



Study on **Domestic Child Labour in Pakistan**

Iqbal Ahmed Detho

Study on

Domestic Child Labour in Pakistan

Iqbal Ahmed Detho

August 2023

Imprint


Author:
Iqbal Ahmed Detho


Responsibility for content and editing:

Dr. Niels Hegewisch | Country Director
Abdullah Dayo | Program Advisor

Friedrich-Ebert-Stiftung (FES), Pakistan Office
1st Floor, 66-W, Junaid Plaza, Jinnah Avenue,
Blue Area, P.O Box 1289, Islamabad, Pakistan

Contact/Order:

 info.pakistan@fes.de

 +92 51 2803391-4

 pakistan.fes.de

 [@FESPakistanOffice](https://www.facebook.com/FESPakistanOffice)

 [@FES_Pak](https://twitter.com/FES_Pak)

Printed by: FES-Pakistan

The views expressed in this publication are not necessarily those of the Friedrich-Ebert-Stiftung. Commercial use of media published by the Friedrich-Ebert-Stiftung (FES) is not permitted without the written consent of the FES.

ISBN: 978-969-9675-59-1

© 2023

Contents

ACRONYMS	i
EXECUTIVE SUMMARY	iii
1. INTRODUCTION AND CONTEXT	1
2. METHODOLOGY	3
3. FINDINGS	5
3.1 Pakistan’s international commitments and child domestic labour.....	5
3.1.1 Universal Declaration on Human Rights, 1948	7
3.1.2 United Nations Convention on the Rights of the Child, 1989	8
3.1.3 International Covenant on Civil and Political Rights, 1966	10
3.1.4 International Covenant on Economic, Social and Cultural Rights, 1966	10
3.1.5 United Nations Convention against Torture, 1985 ...	11
3.1.6 Minimum Age Convention, 1973	11
3.1.7 Worst Forms of Child Labour Convention, 1999	12
3.1.8 Domestic Workers Convention, 2011	13
3.1.9 Convention on Forced Labour, 1930	13
3.1.10 Abolition of Forced Labour Convention, 1957	13
3.1.11 Sustainable Development Goals.....	14
3.2 Pakistan’s legal and policy framework on child domestic labor.....	14
3.2.1 National Framework	14
3.2.2 Provincial legal framework	17
3.2.3 Light work	21

3.3	Institutional mechanisms	37
3.4	The magnitude of child domestic labor in Pakistan	43
3.5	Ages of child domestic workers	45
3.6	Working conditions	47
3.7	Harmful impacts of child domestic labor on children	48
3.8	Causes of child domestic labour.....	50
3.9	Wages for child domestic workers.....	55
3.10	Perceptions of child domestic workers about child domestic labour	55
4.	CONCLUSION	57
5.	RECOMMENDATIONS.....	59
5.1	Recommendations for legislative bodies.....	59
5.2	Recommendations for governments: Law enforcement agencies	60
5.3	Recommendations for the Judiciary	62
5.4	Recommendations for national and provincial human rights institutions	62
5.5	Recommendations for civil society organisations	63
5.6	Recommendations by the respondents of this research	64
	References	66

ACRONYMS

CDL	Child domestic labour
CDW	Child domestic work
CDWs	Child domestic workers
CPO	Child Protection Officer
CPU	Child Protection Unit
ICT	Islamabad Capital Territory
ILO	International Labour Organization
KP	Khyber Pakhtunkhwa
MoHR	Ministry of Human Rights
NCRC	National Commission on the Rights of Child
NGOs	Non-governmental organisations
SDGs	Sustainable Development Goals
UDHR	Universal Declaration of Human Rights
UNCRC	United Nations Convention on the Rights of the Child
UNICEF	United Nations Children's Fund

EXECUTIVE SUMMARY

This study is based on qualitative research to identify gaps in laws, policies, and administrative measures in Pakistan with regard to domestic child labor. For the primary data, in-depth qualitative interviews were conducted with key informants in Karachi, Lahore, Quetta, Peshawar and Islamabad. The research uses both primary and secondary data to present the situation of child domestic labor (CDL) in Pakistan.

Child domestic workers (CDWs) make up a significant proportion of child laborers. CDL is invariably performed inside houses or households; thus, it is considered a “hidden phenomenon.” CDWs may be defined as persons “under 18 years of age performing domestic chores in the home of a third party, with or without remuneration. This is distinct from children performing household chores within their own homes.” In Pakistan, there are no exact figures on child labor (or CDL, as a subcategory of child labor), but estimates have been based on old surveys. CDL is unevenly distributed across Pakistan and is most often an urban phenomenon, although it is also found in rural areas. When employers decide to hire children to carry out work for them, there is no set minimum age requirement. The media reported that in 2019, employers in Lahore and Karachi cruelly tortured 7-year-old ‘F’ and 8-year-old ‘N’, respectively. In 2011, a study found that 27 percent of children between the ages of 6 and 10 were engaged in child domestic work (CDW). However, the majority of CDWs are between 10 and 15 years of age. Usually, female CDWs start working when they are 6 or 7 years old, often with their mothers, before transitioning to independent work around the age of 10.

CDWs are engaged in a variety of household tasks, including dishwashing, ironing, mopping, dusting, sweeping, laundry, cooking, housecleaning, and babysitting. Children who live with their employers are more likely to face hazards, be called on at any time, work nonstop with no regular schedule, take fewer vacations, and travel home less frequently—sometimes only once a year or once every

two years. If they are kept confined to specific areas of the house, usually the kitchen having no separate access to a toilet and locked inside when their employers leave the house, such employment is equivalent to slavery. Rural CDWs typically experience isolation. Their familiar surroundings are completely sealed off from them, and they are usually denied access to natural resources like open space and fresh air. Violence and abuse are commonplace for many children. Additionally, frequent reprimands, emotional abuse, and physical assault are common. Employers have brutally mistreated children on multiple occasions in recent years, and there have been cases where they have been beaten to death. A 2017 study found that 80 percent of CDWs spent Eid (an Islamic festival) with their employers, and 67 percent expressed a desire to leave their professions.

CDWs are exposed to various ergonomic, physical, chemical, and psychological risks. Low-quality pressure cookers, faulty irons, power leakages, and electrical discharges are only a few of the risks mentioned in the literature that is now available. Children are exposed to dust while cleaning, which can make asthma and allergies worse. Cuts and burns are frequent occurrences for children working in kitchens. The data on deaths, injuries, and abuse sustained by CDWs is not maintained by any organization except the Institute for Social Justice. More than 140 instances of abuse, torture, rape, and murder of CDWs were reported from 2010 to 2019, according to a report released in January 2020. Every year is terrible for CDWs, but the years 2013, 2017, and 2019 were the worst, going by media coverage, with 21, 27, and 19 cases of abuse involving CDWs, respectively. Of the total 140 cases, 96 involved children being tortured, raped, or killed. Seventy-nine percent of these cases originated from Punjab, 14 percent from Sindh, 6 percent from Islamabad, and 1 percent from Khyber Pakhtunkhwa (KP).

In 2004, the International Labour Organization (ILO) estimated that 264,000 children were engaged in CDW in Pakistan. In 2015, an ILO news story revealed that an estimated 8.5 million people were engaged in domestic work in Pakistan. A recent study estimates that one out of every four households employs a domestic worker, usually a female between the age of 10 and 14. In Pakistan, in 2017, there were an estimated 32,200,000 households; this suggests that 8,050,000 households had domestic workers who were mainly female children. Even if only every second household out of these

8,050,000 households had a child domestic worker, the number of CDWs would total 4,025,000; if every third household of these 8,050,000 households employed a child, there would be 2,683,333 CDWs in Pakistan.

The Labour Force Survey (2014–15) only includes data for those 10 years of age and older. Child labor is commonplace in Pakistan, involving children from 10 to 17 years old, according to the survey. The overall number of minors involved in hazardous labor includes both those working long hours and those in recognized hazardous industries (e.g., construction and mining). Children who engage in hazardous jobs, including domestic chores that are performed for no pay or in dangerous conditions, are not included in this survey. The Labour Force Survey finds that around 12.5 million children were employed in child labor but did not indicate the proportion of CDWs. However, plentiful anecdotal data points to the prevalence of child labor in domestic employment across all of Pakistan's provinces, with more girls than boys involved. It is feared that more children are working today than were 30 years ago.

Research indicates multiple causes of CDW in Pakistan and underdeveloped countries like it. Poverty and a lack of basic utilities all play a role in the rising demand and supply of CDWs. There is a great demand for working children from businesses as they work for cheaper and for longer working hours without complaint. Parents typically put their children to work because of poverty and a lack of options accessible to adult workers. Increasing social and economic class disparities, debt enslavement, young girls' need for young girls to help in households, etc., drive demand. Supply-side factors include the low socioeconomic status of the parents of CDWs, affected by internal factors of displacement, lack of awareness about wages, and the vulnerability to employer exploitation of CDWs.

Pakistan has ratified many ILO and United Nations core conventions that also guarantee protection to children in any context or environment. It has enacted several legislations both at the federal and provincial levels. However, the threat posed by CDL has not gone away. The amount of research on various facets of CDL in Pakistan has grown, but most of it provides scant comprehension of the issue, which is seen as a key barrier to eliminating it. By bringing together disparate pieces of information, this study intends to uncover gaps in laws,

policies, and administrative procedures on eradicating CDL and offers inclusive, practical knowledge that will aid Pakistani efforts to do so.

The primary guiding document for the protection of children in any context or condition is the UN Convention on the Rights of the Child, 1989. Additionally, there are the concluding observations and recommendations of the Committee on the Rights of the Child, the core conventions of the ILO and other human rights treaties.

In 2016, the Committee on the Rights of the Child expressed concern that Pakistan was delaying the adoption of laws to prevent child labor. The Committee had recommended that Pakistan "enforce legal measures against child and bonded labor involving refugee, asylum-seeking and stateless children." The Committee was also extremely concerned about the shockingly large number of working children, sometimes in dangerous and slave-like conditions in prostitution and domestic service, and accounts of child laborers being abused and tortured, including young domestic employees, resulting in the deaths of mostly female children. Given these observations, the Committee urged Pakistan to take appropriate measures to eradicate child labor, in particular the worst forms of child labor, by addressing its root causes, including poverty. But things have not changed for CDWs. There is a long list of international treaties (which Pakistan has ratified) and commitments (which it has not implemented) in the context of CDL, including the Universal Declaration on Human Rights, the UN Convention on the Rights of the Child, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the UN Convention against Torture, the Minimum Age Convention ILO C: 138, the Worst Forms of Child Labour Convention no. 182, the Domestic Workers Convention no. 189, the Convention on Forced Labour no. 29, the Abolition of Forced Labour Convention no.105 and the Sustainable Development Goals.

Pakistan has a legal and policy framework on CDL. The issue is addressed in the Constitution of Pakistan, 1973, for example, by Article 11 (3), which prohibits children under 14 years from being involved in "any factory or mine or any other hazardous employment." The federal Employment of Children Act of 1991 declared child domestic work under 14 years of age to be hazardous work and put it on the list of banned occupations. However, many national laws before the 18th Constitutional Amendment of 2010, such as the Mines Act-1923,

the Pledging of Child Labour Act-1933, the Factories Act of 1934, the West Pakistan Shops and Establishments Ordinance of 1969, the Minimum Wages Ordinance of 1961 and the Bonded Labour System (Abolition) Act of 1992 neither talk about CDL nor are relevant to the matter. Even following the Constitutional Amendment, when labor came under the domain of provincial legislation and the provinces promulgated new laws, little effort was made to ban CDL. The provincial bonded labor system abolition acts prohibit debt bondage or bondage due to advance payment to workers, but the law has never been interpreted from the perspective of CDL or work being carried out by domestic workers within households.

In 2019, the Provincial Assembly of Punjab passed the Domestic Workers Act, which prohibits the employment of children under the age of 15 in a household in any capacity. However, it adds that “no domestic worker under the age of 18 years shall be engaged in domestic work except involving light work in a household”. It defines light work as “domestic work which is part-time in nature and is not likely to harm health, safety and education of a domestic worker” (see Section 3 of the Act). It is important to reiterate that in Section 3 (the prohibition of employment) of the Act, children below 15 years of age are not allowed to work.

All provinces and the Islamabad Capital Territory (ICT) have enacted laws since the 18th Amendment of the Constitution that prohibit the employment of children under 14 years of age and regulate the employment of children above 14 years of age. These are the Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015; the Punjab Restriction on Employment of Children Act, 2016; the Sindh Prohibition of Employment of Children Act, 2017; the Islamabad Capital Territory Prohibition of Employment of Children Act, 1991 (schedule banning CDL, amended in 2020) and the Balochistan Employment of Children (Prohibition & Regulation) Act, 2021.

