objectives of the law.
Anti-Trafficking Unit of the Federal Investigation Agency (FIA)	Enforcing national and transnational laws related to human trafficking, cooperating with other governments on trafficking cases, operating a hotline for survivors/victims, and publishing information on anti-trafficking efforts on the unit’s website.
Police	Investigating cases of bonded labour and enforcing the Bonded Labour System (Abolition) Act.

Several other national and provincial entities are also involved in the provision of social services related to child labour, including grievance, complaint and case management, rehabilitation, as well as reintegration, among others, as discussed in chapter 1.

Chapter 3

Findings of the key informant interviews

3.1. Awareness and knowledge of child labour

All of the key informants interviewed are aware of child labour and recognize it as an important issue. Participants highlighted the prevalence of child labour in rural areas, as well as in automobile workshops, brick kilns, domestic work, begging, the carpet industry, the bangle industry, construction and agriculture. Representatives of Departments of Labour emphasized that child labour is relatively more prevalent in the informal economy compared to the formal economy and registered industries. Key informants from the Federal Investigation Agency highlighted the link between child labour and human trafficking, specifically the trafficking of children from one part of the country to another, notably from South Punjab to Sindh and from Khyber Pakhtunkhwa to Central and South Punjab.

Others reported children's involvement in hazardous work, especially in brick kilns, auto workshops, the bangle industry and in agriculture – where they receive low wages, irrespective of their age. Respondents pointed to children's involvement in brick kilns and in domestic work as forms of bonded labour.



Child labour can be seen in date orchards, brick kilns, among domestic workers, workers at auto workshops, and in begging.”

– Key informant from the police, Sindh



In Balochistan, child labour exists in carpet-making, slipper-making and in domestic work.”

– Key informant from the Department of Labour, Balochistan



The most common places for child labour are workshops, hotels, agriculture, livestock management, harvesting, brick kiln, embroidery work, and construction work.”

– Key informant from the judiciary, Sindh



Child labour is more prevalent in remote and rural areas compared to urban areas.”

– Key informant from the police, Sindh



Children work in brick kilns with their families. This is a form of bonded or forced labour.”

– Key informant from the Department of Labour, Punjab



Mostly child labour exists in the informal economy and in small industries.”

– Key informant from the National Commission on the Rights of the Child, Islamabad

A participant from the Federal Investigation Agency in Karachi indicated that patterns of work are shifting – with more children likely to be engaged in domestic work than in brick kilns. Nevertheless, key informants underscored the abuse that children face when they are involved in domestic work.

Social and economic determinants of child labour

According to key informants across organizations and provinces, child labour is related to poverty and high rates of out-of-school children. The higher the rate of out-of-school children, the higher the rate of child labour. Some respondents pointed to children’s lack of interest in education as a reason for their engagement in child labour. Most believe that increasing enrolment in schools would reduce the incidence of child labour.

Many key informants identified poverty, unemployment and households’ low socio-economic status as the underlying causes of child labour. Unemployment among young persons appears to negatively affect the education of their younger siblings. When families see that being educated does not guarantee securing a job, they are likely to believe that their children would be better served by working, thereby earning an income and learning skills at the same time. Boys tend to be regarded as economic assets – due to prevailing gender norms, they are expected to be breadwinners. As responsibility for income generation is ascribed to boys, they are especially likely to be engaged in child labour to support their families.



Child labour or its other worst form, bonded labour, exists in Pakistan. People buy or sell children to engage them in different types of work. Particularly, they buy from South Punjab [...] and the interior of Sindh.”

– Key informant from the Federal Investigation Agency, Khyber Pakhtunkhwa



The majority of children work in the agriculture sector [...], bangle[-making], brick kilns, auto workshops and the illicit drug trade. Begging and all these forms of labour are hazardous by nature for children. They are abused in different ways in homes and workplaces, and street children live in very vulnerable conditions.”

– Key informant from a District Vigilance Committee, Sindh



It is the need of the hour to ensure education [...] as our Constitution’s Article 25A states that education is the right of every child. This means children from the age of 5 to 16 must be in school from 8 a.m. to 2 p.m. More than 50 per cent of child labour can be reduced this way.”

– Key informant from the Child Protection and Welfare Commission, Khyber Pakhtunkhwa



If an elder son has not been able to get a job after his education, the family considers sending a younger child to a workshop to learn income generation skills. In this way, unemployment in society leads to child labour.

– Key informant from the Department of Labour, Punjab



Financial issues within the family are the reason for child labour, so children work to support their family. Second, children are engaged in labour at auto workshops or with electricians to learn skills. Sometimes, they work in hotels as waiters. If we talk about income, sometimes a child earns as [much as] an adult; he can earn 500 to 800 rupees per day. When a child is stopped from working, then his family suffers.”

– Key informant from the Department of Labour, Punjab



Child labour is not [a rights] issue; it is matter of family survival. Even if a child is prevented from working in one establishment, he finds work in another.”

– Key informant from the Department of Labour, Khyber Pakhtunkhwa

Key informants appear to consider child labour as less of a rights issue, and more a matter of economic survival. According to the respondents, parents tend to justify children’s involvement in work due to household poverty, as well as the pretext that children will learn skills at work. At the societal level, parents and families lack an understanding of how child labour harms children’s well-being, particularly hazardous forms of child labour.



If a father dies or is unable to work, then the head of the family is compelled to send their children to work to support the family.”

– Key informant from the Department of Labour, Khyber Pakhtunkhwa



Poor socio-economic and livelihood issues are the main causes of child labour in Pakistan.”

– Key informant from the Department of Labour, Punjab



Child labour is widespread in areas where people have no access to services, [and] where people are living under the poverty line.”

– Key informant from the police, Sindh



Parents let their children go to work at workshops. When they learn that their children are [being] abused by the owner, they accept it. To them, it is all for their children’s learning. They may learn some skills. So, somehow child abuse in [the form of] child labour is institutionalized in the name of learning.”

– Key informant from the judiciary, Sindh

3.2. Awareness and knowledge of child labour laws

Most key informants have some knowledge of existing laws on child labour at the national or provincial level, and believe that they have the capacity to address cases of child labour. Overall, respondents have relatively more knowledge of laws directly related to their mandates. Representatives of law enforcement agencies (the police and Federal Investigation Agency) are knowledgeable about laws related to trafficking or the juvenile justice system – that is, laws intended to protect children from sexual abuse and violence – but tend to have limited knowledge of laws specifically related to child labour, such as the Employment of Children Act or the Bonded Labour System (Abolition) Act. For instance, a respondent from Khyber Pakhtunkhwa’s Police Department admitted not knowing whether a child labour law exists in the province, and none of the respondents spoke of relevant policies or frameworks to safeguard children from child labour.

