



**Child Labour: Action-Research-Innovation in South and South-Eastern Asia,
Bangladesh**

Stakeholder submission to the fourth cycle Universal Periodic Review of Bangladesh 2023

Submitted by:

**Consortium for Street Children, global CLARISSA consortium member
ECOSOC Special Consultative Status since 1997**

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Summary

1. The CLARISSA consortium is constituted by in-country and global partners operating in Bangladesh, including Grambangla Unnayan Committee, Terres des Hommes Aide à l'enfance dans la monde - Fondation, Child Hope UK and Consortium for Street Children. CLARISSA is led by the Institute for Development Studies and funded by the United Kingdom Foreign, Commonwealth and Development Office. The CLARISSA programme is a participatory research programme working with children to co-develop innovative and context-appropriate ways to increase options for children to avoid engagement in hazardous, exploitative labour in Bangladesh.
2. This submission is made ahead of Bangladesh's fourth UPR cycle in November 2023. The evidence for this report and recommendations has emerged from the CLARISSA programme, and centres on the need for the government of Bangladesh to take a child- and small business-led approach to tackling the persistent problem of child labour and Worst Forms of Child Labour in its large informal economy.

Bangladesh: progress review

3. Since the third UPR cycle in 2018, Bangladesh has made some progress with regards to formal protections against child labour. This includes the ratification of ILO Minimum Age Convention 138 in March 2022, despite Bangladesh not supporting UPR recommendation 149.13 calling for the same.¹ In January 2022, Bangladesh also ratified protocol 29 of the ILO Forced Labour Convention 1930, reinforcing its international commitment to the prevention and elimination of forced labour, including trafficking in persons. Domestically, Bangladesh has adopted a further national plan for the elimination of child labour (2020-2025).²
4. During the third cycle, Bangladesh received three recommendations related to child labour, two of which were accepted³ and one of which was not supported.⁴ None of the recommendations addressed the persistence of child labour in the informal economy where most child labour occurs. No recommendations were made regarding the Worst Forms of Child Labour (WFCL), as defined by ILO Convention 182, ratified by Bangladesh in 2001. Since 2018, progress has been slow in protecting children from hazardous working conditions such as those prevailing in the leather sector in Bangladesh's informal economy and domestic market.
5. During the third cycle, Bangladesh accepted several recommendations regarding access to education,⁵ although no emphasis was given to this as a pathway to prevent child labour. To date, the Compulsory Primary Education Act 1990 stipulates that compulsory education should be offered to children up to the age of 10, making

¹ Recommendation 149.13: Ratify the ILO Minimum Age Convention, 1973 (No. 138) and Occupational Cancer Convention, 1974 (No. 139) for the elimination of child labour (Spain).

² Bangladesh National Plan of Action to Eliminate Child Labour 2020-2025 is available at https://mole.portal.gov.bd/sites/default/files/files/mole.portal.gov.bd/project/6038e47e_5792_45f4_8fc0_958f113443f9/NPA.pdf.

³ Recommendation 147.51: Strengthen existing law and practice to guarantee effectively the rights of children, in particular by combating violence against children, child labour and forced marriages, and by improving access to education (Poland); and recommendation 147.150: Take strong measures to eradicate child labour, and violence and crimes against children (Chile).

⁴ *Supra* note 1.

⁵ Recommendations 147.127-138.

children between the ages of 11 and 14 highly vulnerable to child labour, including the Worst Forms of Child Labour. Similarly, Bangladesh also accepted four recommendations regarding the prevention of child marriage,⁶ without these recommendations highlighting the link between child marriage and child labour, with married girls often being pressurised into work by their husband's family's or to support their husband.

6. Finally, during the third cycle Bangladesh accepted a recommendation to ratify Optional Protocol 3 of the UNCRC to allow children to make communications directly to the Committee on the Rights of the Child, including on child labour, should violations of their rights persist without recourse.⁷ As of April 2023, Bangladesh has yet to ratify the Optional Protocol.
7. Bangladesh is a signatory to the Sustainable Development Goals, with Target 8.7 focused on the elimination of child labour in all its forms by 2025. In 2015, the ILO estimated 1.28 million children were engaged in hazardous labour in Bangladesh with an estimated 94.85 percent of the total 3.45 million working children between the ages of five- and 17-years old engaged in work in the informal economy.⁸ Whilst more recent statistics are unavailable, based on evidence generated by the CLARISSA programme and given the lack of movement in addressing WFCL in the informal economy this remains a significant area of concern in Bangladesh.

The informal economy: children's realities

Children's experiences of WFCL

8. Research conducted by CLARISSA found that children in WFCL are mainly found in the small, informal businesses located in slums and slum neighbourhood areas.⁹ Most of these businesses have less than ten workers (including the children) and operate in a working space of less than 200sq. ft.¹⁰ Almost all of them operate either under subcontracting agreements with large, medium, small, micro, and cottage industries, or produce leather products to be sold for the local market.¹¹ Most of these businesses operate a set of micro processes, and a considerable portion of working children have multitasking abilities.¹² These small economic units carry out discrete parts of an industry; for example in the leather sector, trading raw hides, preserving raw hides, production of glue, tanning, dyeing, drying, trading, sewing, and manufacturing, with each aspect of the process being fragmented due to subcontracting, thereby creating a plethora of "small works".¹³

⁶ Recommendations 147.46-49.