In August 2020, the federal government placed CDL on the list of banned occupations in the Employment of Children Act of 1991, applicable to the ICT. This means that children under 14 years of age cannot be employed as a worker for any household work or work inside a household. Yet, children above 14 years of age are still not protected from domestic work, which contravenes their right to education up to 16 years of age, as provided by Article 25A of the Constitution and

Sectoral Law on Education i.e. ICT Free and Compulsory Education Act-2012, applicable to the extent of ICT.

However, the federal government also enacted the Islamabad Capital Territory Domestic Workers Act, 2022, which in Section 3 banned the employment of children under the age of 16 years, stating that they shall not be allowed to work in a household in any capacity. Furthermore, Section 20 categorically prohibits violations of child labour laws, with employers subject to all civil and criminal liabilities attached thereto and in definitions 2 (k) of the said Act defines child below 18 years.

In August 2021, the KP Assembly enacted the Khyber Pakhtunkhwa Home Based Workers (Welfare and Protection) Act to address the rights, duties, and problems of domestic workers, which under Section(c) bans the employment of children under 14 as domestic workers.

The Balochistan Employment of Children (Prohibition & Regulation) Act 2021 has progressive provisions. Its list of banned occupations prohibits the employment of children as domestic laborers. It is also progressive in the sense that it prohibits the employment of children under 18 years of age in hazardous occupations or work that exposes children to physical, sexual, and psychological effects. It implies that Balochistan's law prohibits the employment of children under 18 years in domestic work.

Also, all provinces and the ICT have laws on the right to education for children from 5 to 16 years of age; if implemented, this could help to reduce CDL. These laws are the Punjab Free and Compulsory Education Act, 2014; the Sindh Right of Children to Free and Compulsory Education Act, 2013; the Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act, 2017; the Balochistan Compulsory Education Act; 2014, and the Islamabad Capital Territory Right to Free and Compulsory Education Act, 2012.

Provincial laws such as the Sindh Children Act, 1955, the Punjab Destitute and Neglected Children Act-2004, the Khyber Pakhtunkhwa Child Protection and Welfare Act-2010, the Sindh Child Protection Authority Act-2011 and also amended in 2021, the Balochistan Child Protection Act-2016, do not address CDWs. The Sindh Government amended the Sindh Child Protection Authority Act in 2021 and added

a definition of CDL as an exploitative economic and labor activity. It further empowered Child Protection Officers (CPOs) through Child Protection Units (CPUs) to take cognizance of such children as being in need of protection. Sindh Government has also enacted the Home-Based Workers Act-2019, but that is also silent on domestic workers, including child domestic labor. The ICT Child Protection and Welfare Act, 2018, Section 5 also empowers CPOs through CPUs to address the issues of CDWs.

Children under the age of 12 are permitted to work up to 2 hours per day in a private firm with a family member under the Khyber Pakhtunkhwa Prohibition of Employment of Children Act of 2015 and the Balochistan Employment of Children (Prohibition & Regulation) Act of 2021. The later Act restricts light work to children aged 12 to 14 in Balochistan. The provisions regarding light work are crucial in protecting workers under the minimum age, given the local circumstances where minors are compelled to work owing to acute poverty. The legal minimum age for light work is generally 13 years. For light jobs, a lower minimum age of 12 years may be specified in developing nations.

There is a long list of national and provincial institutions and mechanisms to prevent children from working in conditions akin to slavery, including CDL. However, these have not played an adequate/effective role in protecting children from being abused, exploited, or murdered in the course of doing domestic work. These institutions include, in terms of oversight mechanisms, the National Commission on the Rights of the Child (NCRC), the Senate's Standing Committee on Human Rights, the National Assembly's Standing Committee on Human Rights, and the recently formed Child Rights Caucus in the National Assembly. The Federal Ministry of Human Rights and Federal Investigation Agency. At the provincial level, there are labor departments, social welfare departments, and human rights departments, specifically the Punjab Child Protection and Welfare Bureau, the Sindh Child Protection Authority, the Sindh Human Rights Commission, and the KP and Balochistan child protection and Welfare commissions to provide service and oversight mechanisms.

The study concludes that the provincial and national laws are inconsistent in term of definitions, which confuse the stakeholders' role in tackling the issue of CDL. In the context of labor, there is no

single operational definition of child, child labor, CDL, hazardous work, and light work. Recently, Balochistan defined a child as a person under 18 years of age and prohibited their employment in hazardous work, including CDL. The federal government at the ICT level has enacted the Domestic Workers Act of 2012, to ban CDL for those under 16 years of age. However, the enforcement of child labor and child protection laws in the arena of CDL is absent because of many factors, including the limited scope of laws (for example, they do not cover CDL), undefined CDL in substantive and procedural provisions, lack of the relevant officers' understanding of the laws and capacity to implement them, a lack of human resources and a lack of access to households. There is a serious issue of public awareness about the impact of CDL and its social acceptability. Not only parents and communities, officials too are unaware of the laws and the impact of CDL on a child's health, well-being and development. Furthermore, there is a lack of motivation and will to protect children from hazardous work through the improvement of institutional capacity.

The study concludes with recommendations to address the issue of CDL in Pakistan.

1. INTRODUCTION AND CONTEXT

Child domestic workers (CDWs) make up a significant proportion of child laborers. CDL is invariably performed inside houses or households; thus, it is considered a “hidden phenomenon.” CDWs may be defined as persons “under 18 years of age performing domestic chores in the home of a third party, with or without remuneration (Cash or Kind). This is distinct from children performing household chores within their own homes” (Lyon and Valdivia, 2010). In 2020, across the globe, of the total number of children engaged in child labor, 6.9 percent (4.4 million) were girls, and 2.9 percent (2.8 million) were boys involved in domestic work. These CDWs constitute around 7.1 million involved in paid and unpaid work (International Labour Organization and United Nations Children’s Fund, 2021). The International Labour Organization (ILO) describes the phenomenon of child domestic work (CDW) as involving “domestic work outside the child’s household for an employer, paid or unpaid” (Ibid.)

However, due to the hidden nature of the work involved and the lack of a sampling frame to determine its magnitude, the true magnitude of CDW may be larger. The fact that these children are employed in private houses and behind closed doors considerably raises the risk of exploitation and abuse. For the child, this is a high-risk circumstance. Behind closed doors, abuse, and violence (of many sorts) can occur without being seen by anybody outside the household.

The Domestic Workers Convention (No. 189) of the ILO establishes minimum acceptable standards for domestic workers, including the age of workers, hours of work, minimum wages and compensation, fundamental rights, considerations for occupational safety and health, social security, and information about the terms and conditions of employment. Most countries, including Pakistan, have ratified the C189.¹ Pakistan has ratified many ILO² and UN’s 7 out of 9 human

-
1. See Domestic Workers Convention, 2011 (No. 189). Available at https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C189. Accessed on 26 April 2023.
 2. Pakistan has ratified 36 ILO conventions.

rights core conventions that also guarantee protection to children in any context and environment. At the national and provincial levels, too, Pakistan has introduced various laws.

However, the menace of CDL is far from over. Research on different aspects of CDL in Pakistan has been growing, but most research offers an incomplete understanding of the situation of CDL. This is a major hurdle in eliminating CDL in Pakistan. Thus, this study aims to identify gaps in laws, policy, and administrative instrument measures on eliminating CDL. It provides inclusive, practical knowledge by bringing together relevant information, the fragmented nature of which has so far hindered national efforts to eliminate CDL in Pakistan.

2. METHODOLOGY

This research used a qualitative research approach to identify gaps in laws, policies, and administrative instrument measures in Pakistan with regard to domestic child labor. For the primary data, in-depth qualitative interviews were conducted with key informants in Karachi, Lahore, Quetta, Peshawar and Islamabad. An interview guide was prepared, which covered main themes such as the scale of CDW, the nature of CDW, legal protection of CDWs, the social and economic aspects of CDW, and gaps in the legal framework as well as issues in the implementation of the existing laws. In addition, secondary data were gathered through a desk review and analyzed. The secondary data were obtained from academic papers, news reports, and reports of national and international non-governmental organizations (NGOs) and UN agencies. The term "child domestic workers in Pakistan" and "child domestic labor in Pakistan" were searched on Google for the years 2010 to (October) 2022. This research uses both primary and secondary data to present the situation of CDL in Pakistan.

Table 1: Respondent profiles

Province/region	Name of respondent	Designation and department
Sindh	Reejo Mal	Law Officer/Deputy Director Labour Department and Focal Person ILO/ UNICEF, Sindh Labour Department
Sindh	Sajjad Ali Lolai	Child Protection Officer, Right to Play in Sindh
Sindh	Dr Shereen Mustafa	Secretary, Social Welfare Department, Government of Sindh
Sindh	Hafeez Tunio	Senior journalist
Sindh	Zubair (father of a CDW)	Gardener in Neelam Colony, Karachi, Sindh
Sindh	Wazeer (father of a CDW)	Bike mechanic, Gizri, Karachi, Sindh

Balochistan	Mohammad Zahir	Deputy Director, Labour Department and Focal person ILO, Balochistan
Balochistan	Hubdar Ali	Programme Manager (Livelihood), Tarqee Foundation
Balochistan	Abdul Sattar	Child protection expert
Balochistan	Arslan Saleem	Assistant Inspector General of Police, Quetta
Khyber Pakhtunkhwa (KP)	Lehaf Ali	Mashriq TV
KP	Muhammad Ijaz	Deputy Chief, Khyber Pakhtunkhwa Child Protection and Welfare Commission
KP	Imran Takkar	Child rights activist
Punjab	Nazir Ghazi	Godh Foundation, Lahore
Punjab	Ahmer Ahmed	Advocate/child rights expert
Punjab	Syed Miqdad	Child protection rights specialist
Islamabad Capital Territory (ICT)	Aamir Naveed	Deputy Director Labour, ICT Administration
ICT	Iftikhar Ahmed	Labour-related laws expert

3. FINDINGS

3.1 Pakistan's international commitments and child domestic labour

The primary and guiding document for the protection of children in any context and condition is the United Nations Convention on the Rights of the Child (UNCRC), 1989. Additionally, there are the concluding observations and recommendations of the Committee on the Rights of the Child on Pakistan's periodic reports, the core conventions of the ILO and other human rights treaties. In the following passages, the relevant provisions of each instrument and document are discussed.

The Committee on the Rights of the Child (2016) has expressed concern that Pakistan has delayed adopting laws in the area of child labor (see paragraph 6). With regard to children deprived of a family environment, the Committee noted that national rehabilitation centers for child laborers had been established to provide children with alternative care but regretted that Pakistan did not provide foster care for children deprived of a family environment (see paragraph 43). It also observed that refugee children are subject to child labor due to the non-availability of education to them (see paragraph 64). Thus, the Committee recommended that Pakistan "Enforce legal measures against child and bonded labor involving refugee, asylum-seeking and stateless children" (paragraph 66 (e)).

Under the heading of economic exploitation, including child labor, the Committee offered very specific observations about child labor and domestic labor in different contexts. The Committee welcomed the legislative improvements in Punjab and KP that prohibit the employment of children in certain hazardous occupations. However, the Committee remained extremely concerned about various issues, including:

- "(a) The extremely high number of children involved in child labor, including in hazardous and slavery-like conditions in domestic servitude and prostitution;
- (b) Reports of abuse and torture of working children, including child domestic workers, in some cases leading to the deaths of such children, mainly girls;
- (c) The continuing practice of bonded and forced labor affecting children from poor and vulnerable backgrounds, including Dalit children;
- (d) The absence of nationwide or provincial studies on the extent of child labor;
- (e) Insufficient programs and mechanisms to identify and protect child victims of forced labor, particularly bonded labor and child labor in the informal sector, including domestic work;
- (f) The low minimum age for hazardous work, namely 14 years;
- (g) The inadequate number of sufficiently trained inspectors, their vulnerability to corruption, and a lack of resources to inspect workplaces." (paragraph 71) (Committee on the Rights of the Child, 2016)

Given these observations, the Committee urged Pakistan to:

- "(a) Take appropriate measures to eradicate child labor, in particular the worst forms of child labor, by addressing its root causes, including poverty;
- (b) Establish mechanisms for the systematic and regular monitoring of workplaces that employ children to prevent ill-treatment, abuse, and exploitation;
- (c) Eradicate all forms of bonded and forced labor of children, in particular those from marginalized and disadvantaged groups, such as Dalit children, and bring those responsible, in particular employers, to justice;
- (d) Conduct a survey or study to assess the prevalence of child labor, including the worst forms of child labor, such as bonded and forced labor, and inform the Committee about the findings in its next periodic report;

- (e) Develop programs and mechanisms to identify and protect child victims of forced labor, particularly bonded labor, and child labor in the informal sector, including domestic work;
- (f) Strengthen the labor inspectorate by eradicating corruption and providing labor inspectors with all the support necessary, including child labor expertise, to enable them to monitor effectively, at the national and local levels, the implementation of labor law standards and to receive investigate and address complaints of alleged violations;
- (g) Expedite the harmonization of the labor laws to establish minimum ages for employment under international standards, notably the ILO Minimum Age Convention, 1973 (No. 138), and vigorously pursue the enforcement of minimum age standards, including by requiring employers to possess, and to produce on demand, proof of the age of all children working on their premises;
- (h) Seek technical assistance from the International Programme on the Elimination of Child Labour of the International Labour Organization in this regard.” (paragraph 72) (Committee on the Rights of the Child, 2016)

3.1.1 Universal Declaration on Human Rights, 1948

The Universal Declaration on Human Rights (UDHR) has no specific provision for child labor or CDL. However, it prohibits various conditions and situations that are linked to CDL. For example, it prohibits slavery and exploitation and ensures the right to protection from all forms of abuse, violence and exploitation (National Commission on the Rights of Child, 2022). Specifically, the UDHR holds that:³

Article 4: No one shall be held in slavery or servitude

Article 5: No one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment

Article 23: Everyone, without any discrimination, has the right to equal pay for equal work

Article 24: Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay

3. See Universal Declaration of Human Rights, 1948. Available at <https://www.un.org/sites/un2.un.org/files/2021/03/udhr.pdf>. Accessed on 27 April 2023.