Most key informants defined child labour in generic terms, believing that children’s involvement in any kind of work qualifies as child labour. Others – most notably those representing Punjab’s Department of Labour and District Vigilance Committees – noted that child labour depends on the nature of work children perform between the ages of 14 and 18. Some representatives of the police and Federal Investigation Agency stipulated that children under 18 years old who work are involved in child labour, while others felt that working children under 16 years old are engaged in child labour. Respondents from District Vigilance Committees, Children Protection Bureaus, the Ministry of Human Rights and Departments of Labour cited the Pakistan Employment of Children Act of 1991, which stipulates that the minimum age for entry into employment is 14 years old. There appears to be confusion about the minimum legal age for employment due to different ages cited in law. This confusion appears to operate at two levels – the societal level and the structural level among law enforcement agencies – which may affect the effectiveness of child labour laws.

Awareness of penalties for offenders

All key informants representing provincial Departments of Labour are aware of the penalties which can be imposed for engaging children in child labour. For instance, informants from the Departments of Labour of Khyber Pakhtunkhwa and Punjab correctly specified the prison terms and fines that apply for violations of provincial laws on child labour and bonded labour.



I have not received any training about child labour-related laws. However, I know about the Trafficking in Persons Act.”

– Key informant from the Federal Investigation Agency, Sindh



I know about the forced child labour law in Punjab, but here in Khyber Pakhtunkhwa I don’t know either we have a child labour law or not.”

– Key informant from the police, Khyber Pakhtunkhwa



There are various child protection laws in Pakistan, but I am not sure if there are laws related to child labour in the province of Balochistan.

– Key informant from the police, Balochistan



There is confusion regarding the age of [a] child when [we] talk about child labour and related laws.”

– Key informant from a District Vigilance Committee, Khyber Pakhtunkhwa



There are different age groups of working children – below 16, 16 to 18 [years old], and above 18 years old. We should look at different age groups differently. An adolescent boy can do light work but should not be allowed to do hazardous work. The law states that working hours for an adolescent are 6 hours with a half an hour break after 3 hours [...] In the prevention of Child Labour at Brick Kilns Act, the age mentioned [for work] is 14 years, but in the Restriction of Employment of Children Act 2016, the age mentioned is 15 years.”

– Key informant from the Department of Labour, Punjab



The word ‘child’ in Pakistan is defined differently in different legal documents. In the Pakistan Penal Code, a child is defined [as someone under] 18 years of age. In the juvenile justice system, the word child refers to [anyone who is] 16 or less than 16 years of age.”

– Key informant from the judiciary, Sindh

Participants from Child Protection Bureaus and Departments of Labour are aware that punishments vary according to the nature of the labour children are involved in, with greater punishments for hazardous child labour, bonded labour, forced labour and child trafficking. While police respondents are generally aware of applicable punishments, they have less information on how punishments for violations of child labour laws are meant to be enforced, and lack training on implementation. This is also the case among respondents representing the Federal Investigation Agency, whose knowledge centres on penalties for offenders stipulated in the Prevention of Trafficking in Persons Act of 2018.



There is a bit of contradiction in our [Pakistan’s] laws regarding the age of children who may be involved in child labour.”

– Key informant from the Department of Labour, Punjab



There is confusion regarding the age of [a] child when [we] talk about child labour and related laws.”

– Key informant from a District Vigilance Committee, Khyber Pakhtunkhwa



Types of punishment vary for bonded labour. The offender [enforcer] can face imprisonment for a period of 2 to 5 years, while a minimum fine of 50,000 rupees and a maximum [fine of] 200,000 rupees can be imposed.”

– Key informant from the Department of Labour, Khyber Pakhtunkhwa



Types of punishment vary for bonded labour. The offender [enforcer of bonded labour] can face imprisonment for a period of 2 to 5 years, while a minimum fine of 50,000 rupees and a maximum [fine of] 200,000 rupees can be imposed.”

– Key informant from the Department of Labour, Khyber Pakhtunkhwa

3.3. Awareness and knowledge of organizations mandated to monitor, identify, rescue and rehabilitate children engaged in labour

Almost all of the key informants interviewed have adequate knowledge of the mandates of their own institutions. While they are broadly aware of ‘other’ relevant departments working to eliminate child labour, most have little specific knowledge and lack a clear understanding of the specific roles that other departments play in ending child labour, or their specific procedures.

Respondents representing Departments of Labour describe the role of their institutions as the custodian of labour laws, charged with the implementation of these laws in factories and establishments. They conduct labour inspections of these entities – either unannounced or with prior notice – to monitor the implementation of government policies, including those related to child labour, hazardous work and bonded labour. They are mandated to report and follow up on cases of child labour with the courts. Representatives of Departments of Labour appear broadly aware of the mandates of other departments involved in the enforcement of laws on child labour, such as the role of Social Welfare Departments and Child Protection Units in referring children to social security schemes and rehabilitation services.



[According to the Restriction on Employment of Children Act, 2016] an offender can be imprisoned for between seven days and six months, and can be fined between 10,000 to 50,000 rupees [...] based on the violation, such as slavery, forced labour or trafficking, an offender can face up to seven years of imprisonment and a fine of up to 1,000,000 rupees.

– Key informant from the Department of Labour, Punjab



As per the 2015 Prohibition of the Employment of Children Act, a fine of 50,000 rupees can be imposed upon the offender and he/she can be imprisoned for up to six months [for engaging in child in child labour] [...] whereas for hazardous work] the fine can vary between 10,000 to 100,000 rupees and imprisonment can be imposed for up to three years.

– Key informant from the Department of Labour, Khyber Pakhtunkhwa



The Labour Department has a broader mandate, but specifically regarding children, we monitor the implementation of laws related to child labour.”

– Key informant from the Department of Labour, Khyber Pakhtunkhwa



The Child Protection Department ensures the social security of children and helps their rehabilitation.”

– Key informant from the Department of Labour, Punjab



The Ombudsman also oversees child labour and the department engaged to prevent child labour.”

– Key informant from the Department of Labour, Sindh

Key informants also highlighted the role of non-governmental organizations (NGOs) in monitoring, rescuing and rehabilitating children engaged in the worst forms of child labour. However, some key informants are unaware of any organizations working on child labour in their areas, while others know of spaces and shelters run by civil society organizations. Respondents highlighted the need for public sector initiatives that provide counselling and skills development opportunities to rehabilitate children involved in child labour.

Key informants from police departments displayed limited knowledge of child labour in general, and particularly little knowledge of the mandates of other departments working to end child labour. According to police respondents, their role is to uphold law and order, and to take necessary actions when a case of child labour is filed. While they raid establishments or factories and present offenders before relevant courts, they do not take action until and unless a case is reported to them.



We are not [really] aware of the mandate of the Child Protection Bureau [...or of] the mandate of Bait-ul-Mal and the Social Welfare Department. So it is difficult to suggest a role for them in eliminating child labour. We have never received a coordination plan outlining how departments can link together and work in collaboration.”

– Key informant from the Department of Labour, Punjab



There is not a single organization working in Quetta to monitor, rescue and rehabilitate children engaged in hazardous forms of child labour.”

– Key informant from the Department of Labour, Balochistan

Due to the absence of a regular mechanism for the orientation and sensitization of police officers on child rights, police personnel working in the field have comparatively little experience and awareness of the mandate of District Vigilance Committees, Child Protection Units/Authorities/Commissions and Social Welfare Departments. Higher ranking police officers and those with more years of experience have far more understanding of organizations involved in addressing child labour.

