

26th May, 2015

Children and Youth in Pakistan

1. Infant mortality, Childs malnutrition and MDGs¹:-

In 2014 United Nations International Children Education and Fund (UNICEF) published its annual report on the state of the world child.

2. 2015 is the culminating year of the United Nations established millennium development Goals, MDGs.

Pakistan was ranked at 26th in the list of countries with the highest infant mortality rate.

According to the report, an estimated 86 babies died below the age of five per every 1000 live births in Pakistan during the year 2012. The figure comes from 409,000 babies dying below the age of five out of 4,604,000 newborns in 2012.

The 8.6% rate is an improvement since 1990, when the under-five mortality rate was measured at 13.8%.

¹ EN-FINAL FULL REPORT

For children under the age of one, the number of babies dying per a thousand births was 106 in 1990, and an improved 69 in 2012.

Also for 2012, the average life expectancy for every newborn child was 66, while one third of all children under the age of five in Pakistan were underweight.

41.2 per cent (73.8 million) of Pakistan's 179.1 million population is 18-years old or younger.

Marriage and birth:

The report revealed that seven per cent of Pakistanis were married by the age of 15, and 24% by 18.

A staggering 87, 000 people are living with HIV in 2012.

In urban areas, twice as many women were likely to have a skilled attendant at their birth than in rural areas.

10% of Pakistani girls currently aged between 20-24 gave birth before the age of 18.

27% of all married women currently use some contraceptive method.

Literacy:

Using the most recent statistics available for study and defining 'literacy' as the ability to 'both read and write with understanding a short simple statement on his/her everyday life', UNICEF also measured Pakistan's total adult literacy rate at 55%.

Specifically for youth (aged between 15-24), literacy rates were 79% for males and 61% for females.

The number of literate adult women was 59% that of literate adult males.

Of all males belonging to the official secondary school age category, 40% were enrolled in secondary school. For females, the number was 29%.

Health:

The report gave a surprisingly high number for the percentage of people with access to 'improved drinking water sources' in 2011: 91%.

As for access to sanitation, 72% of the urban population had access to improved sanitation facilities. In rural areas, the number was just 34%, bringing the country average to 47%.

According to UNICEF data, the percentage of live births in Pakistan who were vaccinated for safety against various diseases always stayed below 90. The numbers were lowest for the percentage of babies receiving at least three doses of polio vaccination or the number of newborns protected against Tetanus — 75% in each of the cases.

Economy²:

The average annual rate of inflation across the years 1990-2012 was 10%.

In 2012, 21% of Pakistanis were living in abject poverty, below the international poverty line of \$1.25 per day.

67% of the country's population was subscribed to mobile telephone services in 2012, and an estimated 10% were internet users.

Laws on Children in Pakistan.

² PC_Pakistan_Report

UNITED NATIONS INSTRUMENTS ON CHILD LABOR AND FORCED LABOR:-

The international legal framework for this study consisted of the United Nations instruments that defined and regulated children's work, child labor, forced/bonded labor, and child trafficking.

ILO Convention 29 on Forced or Compulsory Labor (1930). Pakistan ratified this Convention in 1957.

ILO Convention 90 on Night Work of Young Persons (Industry) (1948). The Convention specifically established a different age limit for Pakistan, and its ages were always one year younger than the international standards. Pakistan ratified this Convention in 1951.

UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956)

ILO Convention 105 on the Abolition of Forced Labor (1957). Pakistan ratified this convention in 1960.

ILO Convention 138 on Minimum Working Age (1973), as amended by Recommendation 146 (1973). Pakistan ratified this Convention in 2006.

UN International Convention on the Rights of a Child (UNCRC, 1990) and the Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography (2000). Pakistan ratified the Convention in 1990 and the Optional Protocol in 2011.

ILO Convention 182 on the Worst Forms of Child Labor (1999) as amended by Recommendation 190 (1999). Pakistan ratified this Convention in 2001.

UN Trafficking Protocol, also known as the Palermo Protocol (2000) or the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention Against Transnational Organized Crime.

Note on the definition of ‘child trafficking’ (2007). This note resulted from a dialogue among the ILO’s program Towards the Elimination of the Worst Forms of Child Labour (TECL), the UN Office on Drugs and Crime, and the International Organization for Migration (IOM).