3.1.2 United Nations Convention on the Rights of the Child, 1989

Pakistan ratified the UNCRC on 12 September 1990 (Khosro and Kousar, 2022). The protection of children from economic exploitation and from working in jobs that are harmful to their physical and mental development is emphasized in Article 32 of the Convention. Article 32 also emphasizes that no work should be permitted if it interferes with a child's education. It stipulates that the State should establish the minimum age for admittance to employment, that the State should regulate working hours and employment conditions, and that the State should implement suitable penalties and other sanctions to ensure that the law is effectively enforced.⁴ The following UNCRC provisions can be used to protect children engaged in domestic employment:

The best interests of the child are protected under Article 3. CDL is typically not regarded as being in the child's best interests by legislative, administrative, and other measures.

Article 4 declares that the State should make use of appropriate legislative, administrative, and other measures to formally advance the protection of children's rights.

Article 6 declares that States should ensure children's survival and development. Youngsters who work as household help are frequently denied growth development opportunities. Deaths and severe injuries are also frequent.

Article 19 addresses measures to be taken by the State to protect children from all types of violence. Youngsters engaged in domestic employment frequently experience physical and psychological abuse.

Article 20 prohibits the deprivation of children of their familial surroundings. Most CDWs have little to no contact with their families, if any, for extended periods.

Article 27 requires an adequate standard of living for children. It is well known that CDWs are often housed in inappropriate conditions.

4. See United Nations Convention on the Rights of the Child, 1989. Available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>. Accessed 27 April 2023.

Article 28 demands free basic education for children. Children who work in households are denied access to free elementary education.

Figure 1: CDWs denied fundamental rights in view of the UNCRC



Children should have access to leisure and play opportunities, according to Article 31. Since CDWs are typically required to work long hours, they are often not permitted by their employers to participate in any recreational activities.

Article 37 prohibits using physical force against children. When young domestic workers don't carry out their tasks properly, they risk serious harm or harsh punishment, which can even result in death.

Figure 1 illustrates how CDWs may be denied their fundamental rights.

3.1.3 International Covenant on Civil and Political Rights, 1966

Pakistan ratified the International Covenant on Civil and Political Rights in 2010. Article 8 of the Covenant forbids slavery, acts that resemble slavery and forced labor in all circumstances. Additionally, it forbids forced labor. Despite the State party's efforts, the Committee on Civil and Political Rights expressed concerns in its observations on the initial report submitted in 2017. It stated, for example, that the low level of birth registration has had negative effects on children. The high rate of children working in dangerous and slave-like situations, particularly in the brick kiln sector and residential settings, as well as the lack of adequate labor inspections of child labor, also raise concerns. Other concerns include the infrequent prosecution of offenders and the inadequate support and rehabilitation provided to victims (Articles 2, 6, 7, 8, 24 and 26) (paragraph 43) (Committee on Civil and Political Rights, 2017). Accordingly, the Committee advised Pakistan to step up its efforts to ensure that all children are registered at birth, locate children whose births have not been recorded and children without identification documents, register them, and spread awareness of the significance of birth registration. Additionally, it should firmly enforce child labor regulations and improve the labor inspection system to take all necessary steps to end child labor (paragraph 44) (Committee on Civil and Political Rights, 2017).

3.1.4 International Covenant on Economic, Social and Cultural Rights, 1966

Pakistan ratified the International Covenant on Economic, Social, and Cultural Rights in 2008. In its final remarks, Committee on Pakistan's initial report from July 2017, the Committee on Economic, Social and Cultural Rights expressed worry over the fact that the Constitution of Pakistan guarantees free, obligatory education until the age of 16, yet the minimum age for employment is 14 years. It is especially concerning that, according to government statistics, nearly 2 million children between the ages of 10 and 14 work, with 28 percent engaged in dangerous jobs. Additionally, the majority of these children are not in school. Further concerns are the working conditions for children, the majority of whom are employed in agriculture, brick kilns, coal mining, street work and domestic settings, as well as the high risk of sexual and economic exploitation these children face (Articles 7, 10,

13, 14) (paragraph 63) (Committee on Economic, Social and Cultural Rights, 2017). Thus, the Committee recommended to Pakistan: “(a) Strengthen its legislation prohibiting child labor and the enforcement of such legislation, including by enhancing labor inspections of child labor; (b) Ensure that those persons who exploit children for labor are prosecuted and punished; (c) Adopt all appropriate measures to facilitate the recovery of working children and their access to educational opportunities and provide adequate support to their families; (d) Undertake a national survey on the nature and extent of child labor.” (paragraph 64) (Committee on Economic, Social and Cultural Rights, 2017)

3.1.5 United Nations Convention against Torture, 1985

In 2010, Pakistan ratified the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The Committee Against Torture reviewed Pakistan’s initial report in April 2017 and expressed concern that despite government efforts, reports consistently point to high levels of trafficking in people for sexual exploitation and forced or bonded labor, including the use of children as domestic workers under conditions akin to slavery (Articles 2, 12, 14 and 16) (paragraph 32) (Committee against Torture, 2017). The Committee urged Pakistan to abolish and combat human trafficking and forced labor by looking into all claims of such activity, ensuring that offenders are brought to justice, found guilty, and given sentences that are appropriate to the seriousness of their crimes. Additionally, it was stated that to stop forced labor, bonded labor, and other types of mistreatment, abuse, and exploitation; procedures should be put in place for the systematic and routine observation of workplaces in both the formal and informal sectors, including domestic employment (paragraph 33) (Committee against Torture, 2017).

3.1.6 Minimum Age Convention, 1973

In 2006, Pakistan ratified the Minimum Age Convention of the ILO (No. 138) (International Labour Organization, n.d.), which says that each ratifying State shall specify the minimum age for admission to employment or work (Article 2(1)). According to Article 2(3), the age of admission to employment or work should not be less than 15 years or the age up to which compulsory schooling applies, which is 16 years according to Article 25A of the Constitution of Pakistan. Article 2(4)

grants an extension of a year to nations with inadequate economic development and educational facilities, which may thus set a minimum initial age of 14. According to Article 2(5), such parties must explain their actions in their reports on the Convention's implementation. Under Article 3, the minimum age for dangerous work is 18.⁵

3.1.7 Worst Forms of Child Labour Convention, 1999

Given that the conditions of children who work in families are hidden, CDL is considered a type of slavery. CDWs face serious health and safety concerns, making this one of the worst types of child labor in Pakistan. Pakistan ratified the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO, No. 182) in 2001, which states in Article 3 that if any of the following circumstances are present, child labor fits the definition of the worst kind of child labor:

Article 3

For this Convention, the term **the worst forms of child labor** comprises:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring, or offering of a child for prostitution, for the production of pornography or pornographic performances;
- (c) the use, procuring, or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) 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.⁶

5. See Minimum Age Convention, 1973 (No. 138). Available at https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312283:NO Accessed 27 April 2023.

6. See Worst Forms of Child Labour Convention, 1999 (No. 182). Available at https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312327:NO. Accessed 27 April 2023.

3.1.8 Domestic Workers Convention, 2011

Pakistan has not ratified the Domestic Workers Convention (ILO, No. 189), which asks the ratifying states to “set a minimum age for domestic workers consistent with the provisions of the Minimum Age Convention, 1973, and the Worst Forms of Child Labour Convention, 1999, and not lower than that established by national laws and regulations for workers generally.”⁷ In other words, it is asking states to ban children under 14 years of age from working in households. Since Pakistan has not ratified the Convention, CDWs lack the protection provided by it, and it becomes more difficult for them to seek adequate remedies. However, in 2018, the Lahore High Court, in a judgment, held that even though Pakistan is not a signatory to the Convention, it has value for workers. It also stated that workers must be given equal pay as per Article 3 of the Convention (National Commission for the Rights of Child, 2022).

3.1.9 Convention on Forced Labour, 1930

In December 1957, Pakistan ratified the Convention on Forced Labour (ILO, No. 29), which demands that State parties end any form of forced or compulsory labor. As a party to the Convention, Pakistan has also to ensure that the use of forced labor is punishable as a criminal offense and that penalties are “really adequate and strictly enforced” (Article 25).⁸ The Convention is pertinent to CDL because children are often forced to do domestic work without their consent.

3.1.10 Abolition of Forced Labour Convention, 1957

In February 1960, Pakistan ratified the Abolition of Forced Labour Convention (ILO, No. 105). Because this primarily addresses forced labor enforced by governmental authorities and expressly forbids the use of any type of forced or coercive labor, this Convention is equally pertinent to CDL.

7. See Domestic Workers Convention, 2011 (No. 189).

8. See Forced Labour Convention, 1930 (No. 29). Available at https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312174:NO. Accessed 27 April 2023.

3.1.11 Sustainable Development Goals

The eradication of forced labor, the abolition of modern slavery, the abolition of human trafficking, and the ban and abolition of the worst kinds of child labor by 2030 are all addressed in Sustainable Development Goal (SDG) Target 8.7. SDG Target 16.2 places a strong emphasis on putting a stop to child abuse, exploitation, trafficking, and all other forms of violence and torture. The SDGs have already been given priority in Pakistan. To coordinate and track progress, the SDGs have a dedicated unit inside the Ministry of Planning, Development, and Special Initiatives at the federal level. The SDGs are also addressed by Provincial Planning and Development offices and Treaty Implementation Cells.⁹

3.2 Pakistan's legal and policy framework on child domestic labor

3.2.1 National Framework

Article 11 (3) of the Constitution of Pakistan prohibits children under 14 years to be involved in “any factory or mine or any other hazardous employment.” If Article 25A of the Constitution is complied with, children under 16 years of age go to school rather than to any workplace, including CDL. Article 35 says that the State has to protect families and children,¹⁰ which, unfortunately, is not the case with CDWs.

9. See United Nations. The 17 Goals. Available at <https://sdgs.un.org/goals>. Accessed 27 April 2023.

10. See the Constitution of the Islamic Republic of Pakistan. Available at <https://www.pakistani.org/pakistan/constitution>. Accessed 27 April 2023.

Figure 2: CDWs denied fundamental rights in view of the Constitution of Pakistan



In August 2020, under the Employment of Children Act of 1991, the federal government declared CDW to be hazardous work. Therefore, it is prohibited under the list of banned occupations.¹¹ Many national laws prior to the 18th constitutional amendment, such as the Factories Act of 1934, the West Pakistan Shops and Establishments Ordinance of 1969, the Minimum Wages Ordinance of 1961, and the Bonded Labour System (Abolition) Act of 1992, neither address CDW nor are relevant to the matter. In the post-18th amendment, provincial governments adopted labor laws, including provincial bonded labor system abolition acts, which prohibit debt bondage or bondage due to advance payment to workers. However, the law has never been interpreted from the perspective of CDL or work being carried out by domestic workers within households.

11. See Employment of Children Act, 1991. Available at https://na.gov.pk/uploads/documents/1335242011_887.pdf Accessed 27 April 2023.

Table 2: Minimum age for employment in years (Region and type of work) in Labour related Laws.