Low levels of knowledge among mid-level and less experienced police officers appears linked to the fact that child labour laws are not taught to police trainees at any level. Respondents from Lahore’s police training institute in Punjab noted that child labour is not specifically covered in their training curriculum, although the curriculum does address broader issues of child rights and child protection. This appears related to priorities at the structural level.

Tragic cases such as the rape and murder of seven-year-old Zainab Ansari in 2018²⁹ have made child protection in the context of child abuse, child marriage and juvenile justice a more institutionalized priority for the police, compared to cases of child labour.



There are departments that have the mandate to monitor, identify, rescue and rehabilitate children engaged in hazardous forms of child labour. For example, the Social Welfare Department, the Child Protection Unit, the Labour Department [and] district administrations are primarily tasked with these functions. If district administrations or the Labour Department see a child [involved] in hazardous work, than they rescue them and engage the Social Welfare Department or Child Protection Unit for the rehabilitation of these children. There are also some NGOs, INGOs and local philanthropists engaged in monitoring, rescuing and rehabilitating children. Shed is a prominent organization which has a well-established set-up in our district to rescue and rehabilitate children.”

– Key informant from a District Vigilance Committee, Sindh



There are a few federal and provincial departments working to eradicate child labour and ensure the enforcement of laws. At the federal level, the Commission on the Rights of the Child and the Ministry of Human Rights monitor and ensure the protection of children’s rights. At the provincial level, there are Child Protection Units to monitor the situation of child labour, rescue children who are in a vulnerable situation and [involved in] hazardous forms of child labour, and then rehabilitate them through various initiatives which ensure their education and may support them in monetary terms. The police also plays a crucial role to ensure the implementation of laws and take necessary actions in collaboration with Child Protection Units, the Federal Investigation Agency and Labour Departments.”

– Key informant from the police, Punjab

According to the key informants, NGOs play a more prominent role in the rescue and rehabilitation of children involved in child labour than government entities, such as Child Protection Units/ Authorities or Social Welfare Departments.

Key informants representing the judiciary, the National Ministry of Human Rights and District Vigilance Committees are relatively more informed about the mandates of organizations working to address child labour – including the roles of Social Welfare Departments, Child Protection Units, Departments of Labour, district governments and NGOs.

²⁹ Zainab’s murder was one of a number of similar attacks in Kasur city, sparking outrage and protests across Pakistan. The authorities were accused of negligence and faced a nationwide outcry for justice. The killer, Imran Ali, was arrested three weeks later, with the help of CCTV footage obtained by Zainab’s relatives. The national debate that Zainab’s murder triggered put pressure on the Government to strengthen legislation on child rights, including the provision of a safety net for vulnerable children involved in begging and child labour. The Zainab Alert, Response and Recovery Act of 2020 was passed to make provision for alerts, response and the recovery of missing and abducted children.

A respondent from a District Vigilance Committee also highlighted the role that communities play in the eradication of child labour. Respondents noted that although NGOs tend to have limited resources and capacities, many extend their services to assist government departments and build synergies with federal and provincial authorities. However, they pointed to the need for a strong mechanism to enable synergies between NGOs and the Government on addressing child labour.



Child labour is not a specific subject of police training [...] We teach child rights and child laws in human rights[-related] subjects. Specifically, we teach [about] the Sindh Child Marriage Restraint Act, the Juvenile Justice System Act, local laws and Penal Code sections related to children.”

– Key informant from a police training centre, Sindh



The [Social] Welfare Department, Sahil, the Legal Aid Society and other NGOs monitor, identify and rehabilitate children engaged in child labour. The police also monitor the condition of cognizable offenses.”

– Key informant from the police, Sindh



The Deputy Commissioner looks after the district administration and is responsible for the implementation of laws in the district. However, relevant departments are equally responsible for the implementation of respective laws in the districts. The role of the judiciary is to interpret the laws and identify gaps in the laws, as per [established] rules and regulations. The Department of Labour appoints labour inspectors to address issues of child labour. They often visit factories. If they receive complaints against factories or employers, or identify discrepancies regarding child labour at workplaces, labour inspectors can report the case to law enforcement agencies for further legal action.”

– Key informant from the Department of Labour, Punjab

3.4. Perspectives on the implementation of laws

Although laws prohibit child labour at the federal and provincial levels, key informants reported that implementation remains a challenge, in part because criminal justice institutions are weak, uncoordinated and sometimes lack a focus on service delivery. Most respondents agree that child labour laws have been effectively implemented in the formal economy in urban areas, such as in large factories in major cities.



“Laws are available here, but the problem is their implementation; [for example] the child labour law of 2015 is still not implemented in Khyber Pakhtunkhwa despite [the fact that] we raise our voice regularly at the provincial level.”

– Key informant from a District Vigilance Committee, Khyber Pakhtunkhwa



The issue is that most of the laws related to child labour are implemented in formal [economic] sectors. Nowadays, child labour does not exist in big factories in urban areas. In remote areas, children are employed in informal sectors and small factories due to [their] cheap rates.”

– Key informant from the Department of Labour, Sindh

However, small factories and other establishments in peri-urban and rural areas engage children due to high rates of poverty and families’ acceptance of child labour. Labour laws are not well-enforced in these areas due to geographical constraints (remoteness), limited resources and the low priority accorded to overseeing labour in rural areas and the informal economy. By contrast, the implementation of labour laws is relatively more effective in the formal economy in urban areas because of the ease of access for law enforcement and regular monitoring.

Key informants representing the judiciary and law enforcement highlighted that existing laws focus on ‘traditional’ forms of child labour in the formal economy. While children’s involvement in the informal economy is on the rise in cities due to rapid urbanization and population growth, these forms of work are not adequately covered by existing laws. According to the respondents, children’s working in the informal economy – such as in homes, shoe polishing, car washing, scavenging, selling goods on roadsides and begging – should be explicitly covered by law and addressing such work must be included in the mandates and job descriptions of departments responsible for the eradication of child labour.

While participants welcomed the introduction of legislation to curb children’s engagement in domestic work, they note that no focused strategy has been adopted to enforce legislation due to a lack of awareness of the issue, the lack of available data and the fact that such work occurs in the less visible private sphere. This is a challenge because Departments of Labour’s scope of work is understood to be limited to factories and registered establishments. Children’s involvement in other forms of child labour – such as begging – is regarded as beyond the scope of their mandate and within the mandate of child protection institutions.



Child labour laws mostly cover formal sectors. But in fact informal [economic] sectors are the main culprits; they are heavily involved in child labour. The good news is that the implementation of laws is improving and, therefore, reducing child labour.”

– Key informant from the Department of Labour, Sindh



The laws cover child labour in factories and offices only, but we see a large number of children who are out-of-school and working to earn a livelihood in busy areas and on the roads of cities.”

– Key informant from the Department of Labour, Punjab



Labour laws do not specifically focus on children who are begging or washing cars on the streets. Being a Labour Department representative, I do not have the authority to work against that and take action, as they are not working for any known employer or agency.”

