**Draft**

**Proposed Worst Form of Child Labour List**

**Prepared by:**

**Central Monitoring Committee on Child Labour**

**30th November 2020**

**Minutes of the Meeting of the NPA Drafting Committee (9th November 2020)**

On the Meeting of the Drafting Committee held on 9th November 2020, with the permission of the honorable **Mr. Shib Nath Roy IG, DIFE** and respected Members of the Sub-Committee on Drafting of NPA discussed on the draft NPA and reviewed the List of Hazardous Child Labour. The honorable IG of DIFE, Mr. Shib Nath Roy graced the meeting as the Chair while Advocate Salma Ali, President of BNWLA was present as the Co-Chair. Ms. Mahbuba Bilkis, DS, MoLE represented MoLE in the meeting. Dr. Mustafizur Rahman, JIG of DIFE and Member Secretary of the Sub-Committee attended the meeting. AKM Masud Ali, Executive Director of INCIDIN Bangladesh and the Convener of Sub-Committee presented a primary propositions for review and approval of the members. The meeting was attended by all the respected members and few observers. Among others, AHM Zaman Khan, Project Director of CLIMB project of Winrock International attended as observer. The meeting approved the draft NPA with the following two observations – a) the roles of NGO, INGO and UN agencies need to be incorporated and b) the actions of the previous NPA needs to be further assessed to explore relevance of placing in the updated NPA. The Committee endorsed the propositions of sectors/process to be added on the list of HCL with the following two observations – a) the rationale and relevant studies need to be further reviewed by the members and b) The members need to put their inputs on the draft rationale presented by the Convener (as presented in below). The representatives of ILO could not attend the meeting due to internet related complications. However, ILO team is working to put forward recommendations on the NPA. In her speech, Ms. Mahbuba Bilkis, DS, MoLE , appreciated the contributions and commitment of the Committee Members. The meeting was concluded by the Honorable IG, DIFE by congratulating the members for successfully concluding the tasks. In the next meeting the, the committee decided to endorse the final version of the proposed list of HCL and the final draft of NPA so that it could be forwarded to MoLE.

The summary of the propositions, review and approval (not in accordance of importance)-

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| **Serial#** | **Work or process in which children are involved- proposed for enlistment** | **Rationale/Study** | **Discussion and Decision of the sub-committee** |
| 01 | Child Domestic Worker | **Main forms of Hazards and Harm:**1. **Long work hour**
2. **Exploitation**
3. **Accidental injuries**
4. **Deprivation of education**
5. **Abuse/neglect/violence**

**A study from the ILO**[[1]](#footnote-1) **highlights the ambiguous relationship of child domestic workers with their employers.** The negative connotations attached to domestic work compounds the ambiguity of child domestic workers’ relationships to the employer. For example, even though they know that their child will be engaged in domestic work, parents may place their children with a new family, not as a “worker”, but as a “daughter” or “son” (Baum, 2011). This study stresses that the daily experience of discrimination and their isolation is the most difﬁcult part of the psychological toll. It cites a study in Bangladesh stating that “it was neither the verbal or physical punishments, nor the possible lack of material goods or even food, that upset [child domestic workers] the most; it was the discrimination, exclusion, disrespect, ingratitude, and other assaults on their emotional needs that truly hurt them’ (ibid). | * The policy (2015) mentions of the child domestic worker however, the Labour Law does not recognize CDW as child labour. There is a need of harmonization.
* There are High Court judgements that can support the inclusion of CDW as a hazardous work for children.
* As a signatory to the ILO Convention, the GoB has the mandate to include any new sector on the list of HCL. This can make a headway to reform of the Labour Law. Section 39 of labour law also recognizes this.
* Working hour and exclusion of education are also considerations in defining HCL.
* Section 34 of Labour Law defines children (age, working conditions) however, there is a need of reducing vulnerability and enhance protection to children.