Provinces	Factories	Shops and establishments	Road transport	Hazardous work	Brick kilns	Light work	Mines	Domestic work	CDL
Punjab	15	15	18 (21 for drivers)	18	14	No	14	15	15
Sindh	14	14	18 (21 for drivers)	18	14	Provision	14	No	No
KP	14	14	18 (21 for drivers)	18	14	Provision	14	No	No
Balochistan	14	14	18 (21 for drivers)	14	14	No	14	No	18
ICT	14	14	18 (21 for drivers)	14	14	Provision	14	16	14

Source: Ahmad, 2017, updated with new legislative developments in provinces

3.2.2 Provincial legal framework

In December 2018, the Government of Punjab promised the Lahore High Court that it would ban CDW for children under 15 (Bilal, 2018). In 2019, the Provincial Assembly of Punjab passed the Domestic Workers Act, which prohibits the employment of children under the age of 15 in a household in any capacity. However, it adds that “no domestic worker under the age of 18 years shall be engaged in domestic work except involving light work in a household”. It defines light work as “domestic work which is part-time in nature and is not likely to harm health, safety and education of a domestic worker” (Section 3).¹² However, in Section 5(6) of the same law, the limitation of working hours to 56 hours a week (with overtime rates applying above 48 hours) endangers the health of the child and conflicts with other regulations in force in the country. The details of domestic work and the hours of work that are or are not considered light work should also be explicitly stated in the laws or regulations. The rights of the child as a rights holder are missing, and the light work done by children should be defined clearly and limited by law.

All provinces and the ICT have laws that prohibit the employment of children under 14 years of age and regulate the employment of children above 14 years of age. These include the Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015; the Punjab Restriction on Employment of Children Act 2016; the Sindh Prohibition of Employment of Children Act, 2017; the Islamabad Capital Territory Prohibition of Employment of Children Act, 1991 (schedule of occupations amended in 2020), and the Balochistan Employment of Children (Prohibition & Regulation) Act, 2021.

In August 2020, for the ICT, the federal government placed CDL on the list of banned occupations in the Employment of Children Act of 1991. This means that children under 14 years of age cannot be employed for any household work or work within a household (Imran, 2020). Yet children above 14 years of age are still not protected from CDW, which contravenes their right to education up to 16 years of age. However, the recently promulgated Islamabad Capital Territory Domestic Workers Act 2022 has banned CDWs under 16 years of age and will attract both civil and criminal liabilities.

12. See the Punjab Domestic Workers Act 2019. Available at <http://punjablaws.gov.pk/laws/2724.html>. Accessed 27 April 2023.

In August 2021, the KP Assembly enacted the Khyber Pakhtunkhwa Home Based Workers (Welfare and Protection) Act to address the rights, duties and problems of domestic workers, which, under Section 7(c), includes the banning of employment of children under 14 years as domestic workers (Geo News, 2021).

The Balochistan Employment of Children (Prohibition & Regulation) Act 2021 has progressive provisions. Its list of banned occupations prohibits the employment of children as domestic laborers. It also prohibits the employment of children under 18 years of age in hazardous occupations or work that exposes children to physical, sexual, and psychological impacts.¹³ This implies that Balochistan's law prohibits the employment of children under 18 years in domestic work.

It is worth reiterating that all provinces and the ICT have laws on the right to education for children from 5 to 16 years of age. These laws are the Punjab Free and Compulsory Education Act, 2014; the Sindh Right of Children to Free and Compulsory Education Act, 2013; the Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act, 2017; the Balochistan Compulsory Education Act; 2014 and the Islamabad Capital Territory Right to Free and Compulsory Education Act, 2012.

Provincial laws such as the Sindh Children Act, 1955; the Punjab Destitute and Neglected Children Act, 2004; the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010; the Sindh Child Protection Authority Act, 2011 and the Balochistan Child Protection Act, 2016; do not speak about CDWs; therefore, no protections are offered to CDWs unless reported. The Zainab Alert, Response and Recovery Act, 2020, is also silent about CDL.

The Islamabad Capital Territory Child Protection Act was passed in 2018 and aims to protect children from all types of physical or mental abuse, neglect, exploitation, maltreatment and other issues. It defines street children as those children who require care and have the right to protection. Section 5(b) of the Act defines a child in need of protection and care as one who is unattended, the victim of an offense, a CDW

13. See the Balochistan Employment of Children (Prohibition & Regulation) Act (2021). Available at https://pabalochistan.gov.pk/pab/pab/tables/alldocuments/actdocx/2021-11-08_11:54:08_8faa0.pdf. Accessed 27 April 2023.

or such other worker, or a child who is found begging, is imprisoned with the mother or lives in an immoral environment.¹⁴ This is a positive provision in the ICT; if put into practice could protect children under 18 years from being engaged in CDL.

Concerning the provincial legal and policy framework, respondents interviewed for this study had different views. Reejo Mal, Law Officer and Deputy Director of the Sindh Labour Department noted that the Government of Sindh was in the process of constituting a Provincial Child Labour Coordination Committee, as provided for in Section 5 of the Sindh Prohibition of Employment of Children Act of 2017, and further amending the schedule drawn up by the Ministry of Human Rights (MoHR) at the ICT level. Shereen Mustafa, Secretary of the Social Welfare Department of Sindh, highlighted the fact that there no practical legislation and policies concerning CDL existed in Sindh. She added that "various challenges are impeding the eradication of child domestic labor including Government's poor structure, social issues, out-of-school children, only emphasis on victim support and limited schools to cater to children's right to education."

Mal explained that besides the lack of a legal framework, employers' unions and federations have a weak role in raising voices against CDL. Mohammad Zahir, Deputy Director of the Labour Department of Balochistan, noted that the multiple challenges in eradicating CDL include poverty, the weak role of labor courts, and the lack of sensitization of judicial officers to child labor laws and children's rights. He added that labor laws are not implemented in tribal districts due to the lack of capacity of labor inspectors and other officers.

Muhammad Ijaz, Deputy Chief of the KP Children Protection and Welfare Commission, pointed out that the KP Assembly has banned domestic work for children under 14 years of age. The KP Government has also adopted a human rights policy that covers different areas, including civil and political rights and the rights of women, children, intersex individuals, minorities, senior citizens, people with disabilities, and human rights defenders, among others. But there is no practical mechanism to prohibit CDL. Ijaz highlighted the absence of an exclusive law or mechanism related to monitoring CDL inside houses, which are

14. See the Islamabad Capital Territory Child Protection Act 2018. Available at https://senate.gov.pk/uploads/documents/1526293047_291.pdf. Accessed 27 April 2023.

private premises. According to him, only the Free and Compulsory Education Act of 2017 is implemented in KP, but it is not effective.

Despite the existence of the Bonded Labour System (Abolition) Act, 1992, at the Federal level and provincially relevant laws after the 18th Amendment, they have never mirrored the subject of CDL. Many CDWs work as bonded laborers since their parents have to pay loans to their employers (Ahmad, 2017). Bonded labor is, in fact, a modern kind of slavery that originates from the *push* or advanced practice, which is frequently not documented. A person may enter into bonded labor to fulfill a customary or social responsibility or for financial gain obtained by them or by any member of their family. It is more common in rural regions and is primarily found in the unorganized sector. According to ILO research, bonded labor is a frequent practice in industries like agriculture, domestic work, fisheries, mines, and brick kilns (Ahmad, 2017).

The Khyber Pakhtunkhwa Bonded Labour System (Abolition) Act, 2015, and the Punjab Prohibition of Child Labour at Brick Kilns Act, 2016 both have new provisions that permit advance payments, which was forbidden by the Bonded Labour System (Abolition) Act, 1992 and the Supreme Court judgment that ended the *peshgi* system in 1989. The Khyber Pakhtunkhwa Bonded Labour System (Abolition) Act (Section 6) permits advances in the form of interest-free loans or *Qarz-e-Hasna* but stipulates that they must not be more than three times the minimum wage (PKR 45,000 as of July 2017). The KP Act establishes a process for advance recovery (installments cannot exceed one-fourth of the worker's earnings), and it mandates that the employer keep records. However, the Punjab Prohibition of Child Labour in Brick Kilns Act of 2016 caps the advance at PKR 50,000 and mandates that the employer keep a record of the advance (and its payback schedule in the required register, a copy of which must be forwarded to the local inspector). However, this has come under fire for exceeding the Supreme Court's cap of 35 days' wages only in "legitimate instances" and going against the letter and spirit of the Bonded Labour System (Abolition) Act, 1992 (Ahmad, 2017).

While only brick kiln workers are permitted advance payments under the Punjab Act, the KP Act provision is broad and applies to other industries and workers. Strong labor inspection systems are needed to maintain compliance with such seemingly incompatible standards.

The governments of Punjab and KP are required by their respective laws to disclose information on the extent of compliance with advance provisions. This new approach may result in child-bonded labor if it is not properly regulated and subject to regular oversight (Ahmad, 2017).

3.2.3 Light work¹⁵

Children under the age of 12 are permitted to work up to 2 hours per day in a private firm with a family member under the Khyber Pakhtunkhwa Prohibition of Employment of Children Act of 2015 as per section 3(i) and the Balochistan Employment of Children (Prohibition & Regulation) Act of 2021. The Act of Balochistan restricts light work to children aged 12 to 14. The provisions regarding light work are crucial in protecting workers under the minimum age, given the local circumstances where minors are forced to work owing to acute poverty. The legal minimum age for light work is generally 13 years. For light jobs, a lower minimum age of 12 years can be specified; however, in developing nations, this can be up to a maximum of 2 hours per day and 14 hours per week. To manage the 1.7 million minors (12–14 years old) who work in Pakistan, provincial legislation must be amended to include provisions for light work. Since the country's minimum educational requirement is 16, students in school should be allowed to engage in simple tasks between the ages of 12 and 16. Light labor (including types of occupation) and hours for young workers (ages 12–14), as well as teenagers (ages 15–16), should also be regulated by law (Ahmad, 2017).

Under the Khyber Pakhtunkhwa Prohibition of Employment of Children Act of 2015, light work is defined accordingly: "(j) 'light work' means work, which is not likely to cause harm to health or impede the physical or mental development of a child engaged in such work" (Section 2(1)(j)). Section 3(1) prohibits the employment of children under 14 in any establishment. However, it adds: "Provided that a child not below the age of 12 years may be engaged in the light work, alongside his family member, for a maximum of two hours per

15. In Convention 138, light work is defined as work "which is (a) not likely to be harmful to their health or development; and (b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programs approved by the competent authority or their capacity to benefit from the instruction received."

day mainly to acquire skills, in a private undertaking, or any school established, assisted or recognized by Government for such purpose”.

Under the Balochistan Employment of Children (Prohibition & Regulation) Act of 2021, light work is defined as: "work that is performed by children above 12 years of age and below 14 years of age, which is not likely to be harmful to their health or development; and not such as to prejudice their attendance at school, their participation in vocational orientation or training programs approved by the competent authority or their capacity to benefit from the instruction received" (Section 2(1)(j)).

Under Section 3 of the Punjab Domestic Workers Act of 2019, light work is defined as "domestic work which is part-time and is not likely to harm the health, safety, and education of a domestic worker."

Table 3: National and provincial laws related to child labor

Standard/criterion	Region	Age specified (years)	Related provisions in the legislation
Minimum age for entry into work	Federal	14	Article 3, 11(3) of the Constitution of Pakistan, 1973
		15	Section 26 of the Mines Act, 1923 (applicable in all provinces)
		14	Section 50 of the Factories Act, 1934 (applicable in Balochistan and Islamabad)
		14	Section 20 of the Shops and Establishments Ordinance, 1969 (applicable in Balochistan, ICT)
		18 (21 years for drivers)	Section 3 of the Road Transport Workers Ordinance, 1961 (applicable in all provinces)

	KP	14	Sections 2(1)(b) and 3(1) of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015
	Punjab	14	Sections 2(e) and 5 of the Punjab Prohibition of Child Labour at Brick Kilns Act, 2016
		15	Sections 2(c) and 3 of the Punjab Restriction on Employment of Children Act, 2016
	Sindh	14	Sections 2(ii) and 3(1) of the Sindh Prohibition of Employment of Children Act, 2017
	Balochistan	14	Section 3(1) of the Balochistan Employment of Children (Prohibition & Regulation) Act, 2021
Minimum age for light work	KP	12	Sections 2(1)(j) and 3(1) of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015
	Balochistan	12	Sections 2(1)(j) and 3(1) of the Balochistan Employment of Children (Prohibition & Regulation) Act, 2021
Minimum age for hazardous work (These provisions need to be in alignment with ILO Convention C-182.)	Federal	14	Articles 11(3) and 37(e) of the Constitution of Pakistan, 1973 Sections 2(iii) and 3 of the Employment of Children Act, 1991 (applicable in Balochistan, ICT)

	17	Section 26A of the Mines Act, 1923 (applicable in Balochistan, ICT) for underground work
KP	18	Sections 2(1)(a) and 3(2) of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015
Punjab	18	Sections 2(a) and 3(2) of the Punjab Restriction on Employment of Children Act, 2016
Sindh	18	Sections 2(i) and 3(2) of the Sindh Prohibition of Employment of Children Act, 2017
Balochistan	18	Section 3 (1) of the Balochistan Employment of Children (Prohibition & Regulation) Act, 2021
Prohibition of hazardous occupations and processes for children	Federal	The schedule under Section 3 of the Employment of Children Act, 1991 (applicable in Balochistan, ICT) (4 occupations and 34 processes) Hazardous Occupations Rules, 1963 (various processes)
	KP	The schedule under Section 3(2) of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015 (4 occupations and 35 processes)
	Punjab	The schedule under Section 2(i) of the Punjab Restriction on Employment of Children Act, 2016 (38 hazardous types of work)