– Key informant from the Department of Labour, Khyber Pakhtunkhwa

Similarly, although Pakistan's economy is heavily dependent on agriculture, the sector is not covered by labour laws. This makes it difficult to address child labour in agriculture, particularly as children are usually engaged in the presence of their parents or with their consent due to the widespread social acceptance of child labour and high rates of rural poverty. According to the key informants, rights abuses and incidents of violence often go unreported. Concentrated efforts are required to map out the dynamics of child labour in agriculture and allied sectors, coupled with progressive laws to eliminate their involvement in hazardous agricultural work.



In most rural areas, children are being engaged as workers in agriculture and dairy businesses, but we do not have enough information or legal coverage to work against this. Families support the involvement of [their] children; therefore, it is not usually reported.”

– Key informant from the Department Labour, Sindh



A huge number of children, especially girls, are working as domestic labourers. They mostly work with the consent of their parents and their details are not known to relevant departments, so how we can do something for them?”

– Key informant from the Department of Labour, Sindh



Another problem regarding the implementation of the law [... is that] our country is an agricultural country. Around 60 to 70 per cent of people depend on agriculture and many children are hired in this sector. But the laws do not correspond to this situation.”

– Key informant from a District Vigilance Committee, Khyber Pakhtunkhwa

According to key informants, law enforcement agencies are already extremely busy maintaining law and order, making it difficult for them to address child labour in different contexts, such as begging, which involves structured networks seeking considerable economic returns. Respondents from police departments noted that, even if they arrest persons who engage children in begging, Pakistan lacks sufficient institutions to shelter children rescued from begging in the long-term, leaving them highly vulnerable. Out-of-school children living on the streets, often far from their families, require special attention from the State and relevant departments.



I see children begging on roads and streets on daily basis, but what can I do? I cannot do operations against beggary and arrest them [...] The Social Welfare and Child Protection Departments should take action and provide them with food and shelter to reduce begging by children.”

– Key informant from the police, Punjab



We are already [...] under pressure due to the law and order situation and [the need to] maintain crime control. We can only do something if child labour is reported to us.”

– Key informant from the police, Khyber Pakhtunkhwa

Stakeholders require a clear understanding of both their own roles and the procedures and roles of other departments in implementing child labour laws. According to the key informants, sometimes when the police act on reports of child labour, they do not know what to do next. For instance, they may present children before the courts where children may feel a sense of humiliation, or children may return to work because protection services are unavailable or difficult to access.



Yes, there are various laws related to the prohibition of the employment of children, but they are not implemented. [...] that's why child labour is increasing day by day."

– Key informant from the Department Labour, Balochistan



Child labour laws are being implemented through different departments. But effective implementation of [these] laws is still a major gap due to the lack of awareness in departments and training of line departments."

– Key informant from a District Vigilance Committee, Sindh



There are various laws regarding the employment of children but there is no implementation by the relevant authorities."

– Key informant from the police, Balochistan



[What we] need is the implementation of these laws. We can't predict their effectiveness until and unless we implement the laws fully. When we [do...] we will get to know about their shortcomings. If the laws are not being implemented, we will never get to know where improvements are needed."

– Key informant from the judiciary, Punjab

3.5. Capacities (skills, systems, training, infrastructure and motivation)

Key informants highlighted gaps in the institutional capacities of Pakistan's law enforcement agencies – including gaps in skills, existing systems, training, infrastructure and resources, and motivation – which affect their ability to effectively address eliminate child labour.

According to key informants, in addition to lacking knowledge of child labour laws, law enforcement agencies lack the skills to deal with cases of child labour. These skills gaps are evident in police and investigation procedures, as well as in judicial proceedings. It is likely that cases will not be followed up in court, either by the police or parties representing victims. Weak evidence and out of court settlements result in low conviction rates for persons who engage children in child labour. Moreover, judicial processes are complex and expensive, making it difficult to enforce punishments for violations of child labour laws. Law enforcement agencies also lack skills and knowledge on how to treat affected children. For instance, respondents noted that medical check-ups are not usually conducted before children are handed back to their parents or child protection authorities.



When cases are presented in court, enough evidence [is usually] not produced to punish the culprit. Instead, the police [may] make a weak case to gain some economic benefit from shop owners or workshop owners who engage children in child labour.”

– Key informant from the judiciary, Sindh

A number of key informants across Pakistan’s provinces raised concerns about corruption and bribery contributing to the continuation of child labour. Some respondents reported that the police and labour officers may accept bribes from establishments or individuals who elicit child labour, preventing the instigation of criminal proceedings against them. Institutions responsible for upholding child rights need to be extremely vigilant and active to identify such situations and push for stringent action against the culprits.

Key informants suggest that child labour is not a priority for law enforcement agencies, particularly the police and the Federal Investigation Agency, who consider that they are already overburdened with other tasks. These agencies appear to focus more on addressing violence against children – particularly sexual violence, trafficking, severe abuse, and engagement in prostitution or the production of pornography – rather than addressing cases of child labour. Unless child labour cases are reported in the media or attract the attention of high level authorities, the issue is not prioritized by relevant departments.

Possible reasons for this include a lack of training for police personnel on child labour, especially its worst forms. Lower level officers – the frontline force that comes into direct contact with children engaged in child labour – receive far less training than senior officials. This highlights the need for capacity building for police officers on the ground on addressing child labour.



The police have limited knowledge of child labour-related laws [and lack] the required skills to effectively deal with child labour.”

– Key informant from the Department of Labour, Punjab



Usually, influential people and mafias are involved both in child labour and child trafficking, and culprits are not punished. In most cases, witnesses include children, and they withdraw.”

– Key informant from the Federal Investigation Agency, Sindh



The implementation of relevant laws is quite weak due to various reasons, including the lack of capacity to keep rescued children [safe]. Moreover, labour inspectors [may be] bribed; therefore, reporting on child labour is low.”

– Key informant from the Child Protection and Welfare Bureau, Balochistan



I didn’t receive a single complaint regarding child labour during my 26 years in service. Instead, we caught a group of eight people, who were government employees, and used to receive bribes for not acting against child labour.”

– Key informant from the Child Protection and Welfare Bureau, Balochistan



The main problem is capacity building. If the official who deals with cases does not know about child labour and child protection laws, then they cannot handle cases properly. They [the police] only know about murder cases, theft, or other common cases [...] There should be capacity building for officers tasked with addressing child-related issues [including on] labour laws and child protection [for] the Social Welfare Department, the Federal Investigation Agency and the police.”

– Key informant from a District Vigilance Committee, Khyber Pakhtunkhwa

Key informants also reported that the staff of relevant departments, such as Child Protection Units and Child Protection Authorities, do not receive specific training on child labour. Similarly, judicial institutions are hampered by a lack of robust, systematic training – particularly for the lower judiciary – on laws related to child rights, and the protection of women and children. Although bar councils, judicial academies and other organizations provide training for judges which may discuss global guidelines and laws and children protection, they do not address child labour. Moreover, training is usually delivered for a few select judges, highlighting the need to provide capacity building on child labour for all members of the judiciary and legal fraternity.