⁷ Recommendation 148.2: Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Madagascar).

⁸ Bangladesh National Child Labour Survey 2013 is available at https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_28175/lang--en/index.htm.

⁹ CLARISSA, Maksud, AKM., Hossain, KH., Sayed, S. and Arulanantham, A., *Emerging evidence report 5 mapping of children engaged in the worst forms of child labour in the supply chain of the leather industry in Bangladesh*, p.53 is available at <https://clarissa.global/resource/mapping-of-children-engaged-in-the-worst-forms-of-child-labour-in-the-supply-chain-of-the-leather-industry-in-bangladesh/>.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

9. The study found that children were involved throughout the process of leather production, i.e. 103 out of 107 processes (96 per cent) along the supply chain – from animal slaughter and flaying, to tanning processes and manufacturing of leather products. Most of the children involved in the study (153 children were interviewed) were aged 14 to 17, with one-fifth being 11 to 13 years. A smaller minority were aged only seven to ten years.¹⁴
10. The study also found that not only are most children working 12–14 hours a day, six days a week, but whilst doing so they are exposed to dangerous chemicals and adhesives and/ or are working with heavy machinery and cutting tools.¹⁵ Most of the child workers interviewed reported that they work in a dangerous environment, and most of the children said they were at risk of accidental injury or falling at their workplace.¹⁶ Furthermore, the approximate average income of the children interviewed was Tk.7,721 (US\$90.8) per month.¹⁷ The lowest monthly income was Tk.1,000 (US\$11.8) and the highest monthly income was Tk.20,000 (US\$235.3).¹⁸

The causes of WFCL in Bangladesh

11. One of the CLARISSA programmes key focuses is on child-led research and analysis as a means to understanding the causes of child labour, with working children being centred as experts in their own realities and offering key insights into the changes that need to be made to improve their circumstances. This is particularly important for children working in informal economies, as it is often the case that more hidden forms of work may not present as hazardous, and therefore as constituting WFCL, without a much deeper understanding of children’s experience of work.¹⁹
12. As part of this methodology, over 400 life stories of children in Bangladesh are being collated and analysed by children.²⁰ Emerging evidence from the children’s analysis points to several causes of WFCL, with poverty being an overarching factor but with complex causes.²¹ Migration from villages to Dhaka due to debt, natural disasters, family health crises and conflicts with extended family, as well as the cost of living itself in Dhaka, are all emerging as key drivers of children into hazardous work. Family breakdown and parental separation are also emerging as major causes, as is the COVID-19 pandemic which left many children’s family members unable to work. Emerging as a particular concern for girls as a driver into WFCL is child marriage, with married girls sometimes forced to enter hazardous work because of pressures to support their husband’s families. Meanwhile, other strands of emerging evidence suggest that some children elect to enter WFCL to support themselves or their families, or to learn a trade, and so have a sense of agency and pride in their work,

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*, p.8.

²⁰ CLARISSA, Sayem, M., Apgar, M. and Snijder, M., *Learning from life story collection and analysis with children who work in the leather sector in Bangladesh*, CLARISSA Learning Note 1, 2022, is available at <https://clarissa.global/resource/learning-from-life-story-collection-and-analysis-with-children-who-work-in-the-leather-sector-in-bangladesh/>.

²¹ Almost half of the children involved in one CLARISSA study said they started working in the leather sector because of the financial position of their families. CLARISSA, Maksud, AKM., Hossain, KH., Sayed, S. and Arulanatham, A., *Emerging evidence report 5 mapping of children engaged in the worst forms of child labour in the supply chain of the leather industry in Bangladesh*, *supra* note 9.

despite its exploitative and harmful nature.²²

The informal economy: business realities

13. Another key element of CLARISSA's work is its focus on the business realities in Bangladesh's informal economy where the majority of child labour occurs²³ and which has increased in size since the COVID-19 pandemic.²⁴ The informal economy encompasses all enterprises, workers and activities operating outside of legal regulatory frameworks²⁵ and is characterised by personal relationships, trust, and face-to-face communications, with the decision to engage children in work often deriving from business owners' desires to assist extended family in finding employment for a child.²⁶ Emerging evidence from the CLARISSA programme also suggests that many of the business owners in the informal economy were once child labourers themselves. Further, recent research conducted on the impact of COVID-19 in the textile industry in Bangladesh touches upon the pressures facing small businesses, including forced closures by the government and lack of access to, or price increases of, raw materials.²⁷ Given that these businesses often operate outside of formal arrangements, there is an asymmetry in the governmental support received, such as tax breaks or access to insurance, compared to businesses operating in the formal economy, which in turn has the potential to drive down labour costs, and increase child labour and WFCL. These problems are further compounded by a lack of appreciation for the interplay between formal and informal economies, with regulation of formal economies and supply chains potentially pushing children into work in the informal economy, where child labour becomes less visible and more hazardous.²⁸
14. A recent ILO brief on COVID-19 and the informal economy recognised the need to 'give voice to women and men in the informal economy and their organisations...to better understand the diversity of their situations...to guide the government' in its response to the pressures caused by the pandemic.²⁹ Similarly, the CLARISSA programme suggests a strong need to work with business owners in the informal economy in Bangladesh to understand their lived experiences and to understand the dynamics of their business arrangements and the pressures that cause them to

²² For examples of Life Stories please see: CLARISSA, *Shuvashish's Life Story*, November 2021, available at <https://clarissa.global/resource/shuvashishs-life-story/>; and CLARISSA, *Pavel's Life Story*, 9 November 2021, available at <https://clarissa.global/resource/pavels-life-story/>.