	Sindh	<p>The schedule under Section 2(i) of the Sindh Prohibition of Employment of Children Act 2017 (38 hazardous types of work)</p> <p>The Sindh Child Protection Authority(Amendment) Act, 2021 Section 2 (C)(iii) defines the worst form of Child Labour as exploitative labor or beggary.</p>
Forced labour prohibition	Federal	<p>Section 3 of the Children (Pledging of Labour) Act, 1933 (applicable in all provinces)</p> <p>Section 4 of the Bonded Labour System (Abolition) Act, 1992 (applicable in ICT).</p> <p>Prevention of Trafficking in personsPersons Act, 2018 also addresses the issue of forced labor.</p> <p>Sections 366A, 366B, 367, 370, 371A, 371B and 374 of the Penal Code, 1860</p> <p>Sections 17–23 of the Emigration Ordinance, 1979</p> <p>Rule 31A of the Emigration Rules, 1979</p>
	KP	<p>Section 3 and 4 of the Khyber Pakhtunkhwa Bonded Labour System (Abolition) Act2015</p>

	Punjab	Section 4 of the Bonded Labour System (Abolition) Act, 1992, adopted in 2012
	Sindh	Section 4 of the Sindh Bonded Labour System (Abolition) Act 2015
	Balochistan	Balochistan enacted its Prohibition Law on forced and compulsory labor in 2021.
Prohibition of child trafficking	Federal	Prevention of Trafficking in persons Persons Act, 2018 also addresses the issue of forced labor. Sections 366A and 366B of the Penal Code, 1860 (External trafficking)
	KP	Sections 2(1)(j) and 52 of the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010
	Balochistan	Section 2(1)(w)(iv) of the Balochistan Child Protection Act, 2016 (defines internal and external trafficking as a form of child sexual abuse)
	KP	Section 11(3)(a) of the Punjab Restriction on Employment of Children Act, 2016
	Sindh	Section 14(1)(a) of the Sindh Prohibition of Employment of Children Act, 2017.

		Section 2(c)(iv) of the Sindh Child Protection Authority Act, 2011 (defines internal and external trafficking in terms of children in need of special protection measures)
		SCPA 2011 section 2(a-i) also defines Child Trafficking
Prohibition of commercial sexual exploitation of children	Federal	Sections 292A, 292B, 292C, 366A, 366B, 369A and 377A of the Penal Code, 1860
		Section 3(ii) of the Prevention of Trafficking in Persons Act, 2018.
	Balochistan	Section 2(1)(w)(ii and iii) of the Balochistan Child Protection Act, 2016
		Balochistan Prohibition of Forced and Compulsory Act, 2021 also defines it.
	KP	Sections 48, 50 and 52 of the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010
	Punjab	Section 40 of the Punjab Destitute and Neglected Children Act, 2004
		Section 11(3)(b) of the Punjab Restriction on Employment of Children Act, 2016

	Sindh	Sections 56 and 59 of the Sindh Children Act, 1955 Section 2(c)(ii and iii) of the Sindh Child Protection Authority Act, 2011 Section 14(1)(b) of the Sindh Prohibition of Employment of Children Act, 2017
	Balochistan	Balochistan Prohibition of Forced and Compulsory Act, 2021 also defines it.
Prohibition of the use of forced or compulsory recruitment of children for use in armed conflict	Federal	Section 21(c) of the Anti-Terrorism Act, 1997
	Punjab	Section 11(3)(a) of the Punjab Restriction on Employment of Children Act, 2016
	Sindh	Section 14(1)(a) of the Sindh Prohibition of Employment of Children Act, 2017
Prohibition of using children in illicit activities	Federal	PPC Sections 366A, 366B, 371A, 371B. Sections 6–8 of the Control of Narcotic Substances Act, 1997 (the provisions are, however, not specific to children)
		ICT Child Protection and Care Act, 2018, Section 5 (b) also defines children living in immoral behavior.
	Balochistan	Section 2(1)(w)(ii and iii) of the Balochistan Child Protection Act, 2016

	KP		Sections 35 (fraud or deceit), 38 (harmful practices), 45 (begging) and 49 (betting) of the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010
	Punjab		Sections 36 (begging) and 39 (betting) of the Punjab Destitute and Neglected Children Act, 2004 Section 11(3)(c) of the Punjab Restriction on Employment of Children Act, 2016 (drug trafficking)
	Sindh		Sections 49 (begging) of the Sindh Children Act, 1955 Section 2(c)(iii and v) of the Sindh Child Protection Authority Act, 2011 Section 14(1)(c) of the Sindh Prohibition of Employment of Children Act, 2017 (drug trafficking) SPCA (amnd) 2021 Section 2(a-i) defines sexual exploitation, and Section 2 (c-i) also defines abuse and exploitation.
Compulsory education age and the right to free public education	Federal	5–16	Article 25A of the Constitution of Pakistan, 1973 ICT Free and Compulsory Education Act, 2012 Sections 2(c,g) and 3

	Balochistan	5–16	Sections 2(c,f) and 3 of the Balochistan Compulsory Education Act 2014
	KP	5–16	Sections 2(a) and 3 of the Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act, 2017
	Punjab	5–16	Sections 2(a,e) and 3 of the Punjab Free and Compulsory Education Act, 2014
	Sindh	5–16	Sections 2(b,f) and 3 of the Sindh Right of Children to Free and Compulsory Education Act, 2013
Prohibition of CDL	Federal	Under 14	In the Schedule Part II processes of the ICT Prohibition of Employment of Children Act, 1991, and the schedule was amended in 2020.
		Under 16	Sections 3 and 20 of the ICT Domestic Workers Act, 2022 ICT Child Protection and Care Act, 2018 Section 5 (b) also defines the care of child domestic workers / labor.
		Under 18	In Schedule Part II, processes of the Balochistan Employment of Children (Prohibition & Regulation) Act, 2021
	Sindh	Under 18	SPCA (amnd) 2021 section 2(a-i) also defines exploitative, domestic, or commercial child labor, which constitutes the elements of CDL.

Source: Ahmad, 2017, updated with new legislative developments in the country

Table 4: Federal and provincial legal framework on child labor

Region	Specific labour law	Age	Child-labour related provisions	CDL-related provisions
Federal	Constitution of Pakistan, 1973	Covers both children and adults (no age specified)	Article 3	Article 3 says that the State shall ensure the elimination of all forms of exploitation
		14	Article 11	Article 11 prohibits all forms of slavery, forced labor, human trafficking, employment of children younger than 14 years, and children working in hazardous places
		5-16	Article 25A	Article 25A provides that the State shall provide free and compulsory education to all children of age 5 to 16 years, meaning that the minimum age of employment should be at least 16 years
		(no age specified)	Article 35	Article 35 provides that the State shall protect the family and the child

	Children identified as a special group (no age specified)	Article 37(e)	Article 37(e) says that the State shall make provisions for secure, just and humane conditions of work, ensuring that children and women are not employed in vocations unsuited to their age and sex
The Children (Pledging of Labour) Act, 1933	15	Section 4	There are no specific references to CDL, but parents can be penalized for pledging the labor of a child, as can employers who employ a child whose labor has been pledged Sections 4, 5, and 6 have been amended in 2022 to the extent of ICT, which has increased the punishment for the offenses.
The Trafficking in Persons Act, 2018	18	2(A)	Any person who recruits, harbors, transports provides, or obtains another person, or attempts to do so, for forced labor or commercial sex, acts through the use of force, fraud, or coercion, commits an offense of trafficking in persons

			Section 3(ii) also prohibits trafficking in women and children with enhanced punishments.
The Employment of Children Act, 1991	14	Section 3 Schedule (Part 1 – Occupations)	Prohibits the employment of children under 14 in certain occupations and processes in Part I and Part II. CDL is included in Part I as a prohibited occupation.
The Islamabad Capital Territory Child Protection Act, 2018	18	Section 5(b)	A child in need of care is defined as a child who is unattended, a victim of an offense, CDWs, and other workers; a child found begging, a child imprisoned with their mother, or living in an immoral environment.
ICT Domestic Workers Act, 2022	16	Sections 3, 4, and 20.	Prohibits the employment of children and defines punishment.

Punjab	Punjab Prohibition of Child Labour at Brick Kilns Act, 2016	14		Not specified
	Punjab Restriction on Employment of Children Act, 2016	15		Not specified
	Punjab Domestic Workers Act, 2019	15 (For light work, 15 to 18 years)	Section 3	No child under the age of 15 years shall be allowed to work in a household in any capacity, and no child under the age of 18 shall be engaged in domestic work except involving light work in a household
	The Punjab Destitute and Neglected Children Act, 2004	18		Not specified
KP	Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015	14		Not specified
	The Khyber Pakhtunkhwa Home Based Workers (Welfare and Protection) Act, 2021	14	Section 7(c)	Children under the age of 14 years from engaging in work prohibited under the KP Prohibition of Employment of Children Act of 2015

	Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010	18		Not specified
Sindh	The Sindh Prohibition of Child Labour, 2017	14		Not specified
	The Sindh Child Protection Authority Act (amended in 2021), 2011	18	Section 2(a- i), 2021	"Abuse" means child abuse and includes physical, psychological, or sexual violence, exploitation, comprising economic exploitation and sexual exploitation, including child marriage, child trafficking or exploitative domestic or commercial child labor, corporal punishment, injury, and maltreatment
			Section 2(c), 2011	"Child in need of special protection measures" includes a child who (iii) is forced into the worst forms of child labor, exploitative labor, or beggary; (iv) is subject to human trafficking within and outside Pakistan

The Balochistan Employment of Children (Prohibition & Regulation) Act, 2021	14	Section 2(c)	No person below the age of 18 years shall be employed or permitted to work in any hazardous occupations or any form of labor. CDL is included in these prohibited processes.
Balochistan Child Protection Act, 2016	18	Section 2(f)	"Child abuse" includes one, or a combination of more than one, of the following: physical or psychological violence, exploitation, injury, neglect or negligent treatment, maltreatment, including sexual abuse. Indirectly it refers to exploitation, but not explicitly CDL.

Source: National Commission for the Rights of Child, 2022

3.3 Institutional mechanisms

Pakistan's legislative assemblies at the national and provincial levels have played a considerable role in protecting children from being abused, exploited, and murdered in the course of domestic work. In 2019, the Provincial Assembly of Punjab protected some children (under 15 years) from CDW, but children above 15 years could still do light work.¹⁶ However, domestic work is not just about the nature of work but primarily about how people behave with isolated children, often in an extremely abusive and exploitative nature. In 2021, the Provincial Assembly of Balochistan banned CDL for those under 18 years of age.¹⁷ However, there is no coordination mechanism at the national level so that these assemblies can work together to remove inconsistencies in child labor laws and offer one definition and scope for all the labor departments across the country for setting minimum standards in line with the international obligations of Pakistan. More recently, the federal government promulgated the Islamabad Capital Territory Domestic Workers Act, 2022, which also bans CDW for those under 16 years of age, and FES is also supporting the process of subordinate legislation and collaboration through key stakeholders for its implementation.

There is a long list of national and provincial institutions that directly and indirectly are responsible for protecting the rights of children, including the rights of children working in households, but none have played a role in reducing the scale of the problem and the severity of the pain and abuse inflicted on CDWs. In the following, we first address national-level institutions, their mandate, and activities related to CDL.

The MoHR has an overall mandate to protect children, including CDWs. However, the role of the MoHR has remained negligible in banning CDL or protecting CDWs, except for the banning of CDL in the Employment of Children Act for children under 14 years of age and only in the ICT (Imran, 2020). Given the scale and scope of the MoHR, this provision is negligible.

16. See the Punjab Domestic Workers Act, 2019.

17. See the Balochistan Employment of Children (Prohibition & Regulation) Act, 2021.

The National Commission on the Rights of Child (NCRC) is the leading national-level body to monitor the implementation of child rights-related laws and also to help and coordinate with relevant provincial bodies on the issue. The NCRC has time and again taken notice of the abuse and exploitation of CDWs and has demanded the banning of CDL across the country (Express Tribune, 2021). The NCRC continues to share its views on the issue (National Commission on the Rights of the Child, 2022). Besides the MoHR, the NCRC can also be credited with lobbying for the ban on CDL in the ICT.

The NCRC also reviewed the Provincial Employees Social Security (Domestic Workers Claiming Benefits) Regulations, 2002 and the Provincial Employees Social Security (Domestic Workers and their Employers, Registration) Regulations, 2002 in Punjab, and provided input, outlining its policy position in the context of CDL. The NCRC observed that the Punjab Domestic Workers Act 2019 is in line with two ILO Conventions (Conventions No. 138 on the minimum age for admission to employment and No. 182 on the worst forms of child labor), which set the minimum age and permissible age for employment of domestic workers at 15 years and allow only part-time work for children between 15 and 18 years. The NCRC claimed that this age limit is contrary to Constitutional Provision 25A, which guarantees children the right to free and compulsory education from the age of 5 to 16 years, that is, until they complete their matriculation examination. The NCRC has also provided valuable input on the issues of children working inside homes.