**UNANIMOUSLY AGREED TO PROPOSE TO MOLE** |
| 02 | Child labour in dry-fish sector | **Main forms of Hazards and Harm:****- Long workhour****- Hazardous working condition (exposure to heat, sand, injury, exposure to chemicals and unhygienic organic disposals)****-Health hazard (risk of silicosis)****- Exclusion from education** Studies reflect high level of exploitation and harmful working condition in dry fish sector.[[2]](#footnote-2)  | - Excluded community- Exploitation- Export potentiality of this sector can be utilized if the sector is child labour free.**UNANIMOUSLY AGREED TO PROPOSE TO MOLE** |
| 03 | Street based work of children | **Main forms of Hazards and Harm:**-Exploitation- Injuries- Long working hours- Exploitation- Abuse/neglect/violence- Exclusion from education- Conflict with law- STD/AIDS and other communicable diseases- Stigma- Exclusion from educationBy definition street children is defined not only by living space but also by their engagement in street based work. There are studies such revealing the hazardous work and living environment in which street children live and work. [[3]](#footnote-3) | **UNANIMOUSLY AGREED TO PROPOSE TO MOLE** |
| 04 | Stone collection, carrying and crushing (Brick production, stone collection, brick and stone carrying and breaking) | **Main forms of Hazards and Harm:****- Exploitation****- Abuse****- Hard work****- Injuries****- Health risk (dust)****- Exclusion from education**Currently only stone crushing is listed as hazardous child labour – Serial# 5 on current list. Recent study has revealed the hazardous working conditions faced by the children in stone quarries. It reveals the hard work and deprivation of education endured by the children.[[4]](#footnote-4) | **UNANIMOUSLY AGREED TO PROPOSE TO MOLE** |
| 05 | Child Labour in Informal/Local Tailoring and Clothing sectors.  | **Main forms of Hazards and Harm:**- **Exploitation****- Abuse****- Injuries/health hazards****- Long working-hour****- Fire Hazards** A recent study reveals the exploitative and hazardous nature of work in these factories.[[5]](#footnote-5) | - In Keraniganj there 14,000 child labour. - There is a risk of market restriction on RMG exports, if the international community finds child labour in local RMG sectors.**UNANIMOUSLY AGREED TO PROPOSE TO MOLE** |
| 06 | Children working in garbage picking and waste disposal (collection, carrying, sorting and disposal- management) | **Main forms of Hazards and Harm:**- **Accidental injuries (cut and bruise)****- Unhealthy environment****- Skin Disease** **- Exclusion from education****- Social stigma**The per capita generation rate was ranged from 0.325 to0.485 kg/cap/day, while the average rate was 0.387 kg/cap/day for the six major cities. Lack of regulations/standard for waste disposal, landfill & use, lack of awareness, improper choice of technology and inadequate financial support are the major constraints for waste management in Bangladesh. [[6]](#footnote-6) There studies on negative impacts of scavenging and engagement of children in unsafe waste disposal.[[7]](#footnote-7) | - This constitutes also a section of street children.**UNANIMOUSLY AGREED TO PROPOSE TO MOLE** |

The meeting of the Sub-Committee was held on virtual platform with the support of INCIDIN Bangladesh under its CLIMB project - implemented with the support of Winrock International.

1. ILO, IPEC, 2013. Ending child labour in domestic work and protecting young workers from abusive working conditions. [↑](#footnote-ref-1)
2. Situation analysis of Dry-Fish Sector in Cox’s Bazar, Winrock International, CLIMB project, 2019 [↑](#footnote-ref-2)
3. Studies such as Super Sisters on the Savage Street, INCIDIN Bangladesh and SCI and Boy and the bullies, INCIDIN Bangladesh-ECPAT International [↑](#footnote-ref-3)
4. Drivers of Child Labour in Sylhet, INCIDIN-UNICEF with the support of DFID. 2020 [↑](#footnote-ref-4)
5. Situation Analysis in keraniganj, Bangladesh Labour Foundation, 2019 [↑](#footnote-ref-5)
6. Md. Anwarul Abedin\* and M. Jahiruddin , Asian J. Med. Biol. Res. 2015, 1 (1), 114-120 [↑](#footnote-ref-6)
7. Addressing the Exploitation of Children in Scavenging (Waste Picking): a Thematic Evaluation of Action on Child LabourInternational Programme on the Elimination of Child Labour (IPEC), 2004, Geneva [↑](#footnote-ref-7)