²³ CLARISSA, Aked, J., *Working paper 8, Supply chains, the informal economy, and the worst forms of child labour*, July 2021, p.34, is available at https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/16755/CLARISSA_Working_Paper_8.pdf?sequence=1&isAllowed=y.

²⁴ ILO, *COVID-19 crisis and the informal economy, Immediate responses and policy challenges*, May 2020, p.2, is available at https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/briefingnote/wcms_743623.pdf.

²⁵ *Id.*, p.7, with credit to Lines *et al.* 2018.

²⁶ *Id.*, p.18.

²⁷ Islam, M., Abbott, P., Haque, S. and Gooch, F. *Impact of Global Clothing Retailers' Unfair Practices on Bangladeshi Suppliers During COVID-19*, January 2023, p.8, is available at https://www.abdn.ac.uk/news/documents/Impact_of_Global_Clothing_Retailers_Unfair_Practices_on_Bangladeshi_Suppliers_During_COVID-19.pdf#page=1.

²⁸ CLARISSA, Aked, J., *Working paper 8, Supply chains, the informal economy, and the worst forms of child labour*, *supra* note 23, pp.37-39.

²⁹ ILO, *COVID-19 crisis and the informal economy, Immediate responses and policy challenges*, May 2020, p.4, *supra* note 24.

employ children. Through this form of engagement, business owners are able to be the catalyst for change, when other more formal means, such as labour inspectors, are in short supply in Bangladesh.³⁰

Conclusions and recommendations

Recognising that most child labour occurs in the informal economy, the government of Bangladesh must allocate resources to work with small and informal businesses.

Recommendation 1: the government of Bangladesh must work with informal and less-regulated businesses to research strategies to support them and ensure that economic pressures do not drive small businesses to engage children in the WFCL. Responses could take the form of taxation measures, access to insurance or measures to increase operating capital to allow businesses to manage work pressure and fluctuations in workflow.

Recognising that regulation of the formal economy alone will not effectively prevent child labour and WFCL, the government of Bangladesh must engage in research and participatory programming, with support of civil society where necessary, to alleviate the causes of child labour and WFCL.

Recommendation 2: the government of Bangladesh must build upon and enhance existing initiatives addressing the drivers of all forms of child labour, such as access to inclusive and relevant education, family support, child marriage prevention and social protection systems, by engaging children, particularly child workers, in the design, implementation and evaluation of these programmes.

Recommendation 3: the government of Bangladesh should take a comprehensive approach to strengthen the National Social Security Strategy to ensure the social protection of children. To ensure a safety net for families in need, the government needs to implement a Universal Basic Income (UBI) program, which would directly benefit children. In line with the Article 15 of the constitution of Bangladesh, the government of Bangladesh should provide children with the basic needs necessary for their survival and development.

The government of Bangladesh must meet its international commitments on child labour and the WFCL.

Recommendation 4: following the ratification of ILO Minimum Age Convention, 1973 (No. 138), Bangladesh must ensure the minimum age of entry into work or employment in both formal and informal economy is not below 14 years of age, whilst ensuring that there are context-specific alternatives for children currently working to ensure they do not suffer exposure to extreme poverty or exposure to more hazardous forms of work.

³⁰ The Bangladesh Department of Inspection for Factories and Establishments, *Monthly Inspection Report*, December 2020, indicates that there are only 275 labour inspectors working throughout Bangladesh, with more than 34,243 factories registered with the Department of Inspection for Factories and Establishments. Please see: http://brcp-1.gov.bd/wp-content/uploads/2022/03/Final-Report_Industrial-policy-review-draft_03.01.2022.pdf.

Recommendation 5: the government of Bangladesh must amend the Compulsory Primary Education Act 1990 to raise the age of compulsory education from grade five (age 10) to grade eight (age 14) to mitigate the risk of children between the ages of 11 and 14 engaging in child labour and WFCL.

Recommendation 6: in accordance with accepted recommendation 148.2 from the third cycle UPR, the government of Bangladesh must ratify Optional Protocol 3 of UNCRC and develop a national communication procedure for children to make communications direct to the Child Rights Committee, including on child labour and WFCL.

Recommendation 7: the government of Bangladesh must ensure sufficient resources are allocated to implement all major components of the National Action Plan to Eliminate Child Labour, including the strengthening of the Child Labour Unit and Department of Inspection for Factories and Establishments under the Ministry of Labour and Employment and by increasing the number of labour inspectors in Bangladesh.