At the national level, Pakistan also has the Senate's Standing Committee on Human Rights and the National Assembly's Standing Committee on Human Rights. However, these committees have not made policy-level interventions as they are primarily legislative and oversight bodies.

The Federal Investigation Agency and Provincial Police, according to section 8 of the Prevention of Persons and Trafficking Act, 2018, have the mandate to ensure that children are not being trafficked (United Nations Office on Drugs and Crime, n.d.)¹⁸ for any kind of exploitative

18. According to the United Nations Office on Drugs and Crime, "Human trafficking is the recruitment, transportation, transfer, harboring or receipt of people through force, fraud or deception, with the aim of exploiting them for profit. Men, women, and children of all ages and from all backgrounds can become victims of this crime, which occurs in every region of the world."

or coercive work from one district to another or one province to another province. However, in practice, their role in preventing the trafficking of children abroad for CDL has not been set out.

At the provincial level, in each province, child rights-specific institutions have been established, but many do not have the mandate to protect children from being abused inside households as CDWs.

In all provinces and also in the ICT, labor departments are working to monitor the implementation of laws that regulate or prohibit the employment of children, including the Khyber Pakhtunkhwa Prohibition of Employment of Children Act, the Punjab Restriction on Employment of Children Act, the Sindh Prohibition of Employment of Children Act, the Islamabad Capital Territory Prohibition of Employment of Children Act, and the Balochistan Employment of Children (Prohibition & Regulation) Act. Under the Punjab Restriction on Employment of Children Act and the Balochistan Employment of Children (Prohibition & Regulation) Act, the provincial labor departments of Punjab and Balochistan, respectively, have been mandated to monitor that CDWs are not engaged inside private homes / houses in hazardous conditions.

There are some initiatives for the protection of children in the ICT, including the Child Protection Institute, which was established for boys under the Islamabad Capital Territory Child Protection Act, 2018 to protect vulnerable and at-risk children. For children in need of care and protection, the institute offers rescue, shelter, counseling, family tracing, and rehabilitation services. Under the Act, an advisory board is tasked with coordinating and implementing the child protection and care mechanism effectively, as well as with maintaining an information system for the protection and care of children, identifying, reviewing, and inspecting all caregiver organizations, and ensuring that all caregiver organizations are in compliance of the Act. Additionally, one can file complaints about child protection using the helpline 1099. This MoHR helpline offers free legal consultation, counseling, legal support, and referral services to address complaints (National Commission for the Rights of Child, 2022).

The Punjab Child Protection and Welfare Bureau—established under the Punjab Destitute and Neglected Children Act, 2004 (and) in 2017—does not have the scope to monitor the implementation of child labor laws or the mandate to address the issues of CDWs inside

households. In Punjab, various child protection institutions have been set up. However, none of these are directly mandated to address the issue of CDL. In this regard, a Child Protection Helpline 1121 has been set up that can be accessed to report a destitute or neglected child. Under the Punjab Destitute and Neglected Children Act, a neglected or destitute child is defined as a person under the age of 18 "who is found begging; or is found without having any home or settled place of abode, and without any ostensible means of subsistence, or has a parent or guardian who is unfit or incapacitated to exercise control over the child; or lives in a brothel or with a prostitute"; "is being or is likely to be abused or exploited for illegal or unconscionable purpose"; "is beyond parental control"; "is at risk owing to disability or child labor"; has lost one or both parents or has been abandoned by his parent or guardian; "is a victim of an offense... his parent or guardian is convicted or accused of an offense"; or "is incarcerated with the mother or born in prison." The Child Protection Officer (CPO) may take custody of the child under the Act to present the child before the Child Protection Court. The Bureau is in charge of child protection institutions, which are responsible for the rescue, legal proceedings, family tracing, rehabilitation and reunification, health and psychosocial counseling facilities, child protection schools, and religious education facilities, as well as hostel/residential facilities.¹⁹

In Sindh, the Sindh Child Protection Authority—established under the Sindh Child Protection Authority Act of 2011—has the primary mandate to protect children, including CDWs. Section 2(c)(iii) of the Act defines a child in need of special protection measures as a child that is "forced into the worst forms of the child labor, exploitative labor, or beggary."²⁰ It implies that the Authority can take action if it learns that children inside households are being exploited. At the district and provincial levels, child protection is supervised and coordinated by the Sindh Child Protection Authority, which runs the 1121 Child Protection Helpline. This can be used to notify the province when a child needs protection. If a child requires further protection, a CPO appointed under the Sindh Child Protection Authority Act may ask the necessary authorities to act accordingly. If required, the CPO may take

19. See the Punjab Destitute and Neglected Children Act, 2004. Available at <http://punjablaws.gov.pk/laws/472.html>. Accessed 28 April 2023.

20. See the Sindh Child Protection Authority Act, 2011. Available at <http://www.pas.gov.pk/uploads/acts/Sindh%20Act%20No.XIV%20of%202011.pdf>. Accessed 28 April 2023.

custody of the child and present them before the Child Protection Court. Child Protection Officer has been given powers to enter and search as per section 10(q-v).

In Sindh, the Sindh Human Rights Commission—under the Sindh Protection of Human Rights Act, 2011—also has a mandate to monitor the protection of children (including CDL) inside homes.²¹ In 2022, the amendment was made to the Sindh Protection of Human Rights Act, 2011, whereby it has been empowered to take notice of violations of child rights in the context of Business and Human Rights in Section 4(a)(ii-a)(iv-a)(v). However, like the Sindh Child Protection Authority, the Sindh Human Rights Commission has no policy on eliminating CDL or having it declared as a hazardous occupation under the Sindh Prohibition of Employment of Children Act.

The Khyber Pakhtunkhwa Child Protection and Welfare Commission—established under the Khyber Pakhtunkhwa Child Protection and Welfare Act 2010—is mandated to protect children being trafficked for labor exploitation.²² Recently, the Commission and other NGOs launched a campaign to end CDL in KP. Other facilities exist in KP for the protection of children, such as the Child Protection Helpline 1121, set up by the Government to notify the province if a child is in danger. The provincial commission is also responsible for developing and coordinating activities, programs, and plans for the growth, protection, survival, participation, and rehabilitation of children at risk. It also serves as a focal point for effective supervision and coordination of child rights issues at the provincial and local levels.

As in Sindh, a CPO may take custody of a child in order to present them to the Child Protection Court. Furthermore, in accordance with the guidelines of the Khyber Pakhtunkhwa Child Protection and Welfare Act, the KP Government has set up the Model Institute for Children (Zamung Kor) at Nasapa Payan, Peshawar. Currently, this offers housing for children (e.g., street children) as well as community amenities for schooling and sports (National Commission for the Rights of Child, 2022).

21. See the Sindh Protection of Human Rights Act, 2011. Available at <https://shrc.org.pk/downloads/Human-Rights-Act-2011.pdf>. Accessed 28 April 2023.

22. See the Khyber Pakhtunkhwa Child Protection and Welfare Act. Available at <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/92232/107301/F1592784103/PAK92232.pdf>. Accessed 28 April 2023.

Under the provincial laws on Prohibition of Child Labour (including in the ICT), school management committees have an important role. Thus far, however, these committees have not utilized provisions to ensure that each child is sent to school and linked with social security mechanisms if their parents are poor and feel compelled to use their children to survive. At the union council level, councilors could play an important role in monitoring and reporting on CDL in their vicinities, and they could guide parents as regards the harms of CDL. However, their role remains entirely unfulfilled in the area of CDL. Reejo Mal noted that CDL is not specifically mentioned in the Sindh Prohibition of Employment of Children Act of 2017 but that prosecutions have been carried out with reference to the Sindh Shops and Establishment Act of 2015. So far, 36 cases have been registered. In Balochistan, according to Mohammad Zahir, his department's role is to promulgate laws, but their enforcement is the responsibility of other line agencies. Shereen Mustafa informed us that there was no policy for child labor at the Social Welfare Department, Government of Sindh. The department only emphasizes child welfare and protection and does not address CDL but SPCA (amnd) Act, 2021 definition covers domestic child labor.

In addition to institutional arrangements, there is the important role of civil society organizations. Sajjad Ali Lolai, CPO with the Right to Play in Sindh, mentioned that NGOs in Pakistan have spread awareness among parents, children and relevant stakeholders. However, sensitization is still needed among parents and the general population, and coordination among relevant stakeholders is lacking to meet the minimum standards for CDL in Sindh and the rest of Pakistan. Ali added that there is a serious issue of lack of interdepartmental coordination mechanisms among relevant departments in Sindh.

In KP, Muhammad Ijaz noted that there were no official statistics on CDL. However, the lack of quality education, vocational skills, and awareness among the masses are the biggest challenges. He also added that lack of coordination, lack of budget, and lack of capacity of relevant officials are the major policy and legal challenges. Overpopulation, unemployment, lack of implementation of laws/policies, lack of awareness, and lack of education facilities/opportunities are also obstacles to dealing with CDL, according to Ijaz.

Ijaz also claimed that Child Protection Units (CPUs) rescued, monitored and referred cases to the Zamung Kor institution and educational institutions whenever any case was reported in the 12 districts where CPUs exist. Under the Khyber Pakhtunkhwa Child Protection and Welfare Commission, across 35 districts, only 12 CPUs are working (with limited resources), and these do not receive cases related to CDL.

3.4 The magnitude of child domestic labor in Pakistan

In Pakistan, there are no exact figures about child labor (or CDL, as a subcategory of child labor), but estimates are offered based on old surveys. CDL is unevenly distributed across Pakistan and is most often an urban phenomenon but can be found in rural areas. Although there have not been any new child labor surveys in the last two decades, the Labour Force Survey (2014–15) offers useful information. Though this only includes data for those 10 years of age and older, they reiterate the aforementioned findings (Ahmad, 2017). In the 1996 Child Labour Survey, however, an estimated 3.3 million children between 5 to 14 years were found to be engaged in child labor. This survey also showed that of the total child laborers, 27 percent were girls. Of the total child laborers, 8 percent were engaged in domestic work (International Labour Organization, 1996).

As the Labour Force Survey (2014–15) only contains information for those 10 years of age and older, child labor as surveyed here covers those from 10 to 17 years old. The overall number of minors involved in hazardous labor includes both those working long hours and those in recognized hazardous industries (e.g., construction and mining). Children who engage in hazardous jobs, domestic chores that are performed for no pay, or other dangerous labor situations are not included in this methodology. Children between the ages of 10 and 11 who worked during the reference period in any economic activity (even 1 hour of employment for those below the legal minimum age) and any children between the ages of 12 and 14 who worked during the reference period in an economic activity that could not be classified as permissible light work (more than 14 hours per week) are included. Hazardous work is excluded from the definition of child labor (Ahmad, 2017).

The Labour Force Survey (2014–15) reports that around 12.5 million children were employed in child labor, but without indicating the proportion of CDWs (The Borgen Project, n.d.). However, a lot of anecdotal data points to the prevalence of child labor in domestic employment across all of Pakistan's provinces, with more girls than boys involved. It is feared that more children are working today than there were 30 years ago.

In 2004, ILO estimated that 264,000 children were engaged in CDW in Pakistan (International Labour Organization, 2004). In 2015, an ILO news story revealed that an estimated 8.5 million people were engaged in domestic work in Pakistan (International Labour Organization, 2015). A recent study estimates that one out of every four households employs a domestic worker, usually a female between the age of 10 and 14 (International Labour Organization and UK Aid, 2022). In Pakistan, in 2017, there were an estimated 32,200,000 households (Government of Pakistan, n.d.), which suggests that 8,050,000 households had domestic workers who were mainly female children. Even if only every second household out of these 8,050,000 households had a child domestic worker, the number of CDWs would total 4,025,000; if every third household of these 8,050,000 households employed a child, there would be 2,683,333 CDWs in Pakistan.

A recent report from the ILO and UNICEF described the worst trends of increasing child labor in the world (International Labour Organization and United Nations Children's Fund, 2021). However, it did not contain data about CDL in Pakistan. In 2022, the ILO and UK Aid published a report on CDL in Pakistan, but this, too, failed to establish the exact magnitude of the phenomenon (International Labour Organization and UK Aid, 2022). Thus, there are no scientific estimates of CDL in Pakistan. In March 2019, Pakistan undertook a new Child Labour Survey due to be completed in December 2022 (Qureshi, 2022).