The lack of human resources in key entities responsible for protecting and rehabilitating children involved in child labour is another major concern. Respondents from provincial Departments of Labour pointed to shortages of human resources, including of labour inspectors in big cities such as Karachi, Lahore and Peshawar. Processes for appointing labour inspectors to fill vacant posts are slow, making it harder to monitor and address child labour, which adversely affects the performance of Departments of Labour. Shortages of human resources pose a challenge for child protection entities at the federal level, including in the Child Protection Institute (CPI) and the National Commission on the Rights of the Child, and at the provincial level, in Child Protection Units.



The level of interaction [between child and the police] is high from the level of constables to DSPs [Deputy Superintendents of Police]. So basically, there is a need to train constables, *hawaladars*, *munshis*, SHOs [Station House Officers] and DSPs instead of training higher [level officials on child labour].”

– Key informant from the Child Protection Unit, Khyber Pakhtunkhwa



Many judges and law officers are not aware of international and national laws or institutions on child labour [...] There should be a regular process of capacity building of law officers and judges by bar [associations] and the Government, especially on new legislation and international standards.”

– Key informant from the judiciary Sindh



We have received training related to the JJS [juvenile justice system]. They taught us about the Penal Code and international law. But specific sessions on child labour were missing. I would say that I have not received any specific training related to child labour.”

– Key informant from the judiciary Sindh

Key informants also reported budgetary constraints and a lack of infrastructure across relevant departments and law enforcement agencies, which result in poor performance. For instance, while labour inspectors have access to motorcycles, they are not provided with sufficient logistical support or allowances for fuel, which restricts their capacity to carry out inspections and enforce child labour laws. Most respondents noted that their departments lack sufficient numbers of vehicles to conduct monitoring visits.



There need to be adequate human resources to run projects or programmes efficiently. There should also be more funds for raising awareness in society. There should be a specific budget to engage communities.”

– Key informant from the Child Protection and Welfare Commission, Khyber Pakhtunkhwa



Infrastructure support is insufficient. For example, in the district of Swat, there are seven tehsils, but we only have four professionals and one vehicle. [...] The next biggest challenge is to enhance the capacity of stakeholders [with] capacity building not only on laws but also on handling children and the community.”

– Key informant from the Child Protection Unit, Khyber Pakhtunkhwa



We don’t have funds for investigation or to keep children [safe] even for a short period of time. We don’t have sufficient funds to meet international standards on child-related cases.”

– Key informant from the police, Sindh



We have limited human and financial resources [...] we do not have adequate resources at all.”

– Key informant from the Federal Investigation Agency, Sindh



We have four to five support staff, but no recruitment has been undertaken to fill vacancies for protection officers. We don’t have our own permanent staff.”

– Key informant from the Child Protection Institute, Pakistan

Key informants are largely dissatisfied with existing human resources and infrastructure across law enforcement agencies for the purposes of addressing child labour. Overall, 85 per cent are either very dissatisfied (44.44 per cent) or dissatisfied (40.74 per cent), while just 4 per cent are satisfied with the current state of human resources in their organizations. Similarly, the vast majority of respondents are either very dissatisfied (48.14 per cent) or dissatisfied (29.62 per cent) with existing infrastructure physical resources available at the departmental level to address child labour.

FIGURE 1

Respondents' satisfaction with the state of human resources within law enforcement agencies mandated to address child labour (%)

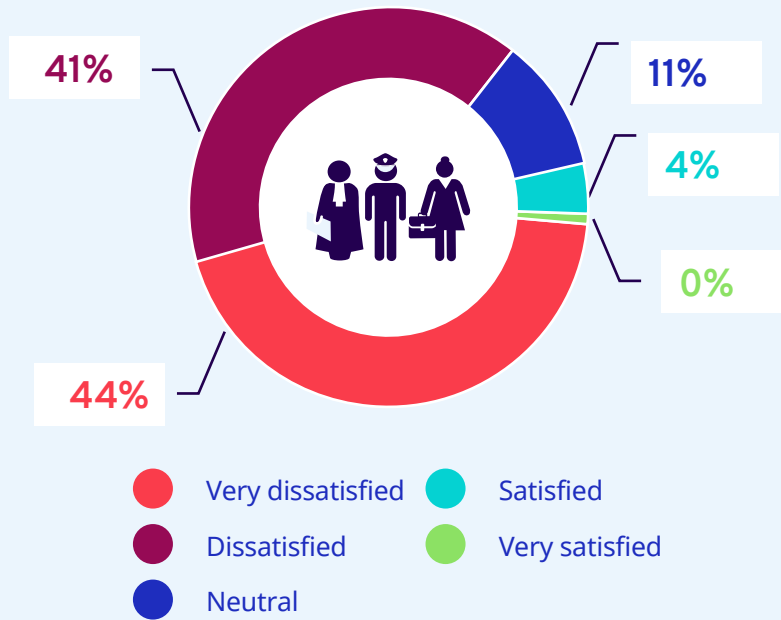
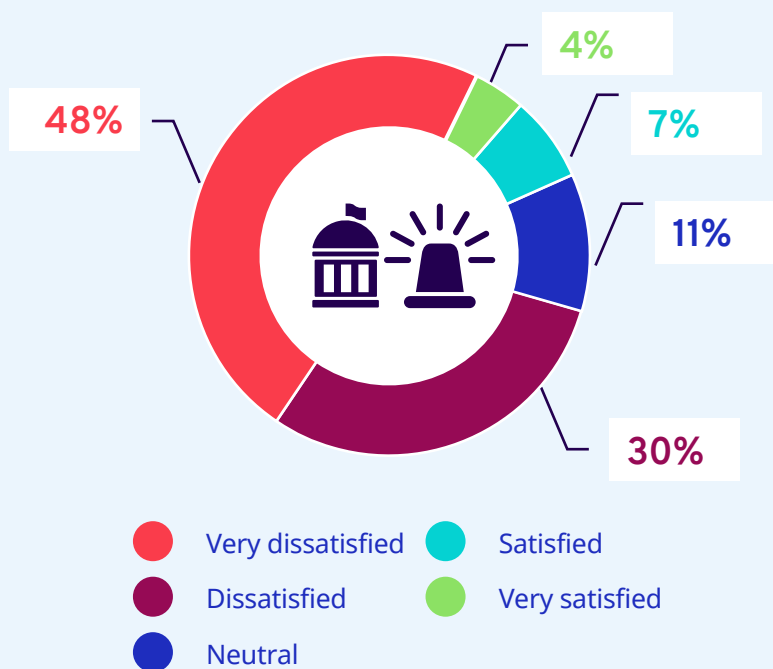


FIGURE 2

Respondents' satisfaction with the infrastructure/physical resources of law enforcement agencies mandated to address child labour (%)