1.2. LEGAL PROTECTIONS FOR CHILDREN IN THE PAKISTAN CARPET INDUSTRY:-

Pakistan ratified ILO Conventions 29, 90, 105, 138, and 182, the UN Convention on the Rights of the Child, and the Optional Protocol on the Sale of Children. While most definitions used in this study were based on international conventions, the Pakistan national legal framework was used to define aspects not covered by the international framework. The following instruments were in force at the time this research was conducted, but the effects of the 2010 Eighteenth ••••• ••• 15 Constitutional Amendment on labor law regulation and enforcement were still being processed when this report was written in early 2012.

Constitution of Pakistan (2004)

Forbid slavery, all forms of forced labor, trafficking in human beings, and employment of children below the age of 14 years in any factory, mine, or any other hazardous employment.

Constitution (Eighteenth) Amendment Act (2010)

Each provincial assembly became responsible for drafting its own labor laws. Provincial governments were to assume regulatory

authority by June 30, 2011, but progress on passing necessary legislation was still occurring when this report was written.

Free and compulsory education would be made available to all children 5-16 years old.

The North West Frontier Province became Khyber Pakhtunkhwa.

The Factories Act (1934).

Defined children as persons younger than 15 and prohibited employing any child younger than 12 to work in a factory.

Defined a factory as an establishment employing at least 20 workers. Factories were regulated, but not workshops employing fewer than 20 employees.

Limited children younger than 15 to working no more than five hours a day.

Prohibited children younger than 15 from working between 7 p.m. and 6 a.m. (night work).

The Employment of Children Act (ECA) (1991)

Defined children as persons younger than 14 years old.

Prohibited employing children under 14 years of age to work in factories, but factories were defined as establishments employing at least 10 workers. Workshops employing fewer than 10 employees were not regulated.

Prohibited employing children younger than 14 to work in listed hazardous occupations and processes. Carpet weaving, wool cleaning, and the wool industry were listed.

Limited children under 14 from working more than seven hours a day, more than six days a week, or at night (7.00 p.m. to 8.00 a.m.), and children under 14 had to have a one hour break after three continuous hours of work.

Exempted from regulation all family-run establishments³ and training institutes (schools) that were established, assisted, or organized by the Government.

3 The specific wording was “...any establishment wherein such process is carried on by the occupier with the help of his family...” • •
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The Bonded Labour System (Abolition) Act (1992)

Abolished the bonded labor system, including the “peshgi” system.

The Prevention and Control of Human Trafficking Ordinance (2002):-

orbid human trafficking.

1.3. DIFFERENCES BETWEEN INTERNATIONAL AND PAKISTAN STANDARDS.

This study relied on international standards, utilized the international definition of a child as any person younger than 18 years of age, and applied the international definitions of child labor to the work and working conditions of all children who were employed in the carpet industry, even when they were working in their own household with their family or in workshops (factories or sheds) of any size. This report presents its estimates of the existence and prevalence of child labor using both international and Pakistani standards to facilitate a comparison.

One important difference between international standards and Pakistani standards is the age of a child. International standards define a child as a person under 18 years of age. Those standards are the basis for this study, which considered all carpet workers under the age of 18 to be child carpet workers. Pakistan's child labor legislation (specifically the 1991 Employment of Children Act) defines a child as a person under 14 years of age, prohibits employing children under 14 years of age (minimum working age) in a factory or in any of the listed hazardous occupations and processes, and limits the hours a child under 14 may work. Pakistan's legal protection of children differs from international standards because it fails to protect children 14-17 years of age from hazardous and unacceptable work and working conditions. Half (50.1 percent) of Pakistan's child carpet workers were children 14-17 years of age; they were not protected by Pakistan's labor laws because of their age.

Another important difference between international standards and Pakistani standards concerns the establishments that are regulated. The 1991 Employment of Children Act exempts family-run establishments from regulation, which means that HH-based child carpet workers who are working with their families are not protected by the legislation. Almost all (96.3 percent) of Pakistan's child carpet workers were HH-based, and 90 percent of them were working with their families. The 1991 Act also prohibits employing children below 14 years of age (minimum working age) to work in any factory, but defines factories as

establishments employing ten or more workers. The Act does not regulate establishments with fewer than ten employees, where one-fifth (20.5 percent) of Pakistan's factory-based child carpet workers were employed.