Child labor is prevalent in both urban and rural locations, but CDL is more prevalent and intense in the former, especially in affluent neighborhoods. According to Pakistan's 1996 Child Labour Survey, 17.1 percent of boys and 34.1 percent of girls working as children in urban areas were doing domestic work, compared to 6.6 percent of children working as children in rural regions (6 percent of boys and 8 percent of girls). Another finding from the 1996 study was that 10

percent of children in Punjab and Sindh worked at home, compared to 7 percent in Balochistan and 3.8 percent in KP (International Labour Organization, 1996). However, more accurate estimates are expected from the Child Labour Survey due to be completed in 2022.

Reejo Mal conceded that he had no idea about the scale of CDL in Sindh. However, a Child Labour Survey was underway in the province, and the data collection process was due to start soon after the recruitment of enumerators. Questions related to CDL are included in the questionnaire, according to Mal. Shereen Mustafa, too, said that she had no idea how many CDWs existed in Sindh. Sajjad Ali Lolai, on the other hand, commented that “the scale of child domestic labor in the urban and rural regions of Sindh province is high. The number of children involved in domestic labor is more than 40 percent of the total child labor.” As Mohammad Zahir explained, “It is very hard to quantify the number of child domestic workers in the province [Balochistan] without any survey. Unfortunately, survey work was suspended due to COVID-19 and then due to floods. It is prevalent in urban areas.”

Five years ago, according to Nazir Ghazi of the Godh Foundation, they launched a door-to-door campaign in two upmarket localities in Lahore with the help of the international NGO Global March. It targeted 100 houses in each locality and found that while not every household had CDWs, some houses employed a single CDW while others had up to three CDWs. Ghazi estimated that there are many CDWs in each colony; there are thousands of colonies in Lahore alone. He pointed out that it was not only rich people but also middle-class families with working women that are keen to employ CDWs, as they are often used to look after children.

3.5 Ages of child domestic workers

When employers wish to hire children, there often is no set minimum age requirement. According to the media, in 2019, employers in Lahore cruelly tortured 7-year-old F, while in Karachi, 8-year-old N was subjected to torture (Rehman, 2020). According to a rapid assessment conducted in 2011, 27 percent of children in the 6–10 age group were engaged in CDW (Society for the Protection of the Rights of the Child, 2011). The majority of child domestics, however, are between

10–15 years of age. Most generally, girls start working when they are 6–7 years old, usually with their mothers, before transitioning to independent work around the age of 10 (International Labour Organization and UK Aid, 2022).

Table 5: Ages of CDWs reported in the media²³

	10 & below	11 to 14	15 to 18	Total
2010	2	6	4	12
2011	5	2	3	10
2012	3	5	1	9
2013	7	9	5	21
2014	4	3	5	12
2015	3	3	2	8
2016	4	3	3	10
2017	8	10	9	27
2018	4	7	1	12
2019	8	8	3	19
Total	48	56	36	140

The above table shows the majority (104) of children were below 14 years of age while working in households. Most CDWs do not therefore meet the minimum age requirement for work stated in the Employment of Children Act, 1991, and the Convention on the Worst Forms of Child Labour.

Table 6: Minimum age for admission to employment or work

General rule	General minimum age	Light work	Hazardous work
Not less than the age of completion of compulsory schooling, and in any case, not less than	15 years	13 years	18 years (16 years under certain conditions)
Where the economy and educational facilities are insufficiently developed	14 years	12 years	18 years (16 years under certain conditions)

Source: Ahmad, 2017

23. Media reports compiled by the Institute for Social Justice were shared with the researcher.

3.6 Working conditions

CDWs are engaged in a variety of household tasks, including dishwashing, ironing, mopping, dusting, sweeping, laundry, cooking, housecleaning, and babysitting (Godh and Global March 2017). Depending on the employers, different working conditions apply. According to a study, youngsters who worked full-time while living at home typically experienced poorer working conditions than those who worked part-time. Children who live with their employers are more likely to face hazards, be called on at any time, work nonstop with no regular schedule, take fewer vacations, and travel home less frequently—sometimes only once a year or once every two years. If they are kept confined to specific areas of the house, usually the kitchen, and locked inside when their employers leave the house, such employment is equivalent to slavery. Rural CDWs typically experience isolation. Their familiar surroundings are completely sealed off from them, and they are usually denied access to natural resources like open space and fresh air (Society for the Protection of the Rights of the Child, 2011; International Labour Organization and UK Aid, 2022). Violence and abuse are commonplace for many children. Additionally, frequent reprimands, emotional abuse, and physical assault are common. Employers have brutally mistreated children on multiple occasions in recent years, and there have been cases where they have been beaten to death (Institute for Social Justice et al., 2013; Imran, 2020). A 2017 study found that 80 percent of CDWs spent Eid with their employers, and 67 percent expressed a desire to leave their professions (Godh and Global March 2017; International Labour Organization and UK Aid, 2022).

Nazir Ghazi added that due to the Global March door-to-door campaign, they were able to sensitize parents about the harms of CDL; people often do not know what happens with children behind closed doors. He added that they were successful in getting many young children enrolled in schools, and older children were being treated better within the households they worked in. "Children's sufferings are never realized and known to the public," he observed. "Children often like to work, and they do not get tired."

3.7 Harmful impacts of child domestic labor on children

CDWs are exposed to various ergonomic, physical, chemical, and psychological risks. Low-quality pressure cookers, faulty irons, power leakages, and electrical discharges are only a few of the risks mentioned in the literature that is now available. Children are exposed to dust while cleaning, which can make asthma and allergies worse. Cuts and burns are frequent occurrences for children working in kitchens (Godh and Global March 2017; Institute for Social Justice et al., 2013).

The data on deaths, injuries, and abuse sustained by CDWs is not maintained by any organization except the Institute for Social Justice. More than 140 instances of abuse, torture, rape, and murder of CDWs were reported from 2010 to 2019, according to a report released in January 2020. Every year is terrible for CDWs, but the years 2013, 2017, and 2019 were the worst, going to media coverage, with 21, 27, and 19 cases of abuse involving CDWs, respectively (Rehman, 2020).

Of the total 140 cases, 96 involved children being tortured, raped, or killed. Seventy-nine percent of these cases originated from Punjab, 14 percent from Sindh, 6 percent from Islamabad, and 1 percent from KP. Every province has cases of CDL, and behind the perimeter walls, children are being exploited and abused. For example, the murder of Zohra Shah, 8, revealed that she was tortured to death for releasing her employer's expensive parrots. Zohra's father had made a deal for the sum of Rs 50,000 with Hassan Siddique for Zohra to babysit their one-year-old infant (Imran, 2020). The majority of reports of abuse, torture, and murder come from Punjab, with a small number from Sindh and a few from Islamabad. No reports of mistreatment or torture of CDWs have come out of Balochistan. Of the 140 cases, 48 (34 percent) involved children under the age of 10, 56 (40 percent) were between the ages of 11 and 14, and 36 (26 percent) were between the ages of 15 and 18 (Rehman, 2020). Sajjad Ali Lolai observed that the impacts on children engaged in CDL include a lack of confidence, low self-esteem, low self-respect, hopelessness, and negative thoughts about their own lives.

Table 7: Children's work and education

Children	Age groups (millions)		Numbers (millions)	Per cent
	10–14 years	15–17 years		
Total children	24.81	12.51	37.32	20
Working only	1.88	2.88	4.76	13
Attending schools only	18.91	6.92	25.83	69
Combining work and school	0.27	0.21	0.48	1
Neither school nor work	3.75	2.51	6.26	17

Source: Ahmad, 2017

Since CDWs work inside homes, the type and scale of punishment (i.e., abuse, torture) they face from their employer or their employer's relatives remains unknown. Verbal abuse is common. Children avoid complaining about such practices to their employers due to a fear of consequences (e.g., removal from work, deprivation of wages). A study disclosed that 24.5 percent of girls and 17.5 percent of boys did not like to talk about the punishment they received from their employers; however, 55 percent of children shared that they often encountered verbal abuse. Abuse is common with children working full-time (Society for the Protection of the Rights of the Child, 2011). These children also lack opportunities to socialize and play. They most often help to entertain their employer's children. Another study revealed that 36 percent of CDWs were allowed to play for 1 to 3 hours a day with their employers' children (not as part of their work), but that 35 percent were not allowed any time to play (International Labour Organization and UK Aid, 2022).

For CDWs, most days begin between 7 am and 8 am and end between 10 pm and 12 am. Some CDWs start work even earlier in the morning, making for an average of 14 to 16 working hours per day (Society for the Protection of the Rights of the Child, 2011). For CDWs who stayed at their employers' houses, sleeping arrangements varied depending on their gender. Most boys slept in the servant quarters, and girls were allowed to sleep inside the houses. Girls are viewed as most suitable for domestic work; most are forced to work by the age of 7 years (Godh and Global March 2017).

Young girls are more likely to experience physical and sexual abuse at the hands of adult male household members. Boys are also the targets of such sexual abuse. CDWs are not regarded as having the same rights as the family's children. They are considered second-class members of the household. Members of the household significantly disregard their rights, depriving them of necessities, including timely meals, suitable medication, and opportunities for rest. A child who works at home leads a life of social marginalization. These children are unable to interact with their friends. Family visits are few, and there are few opportunities to return home. As a result, children experience solitude (Godh and Global March, 2017).

3.8 Causes of child domestic labour

Research indicates multiple causes of CDW in Pakistan and underdeveloped countries like it. However, the major cause of CDW is underdevelopment itself and the lack of political will to end CDW. CDW does not exist in industrialized nations, but businesses from those nations have outlets in Pakistan where they obtain their labor by using children as domestic workers. In Pakistan's context, many factors may be blamed for CDL. Some of these include:

- Poverty and lack of basic utilities all play a role in the rising demand and supply of CDWs. There is a great demand for working children from businesses as they work for cheaper and for longer working hours without complaint. Parents typically put their children to work because of poverty and a lack of options accessible to adult workers (Godh and Global March 2017).
- Increasing social and economic class disparities, debt enslavement, young girls' need for family help due to cultural standards, etc., drive demand (National Commission for the Rights of Child, 2022).
- A lack of awareness, education, and knowledge, racial and gender discrimination, a lack of family planning, rural-to-urban migration, and broken families, on the other hand, may drive the supply of CDWs. Children are targeted since they have the least awareness of and capacity to respond to abusive or exploitative situations (National Commission for the Rights of Child, 2022).

- The domestic sphere does not fall under the ambit of trade unions, and hence, CDWs face more exploitation in various forms. There are no monitoring systems for the minimum wage rate.
- There is a lack of political will to eradicate CDL.
- Manufacturers, officials, and individuals with political affiliations favor hiring children as domestic employees rather than adults (Society for the Protection of the Rights of the Child, 2011).

Children work in households to help support their families; the main cause of children participating in CDL is poverty. A survey conducted by the ILO and the National Commission for Child Welfare and Development in 2004 showed that 81 percent of CDWs worked to support their families, and 14 percent had to pay off family debts (cited in International Labour Organization and UK Aid, 2022). A 2011 survey also revealed that 82 percent of children were driven into CDL due to poverty (Naeem, Shaukat, and Ahmed, 2011). Typically, parents use their children in domestic work to help pay for family expenditures. Additionally, most orphan children and children whose fathers are ill or have abandoned the home engage in child labor. CDWs may also support their siblings' schooling. Part-time domestic workers' employers typically live nearby, and the neighborhoods where the children live are likely to be urban slums. However, children who are hired on a live-in basis are usually transferred from rural to urban regions (International Labour Organization and UK Aid, 2022).

There are many macro-level causes of CDL. The most significant factor behind CDL is the availability of children at low or no wages. For employers, children are flexible and easy to handle; they are often not even provided with a formal contract to define their rights and duties (International Labour Organization and UK Aid, 2022; Society for the Protection of the Rights of the Child, 2011).

A survey run by the Society for the Protection of the Rights of the Child confirms that parents or guardians are the prime agents for placing children in domestic work, with 61% of children engaging in child labor starting as CDWs. Relatives, neighbors, and community members often play a role in recruitment with the consent of parents or guardians. Employers may also speak with parents or guardians directly. Strong ties to their hometowns or villages mean that most city dwellers hire children from these places to work in their households

(Society for the Protection of the Rights of the Child, 2011).

CDL takes place informally, and there are no formal contracts or agreements between children (or their parents) and their employers. Children are recruited through word of mouth. Parents or guardians carry out informal negotiations with prospective employers; also, agents/middlemen play a role in discussing wages, the type of work and working hours, and any other terms and conditions. It has also been reported that agencies play a role in recruiting children for CDL (International Labour Organization and UK Aid, 2022). Children are hired not only because they cost less (where they are paid wages) but also because the work burden may be the same as that of adults or even more. Employers often provide material support such as food, clothing, and sometimes financial help to the families of the children, presumably as compensation for low wages (Society for the Protection of the Rights of the Child, 2011).