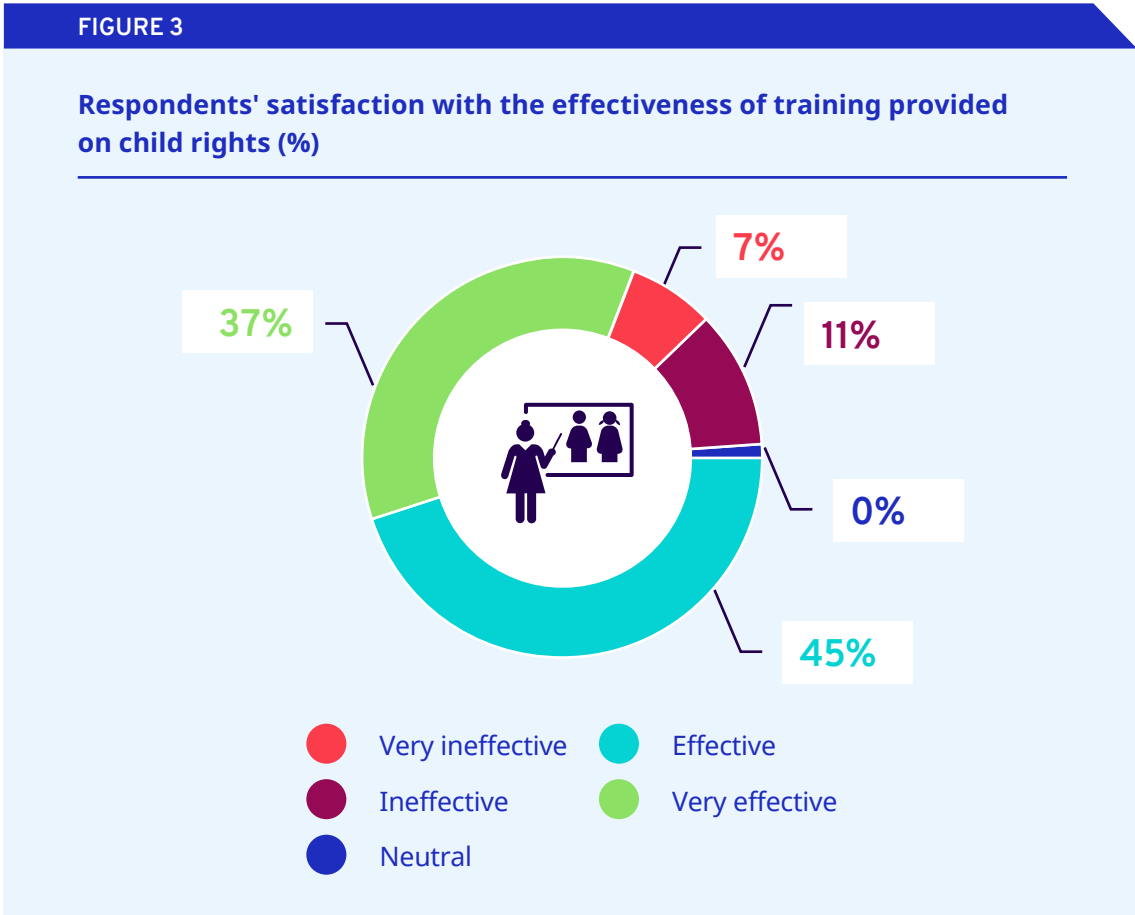
Most key informants have participated in training on child rights, organized either by their departments, NGOs or international organizations. The majority consider these trainings to have been very effective (37.03 per cent) or effective (44.44 per cent) in terms of supporting their work. While very few respondents have attended trainings related to child labour, the findings indicate that providing training on child labour would help them address the phenomenon nationwide.

▶▶
 "We attended the training organized by UNODC and learned about the reporting mechanism under the trafficking [Act]."
 – Key informant from the Federal Investigation Agency, Sindh

▶▶
 "The department also provides training to staff on a needs basis. Like if a new law is enacted in the province or country, our department arranges training or [re]resher programmes."
 –Key informant from the Department of Labour, Punjab

▶▶
 "Training was provided by the ILO and it was about child labour."
 – Key informant from a District Vigilance Committee, Punjab

▶▶
 "We participated in training by the IRC, UNICEF and OPM."
 – Key informant from the Child Protection Unit, Balochistan



3.6. Coordination between law enforcement agencies and social services

According to the key informants, there is limited coordination between law enforcement agencies on issues of child labour. A degree of cooperation is evident in terms of referrals and the rehabilitation of children with the support of Child Protection Units, Social Welfare Departments and NGOs, as well as for following up on cases in court with the engagement of the police. However, coordination is not guided by a formal system. While District Vigilance Committees exist – which are mandated to review the situation of child labour at the district level – it is unclear how effective these are in practice.

Respondents reported a lack of cooperation between law enforcement and child protection and social welfare bodies, in part because the latter lack the capacity to address the needs of children rescued from the worst form of the labour, including through court cases.



We can't send them [children] to educational institutions on our own because we can't afford it. We can't refer them to the Social Welfare Department because we don't have such [a] policy in place."

– Key informant from the Department of Labour, Balochistan



The protection of children is the responsibility of every citizen [...] The Social Welfare Department, Child Protection Unit, Labour Department and district administrations are the departments primarily mandated [to protect children]."

– Key informant from a District Vigilance Committee, Sindh



There are cases where workshop owners fire children, saying that the Government [will] fine them for employing children. As a result, the families of these children come to our office to demand alternative options. [...] They say their children's daily wages are the only source [of household income] and we don't have any policy to provide them with alternatives, causing children to go back to working."

– Key informant from the Department of Labour, Balochistan



We have Acts to deal with child labour, but it depends on judges. Many judges dismiss cases [...] In the Sibi labour court in Balochistan [...a judge dismissed] four cases saying that these children don't have scholarships and can't afford education due to poverty. If you don't allow children to work [and] their parents can't afford to educate [them, they...] could become thieves [...] and thus the judge dismissed the cases. At our insistence, the judge fined just 200 rupees each in two cases. Besides this, there are 14 cases pending in the Quetta labour court since March 2021."

– Key informant from the Department of Labour, Balochistan

Cases are often dismissed on the grounds that families cannot afford to educate their children, and that this somehow makes child labour a legitimate way for households to support themselves.

Most respondents highlighted the prominent role of collaboration with NGOs on child protection and rehabilitation, such as referrals to NGO-run shelters for children involved in the worst forms of child labour. Some highlighted success stories of initiatives by public sector organizations, such as Pakistan Bait-ul-Mal.

The majority of key informants are very dissatisfied (48.14 per cent) or dissatisfied (25.92 per cent) with existing levels of cooperation between public sector law enforcement agencies mandated to address child labour (see the figure below). As a result, NGOs are obliged to bridge gaps in services that should be provided by the government – underscoring the need to improve the capacities of public sector service delivery entities to address the protection and rehabilitation needs of children involved in child labour.

According to the key informants, power dynamics affect collaboration on cases of child labour, including in terms of the mandates and functions of different departments. Public sector entities tend to coordinate with each other on high profile cases to showcase progress. Coordination is also enhanced if it is initiated by high ranking officials or if the status of the department involved is more prestigious. Thus, respondents note that the National Commission on the Rights of the Child tends to receive positive and timely cooperation from the police, as do the judiciary and higher level authorities in the Federal Investigation Agency. By contrast, cooperation between law enforcement agencies and Departments of Labour or child protection authorities is far more limited. Therefore, key informants emphasized the need to improve interagency coordination to address child labour across Pakistan.



Different NGOs extend their support [to address] trafficking cases or when victims of trafficking are referred to a protection centre. In this case Edhi [Foundation] and the Chhipa Ambulance Service are playing an important role. There is also Ansar Burney, [who] is also doing good work.”

– Key informant from the Federal Investigation Agency, Sindh



There is not a single organization working in Quetta to monitor, rescue and rehabilitate children engaged in hazardous forms of child labour.”

– Key informant from the Department of Labour, Balochistan



There are some schools of Pakistan Bait-ul-Mal and the Social Welfare Department near child labour-prone areas. They also provide stipends to children.”

– Key informant from the Department of Labour, Punjab



The private sector must be engaged to improve coordination and support. People and organizations at different levels must be engaged to make it [the response to child labour] more effective, since the Government has limited resources. Sahil, the ICRC [International Committee of the Red Cross/ Crescent] and other NGOs must be engaged, while the Government should lead coordination.”

- Key informant from the police, Sindh



All governmental and private stakeholders should be on board and [... should] sign an LOU or MOU [letter/memorandum of understanding]. They should be engaged in all activities. In this way, we can ensure sustainability.”

- Key informant from the Child Protection and Welfare Commission, Khyber Pakhtunkhwa

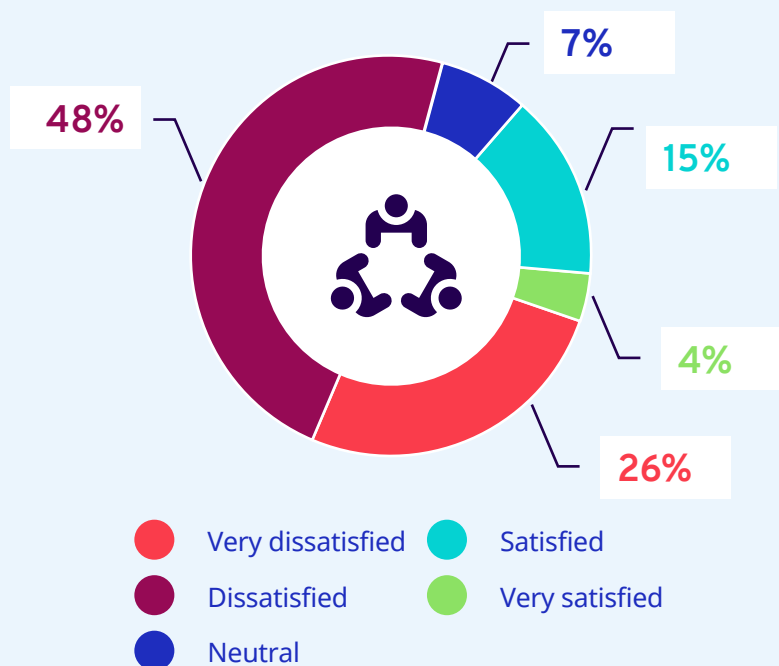


District governments are the best platform for working against child labour. Nevertheless, strong commitments are needed.”

- Key informant from the judiciary, Punjab

FIGURE 4

Respondents' satisfaction with the level of cooperation between law enforcement agencies mandated to address child labour (%)



Chapter 4

Conclusions and recommendations

4.1. Gaps and challenges

The diverse perspectives of the key informants interviewed for this study illustrate the complexity of addressing child labour in all its forms in Pakistan. While laws and policies exist to end child labour, in line with Pakistan's international commitments, a number of challenges impede their effective implementation. These range from gaps in law enforcement agencies' levels of awareness of child labour, to limited knowledge of relevant laws, attitudes towards child labour, implementation-related challenges, limited technical capacities – including the skills required to address cases and rehabilitate children – the lack of human and financial resources, and weak coordination between organizations mandated to address child labour.

Awareness

While most key informants are aware of the mandate of their own organizations, they have limited knowledge of the mandates of other entities involved in addressing child labour. Representatives of provincial Departments of Labour are well-versed in laws related to child labour, but participants from other departments do not. Their awareness is limited to legislation and policies specifically related to their organizational mandates, such as laws on child protection or human trafficking.

The key informant interviews reveal that law enforcement agencies do not tend to focus on addressing child labour as a priority. This weakens the response to child labour across the board, as organizations do not fully utilize or benefit from each other's capabilities, strengths and resources.

Problematic attitudes are also apparent, rooted in social norms that underlie the widespread acceptance of child labour in Pakistani society. Some key informants – including representatives of the police and Departments of Labour – justified children's involvement in child labour on economic grounds, considering it less of a human rights issue than a matter of households' economic survival.



Even the police and lawyers do not consider child labour to be an issue. Therefore, weak cases are presented in the courts. The courts cannot play their due role because ultimately, courts require evidence. In most cases, the parties opt for out-of-court settlements. In some cases, parents or children withdraw and do not pursue the case. Therefore, the matter is dismissed.”

– Key informant from the judiciary, Punjab

This echoes the justifications used by parents and families, who justify child labour on the grounds of poverty or because they argue that children learn useful skills at work. Differences in informants attitudes are apparent, with higher ranking officials more aware of and committed to ending child labour than lower ranking officials. This suggests a lack of sensitization on child labour among lower ranking staff in Pakistan's law enforcement agencies.

Training

The key informant interviews reveal that, although most representatives of the judiciary, law enforcement agencies and civil society (i.e. members of District Vigilance Committees) have participated in training on child protection or child rights, they have not taken part in specific training on child labour. The only respondents who reported being trained on child labour were representative of Departments of Labour.

As a result of a lack of training, representatives of the police and Federal Investigation Agency have limited knowledge of child labour and protection mechanisms. Lower ranking officers are less likely to be nominated for participation in capacity building – making them the least well-trained to address child labour or engage with children. This is problematic, as they work at the grassroots level and are often the first point of contact for children involved in hazardous work.



The implementation of the law depends on training concerned officials who [currently] lack the capacity to deal with cases, [which] reduces the chance of conviction. Therefore, along with other stakeholders, I suggest training be provided to lawyers and higher officials, like directors.”

– Key informant from the Federal Investigation Agency, Sindh



Society does not consider child labour as an issue or an offence. People says ‘leave it be, this is not a problem’. Society needs to accept [...] that child labour is an offence.”

– Key informant from the Federal Investigation Agency, Khyber Pakhtunkhwa



Once training is provided to all concerned stakeholders – the police, judges and lawyers – then [...] the implementation of the law [will be possible]. Otherwise, there will be gaps and culprits will not be punished.”

– Key informant from the judiciary, Sindh



The police need training since they have more contact with children [... After training] they can deal with most cases related to children and child labour.”

– Key informant from a District Vigilance Committee, Punjab

Human and financial resources

Key informants highlight a lack of adequate infrastructure and insufficient human and financial resources to combat child labour. Almost all of the respondents are dissatisfied with existing human and financial resources, indicating the urgent need to address staff shortages and increase budgets to effectively enforce laws, eliminate child labour and protect vulnerable children.

While capacity building would enhance law enforcement agencies' knowledge, skills and motivation to address child labour, without adequate resources, meaningful results cannot be achieved. This points to the need to engage and advocate with decision-makers to ensure the availability of the human and financial resources needed to address child labour across Pakistan.

Coordination

The key informant interviews conducted for this study reveal that coordination between law enforcement and social welfare organizations is, at worst, non-existent or, at best, very weak.

Interdepartmental learning is limited, because information and experiences are rarely shared.

Most departments work in silos and rarely coordinate with each other. They usually only collaborate on high profile cases that attract the interest of the media or of high ranking officials.

This study reveals the need for multi-sectoral collaboration, including Memoranda of Understanding (MoUs) with clearly defined role and responsibilities between public and private sector stakeholders, as well as with local and international NGOs to ensure effectiveness and sustainability. In addition, district governments and administrations, under the guidance of Deputy Commissioners, could play a key role in addressing child labour. Proactive participation by district administrations would help resolve issues at the local level. District Vigilance Committees also have an important role to play as a centre point for coordination and collaboration. To this end, it is essential to define partners' roles and responsibilities, with a view to ensuring accountability. The structure of District Vigilance Committees may have to be formulated at the *tehsil* level to monitor and address child labour.



The courts should have better infrastructure and the resources required to deal with child labour or child-related matters separately. I would suggest separate staff, separate buildings and separate courts to deal with child labour.”

– Key informant from the judiciary, Sindh

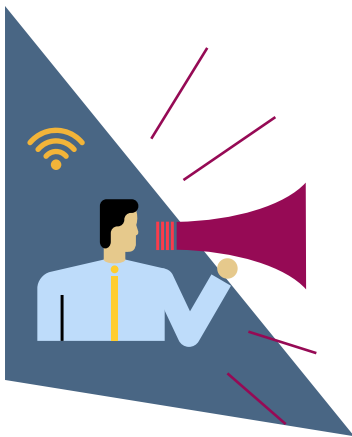


There are many reasons for the lack of coordination, but a lack of awareness and training are big challenges for District Vigilance Committees. Proper training may address the reasons for the lack of coordination and thus increase coordination between stakeholders.”

– Key informant from a District Vigilance Committee, Sindh

4.2. Recommendations

The enforcement of laws and the implementation of policies on child labour requires political will, the availability of reliable data, increased awareness and sensitivity, and strengthened capacities among key stakeholders, including law enforcement agencies. This study's findings reveal that, in the absence of comprehensive implementation plans for specific laws and serious implementation efforts, it is difficult to identify weaknesses in existing laws. Strengthening law enforcement agencies' knowledge, skills, attitudes and motivation, resources, and avenues for collaboration is vital for implementing laws and eliminating child labour across Pakistan. As such, this study proposes the following recommendations.



Raise awareness of child labour and change attitudes

- ▶ Develop specific campaigns to sensitize stakeholders – especially Departments of Labour and the police – on child labour, particularly the state of child labour in underdeveloped areas and the often overlooked informal economy.
- ▶ Transform attitudes by raising awareness of the harmful effects of child labour – including harm to children's health, well-being, education, physical and mental development, and prospects for gainful employment later in life, as well as the harm caused to households by perpetuating intergenerational poverty, and the harm caused to national development by reducing human capital accumulation. Use community outreach and

engagement to counter justifications of child labour, employing a positive deviance approach.³⁰ Ensure that behaviour change campaigns target diverse stakeholders – including parents, teachers, local community members, government officials and private sector representatives – who explicitly or implicitly justify child labour on socio-cultural or economic grounds, such as poverty and the lack of social protection. Make it clear that child labour is a violation of child rights, and that support is available to poor households through social protection schemes.

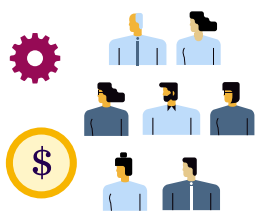


Provide training on child labour

- ▶ Provide capacity building for law enforcement agencies and social welfare organizations to equip them to holistically address all forms of child labour. Provide specific, targeted training for all organizations mandated to address child labour – including the police, the Federal Investigation Agency and the judiciary, among others – to enhance their knowledge of laws, policies and mechanisms related to child labour and child protection. Ensure that training is aligned with specific departmental needs and roles, and fosters the knowledge, skills and motivation of staff to address child labour as a priority.
- ▶ Provide training to lower ranking officers – especially in the police, Federal Investigation Agency, the judiciary, the legal profession and Child Protection Units – on how to handle cases

involving children, including how to interact with children, follow up on cases, and connect children with referral mechanisms, medical examinations and rehabilitation services. Sensitize these stakeholders on issues related to children's mental and physical health, education and overall well-being.

- ▶ Provide training for the staff of institutions responsible for caring for children, to equip them with the technical and emotional capacities required to safeguard children and uphold child rights.
- ▶ Ensure that trainings demonstrate the importance of, and pathways for, effective interdepartmental coordination, encouraging departments to share information and collaborate on addressing child labour.
- ▶ Institutionalize the process of learning by making child labour and child protection laws a formal part of the training curricula of law enforcement, social welfare and other relevant agencies. Include child rights and laws related to child trafficking in the training curricula of all relevant organizations to make them aware of other departments' mandates and encourage collaboration.

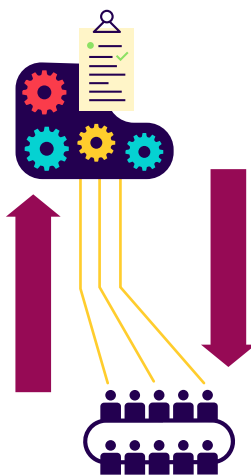


Strengthen human and financial resources for addressing child labour

- ▶ Increase human and financial resources, and expand infrastructure, in departments mandated to address child labour in order to advance the effective implementation of laws, policies and programmes in a sustainable manner.



- ▶ Communicate, lobby and engage with decision-makers to advocate for sustained increases in human and financial resources to enable law enforcement agencies to address child labour nationwide.



Improve coordination

- ▶ Promote interdepartmental and across-sectoral cooperation between organizations mandated to address child labour, using an integrated approach – with a view to building mutual trust and confidence, developing partnerships and synergies, and enhancing knowledge sharing and learning. Encourage all relevant stakeholders to work together as a team to develop effective referral mechanisms.
- ▶ Promote the role of District Vigilance Committees in advancing accountability, cooperation, coordination and following up on cases, as well as on updating other stakeholders about the state of child labour in their specific district.

Assessing the capacity of law enforcement agencies to address child labour in Pakistan

This study assesses the capacities of national and provincial law enforcement agencies responsible for addressing child labour in Pakistan, with a view to informing the design of evidence-based programmes to enhance their capacities to eliminate child labour nationwide. It represents a first step towards ensuring the relevance and responsiveness of a planned capacity building initiative by the International Labour Organization's (ILO) Asia Regional Labour (ARC) Project, implemented with the financial support of United Kingdom's Foreign Commonwealth and Development Office (FCDO). By improving understandings of law enforcement agencies' capacities, this study highlights where support is needed to address child labour across Pakistan.

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