According to the ILO/UK Aid study, CDWs often still have fathers, but they are not always the primary provider for the family. Fathers may have remarried and abandoned their family, forcing their children into CDL to make ends meet. The majority of CDWs reside in urban slums in big cities (International Labour Organization and UK Aid, 2022).

Additionally, girls are more likely than boys to perform domestic duties in other people's homes. Sixty-two percent of the 646 families that the Society for the Protection of the Rights of the Child visited employed girl domestic helpers. Children are particularly vulnerable to abuse because this type of child labor is typically concealed from the public and outside the purview of labor inspectorates. They are more susceptible to verbal, physical, and sexual abuse due to the isolating nature of household duties (Society for the Protection of the Rights of the Child, 2011). Because they can put in longer hours for lower pay and without complaint, CDWs are in high demand by companies. Many industrialists, landlords, officials, and individuals with political affiliations have been seen to favor hiring CDWs over adult workers (Godh and Global March 2017).

Zubair is a gardener in Karachi. He recounted: "My son [12] works as a child domestic worker because my family is poor. He works every day. I cannot send him to school because we cannot afford to send him." Zubair regretted that he had never been helped by government

agencies and shared that he never knew that children could not be engaged in child labor under the age of 14 years. He added that it is common in his area for minors to work in others' houses. Wazeer is a bike rim mechanic in Gizri, Karachi, and his 11-year-old old son is a domestic worker. He explained, "I sent my son to work because he does not want to go to school. I send him to work to protect him from anti-social activities." Wazeer, too, claimed that he has never been helped by government agencies. However, he was aware that child labor under 14 years of age is prohibited.

However, the policy environment in Pakistan for banning child labor in domestic employment is fragmented and has gaps, with regional differences. The Punjab Domestic Workers Act is yet to have an impact, and the same may be said for Balochistan, where many challenges have to be overcome. Pakistan's labor and educational frameworks are not synchronized. Provincial labor departments are not concerned about the education of children on the street or working in hazardous conditions. Provincial education departments are not interested in enrolling out-of-school children.

Over the past few decades, various frameworks, programs, and interventions have been put in place in Pakistan to address child labor, but none have been effective. Rather, the number of children engaged in child labor, including CDWs, is increasing. It is also alleged that policies and programs are often developed through a top-down methodology with little community involvement, which decreases the likelihood of policies and programs being accepted. Generally, poor communities are unaware of the harms of CDL, not only on the child but also on communities as a whole. CDL perpetuates the culture of slavery and subjugation and means that the children involved are the least productive citizens in society. However, poor communities are often unaware of existing social protection programs that could help parents not to depend on their children's wages. The weak enforcement of laws (such as Article 25A on the right to education of the Constitution of Pakistan) is the outcome of a lack of technical capacity and political will, which are indispensable to ensuring strong enforcement of fundamental rights and laws (International Labour Organization and UK Aid, 2022).

Key informants offered their opinions on the persistence of CDL in Pakistan. Reejo Mal commented that "poverty, illiteracy, lack of

awareness of children's rights and absence of laws to protect children from the worst forms of child labor are the prime causes of child domestic labor." Sajjad Ali Lolai viewed poverty in rural and urban areas and the financial and economic crisis as factors behind parents taking their children out of school and sending them to work. He added that "a lack of limited life skills and vocational training opportunities for parents and adults provided by the Government also causes child domestic labor."

However, senior journalist Hafeez Tunio felt that unemployment and an insensitive home environment are also responsible for CDL. He added that a lack of government will to eliminate CDL, a lack of awareness of child protection laws, and a lack of implementation of laws are the prime challenges or causes of CDL. Shereen Mustafa contended that "poverty is not a cause, but the family values and respect for children's rights have gone away, which are the cause of child domestic labor." Besides these, she added, there is ample supply and demand for CDL. She blamed the lack of awareness among parents and the general population.

Mohammad Zahir, in Balochistan, identified similar causes as those noted by respondents in Sindh. He observed: "I had meetings with many stakeholders like parents, employers, and social activists in Balochistan who reported that poverty is the main cause of child domestic labor. Then comes the lack of school facilities and accessibility of schools."

Muhammad Ijaz, in KP, identified overpopulation, natural disasters, lack of implementation of laws, and lack of education and sensitization as the prime causes of CDL. Lehaf Ali of Mashriq TV commented that the prime reasons for CDL include poverty, as well as lack of awareness and lack of parental sensitization about the impact of CDL. Some families habitually send their children for domestic work, and since child labor is cheap, people prefer to employ children.

Nazir Ghazi, in Punjab, made the point that CDWs are, in fact, a status symbol for many working-class families, as well as being good for household security. He added that CDWs are in no way a threat to the employers' families. Rather CDWs are a watcher (security guards) of their household activities. Ghazi blamed the elite class, the middle class, working women, and landlords for using minors in their houses as servants.

3.9 Wages for child domestic workers

The compensation given to CDWs varies. In 2022, a study showed that payments for live-in employees range from PKR 3,000–15,000, while part-time employees received an average of PKR 2,500. Some young girls, for example, in Punjab, did not receive monthly pay because it was settled between parents and employers that when the girls marry, their employers will provide a lump sum salary to their parents. These children work under parental and social compulsion; thus, they are unable to leave (International Labour Organization and UK Aid, 2022).

In 2017, a study showed that 29 percent of CDWs received up to PKR 1,000 a month, and 75 percent received between PKR 1,000 and PKR 2,000 a month. However, 14 percent of the CDWs received between PKR 2,000–3,000 per month (Godh and Global March 2017). In KP and Punjab, some parents did not know how much their children were paid, although wages usually go directly to parents or guardians. Some employers give children nominal pocket money (from PKR 50–100) to spend on snacks, which most of the children enjoy. In Karachi, children were paid regularly for household chores in accordance with the tasks they completed. As long as they attended school, which was a prerequisite, children were allowed to work for a third-party business.

3.10 Perceptions of child domestic workers about child domestic labour

A study found that 28 percent of girls and 11 percent of boys wished to continue with the CDL they were engaged in. However, many children are unsatisfied with their wages because they perceive their employers pay them extremely nominal rates although they deserve to be paid more (Akhtar and Razzaq, 2005). In 2021, it was reported that most CDWs did not want to work in the domestic sphere (Asrar, 2021). CDWs felt that it was their responsibility to contribute to their households; their parents had fed this perception into their minds. Many children claimed that their parents were happy that they were engaged in CDW and earning money for their household (International Labour Organization and UK Aid, 2022).

4. CONCLUSION

In view of the literature and input from the key informants, a list of common challenges and issues may be identified. Each of these is discussed in turn.

Pakistan's provincial and national laws are inconsistent in terms of definitions, which confuses stakeholders. In the context of labor, there is no single operational definition of child, child labor, CDL, hazardous work, or light work. Recently, Balochistan defined a child as a person under 18 years of age and prohibited their employment for hazardous work, including CDL. Punjab also defined children as those under 18 years, but it has not declared CDL as hazardous. Sindh, KP, and the ICT still follow the older definition of a child provided in the Employment of Children Act of 1991. Child labor laws in all provinces are inconsistent with their laws related to the right to compulsory education and also the Minimum Age Convention of the ILO.

The enforcement of child labor and child protection laws in the context of CDL is absent because of many factors, including the limited scope of laws (e.g., they do not cover CDL), undefined CDL, a lack of the relevant officers' understanding of the laws, a lack of human resources and a lack of access to households.

There is a serious issue of public awareness about hazardous CDL. Not only parents and communities, officials too are unaware of the laws and the impact of CDL on a child's health, well-being and development. In fact, this is not only an issue of awareness but a lack of motivation and will to protect children from hazardous work.

5. RECOMMENDATIONS

To address the issue of CDL, specially crafted laws and protection measures are necessary. The recommendations listed below are meant to put an end to CDL and other slavery-like activities in Pakistan.

5.1 Recommendations for legislative bodies

- All federal and provincial regulations should harmonize their definition of a child so that anybody under the age of 18 is considered a child, and provinces should be required to raise the minimum age for employment to the age for compulsory school education (5-16 years) as specified in Article 25A of the Constitution of Pakistan.
- The ILO Convention on the Worst Forms of Child Labour requires Pakistan to alter Article 11(3) of its Constitution to forbid the employment of minors (those under the age of 18) in factories, mines or dangerous jobs.
- The federal government should amend the Pakistan Penal Code to consider child domestic work a kind of slavery or practices similar to slavery or debt bondage, forced labor by amending the existing PPC Section 374. The crime must be cognizable, not eligible for bail, and not compoundable.
- The definition of light work must take child labor in domestic service into consideration. Laws or regulations should precisely define domestic labor, including the specifics of the hours of work that are or are not considered to be light work. Young people between the ages of 16 and 18 should be given the freedom to work casually.
- Legislation should be enacted that recognizes and governs adult domestic employees as performing "real work," and domestic worker regulations should be altered in Punjab, Sindh, and KP to forbid the hiring of minors as domestic workers. The ICT and Balochistan should pass laws to safeguard domestic workers.

- The Islamabad Capital Territory Domestic Workers Act, 2022, which has already been enacted by the National Assembly, should be put into effect by the federal administration.
- The Punjab Government should swiftly enact the regulations and structure of the Punjab Domestic Workers Act 2019 and amend the law to make 16 the minimum age for light work.
- The Sindh Provincial Government should immediately outlaw CDL by revising the Sindh Prohibition of Employment of Children Act, 2017, and the Sindh Home Based Workers Act, 2018, to make it illegal to employ children.
- The KP Prohibition of Employment of Children Act, 2015, should be changed to forbid the employment of children, and hazardous labor, including CDW as a hazardous vocation, should be added to the list of forbidden occupations/processes.
- The Rules for the Implementation of the Employment of Children in Balochistan (Prohibition & Regulation) Act, 2021, should be introduced by the Balochistan Government.
- The ILO Domestic Workers Convention, 2011 (No. 189) should be ratified by the Government of Pakistan, especially in light of the issue of CDL.

5.2 Recommendations for governments: Law enforcement agencies

- It is necessary to expand the visibility and understanding of the issue of child labor in domestic service by increasing data collection and the use of statistical tools.
- There should be a ban on using CDL for people holding public office, public representatives and political office.
- The federal and provincial governments should conduct and publish regular surveys on child labor, and the annual Labour Force Survey of the Pakistan Bureau of Statistics should be expanded to include CDL. Adults accompanied by CDWs should not be allowed entry into public locations such as hotels, restaurants, wedding venues, parks, playgrounds, public transportation and parking lots.
- By carefully enforcing the regulations on compulsory and free

education in the ICT and the relevant provinces, the authorities should ensure that children up to the age of 16 attend school. The Government should concentrate on providing children with extracurricular learning opportunities.

- Provincial governments and the ICT must increase budgetary allocations for improving the education system and providing mechanisms to ensure student attendance in primary, middle, and high schools and ensure that no child is absent from school.
- Effective cooperation and strong coordination must be developed between provincial governments and district administrations to prevent CDL.
- To detect children who are involved in child labor in the domestic sector, it is necessary to build an organized and effective vigilance system in the ICT and all provinces, including the creation of district-level vigilance committees.
- The federal and provincial governments must strengthen existing child protection programs and make sure that assistance is readily available for children who have been subjected to physical, sexual, or other types of abuse or who have been utilized as domestic workers. In accordance with federal and provincial child protection laws, child protection centers and units should be set up in all of Pakistan's districts.
- A neighborhood watch program should be established so that people can alert the appropriate authorities to instances of child labor in the home. This should not replace the State's monitoring system but should supplement it.
- Interdepartmental case management protocols should be implemented along with a mandatory reporting system, referral mechanisms, and training programs for law enforcement organizations such as the labor department, police, social welfare, child protection agencies, and commissions on child rights and child protection laws. Internal child trafficking and its effects should be addressed in police and other law enforcement agencies' training programs.
- Provincial departments should study the occurrence and effects of CDL in depth. To determine the issues with implementing child labor regulations in individual locations, a needs gap analysis may be performed.

- The way complaints are handled by the Child Protection Authority helpline 1121 and the MoHR helpline 1099 needs to be addressed. The recovery, rehabilitation, and reintegration of young victims of child labor should be taught to CPOs.
- Programs to offer financial aid to families of CDWs or those below the poverty line should be implemented by the federal and provincial governments.
- To eliminate child labor in the provinces, the federal and provincial governments should implement programs to upskill adult domestic workers and involve them in the social safety net.
- To improve the efficiency of the monitoring and accountability mechanisms to address CDL, the number of labor officers and the technical capability of labor inspectors need to be increased.
- Labor departments have carried out initiatives to reduce child labor across a range of industrial sectors. Additionally, they should emphasize and incorporate CDL into their projects.

5.3 Recommendations for the Judiciary

- The higher courts should establish procedures for handling child labor cases and child labor issues. The trial courts, labor courts, magistrates, and other judicial bodies should then follow this as a guide.
- To ensure the best interests of the child, as stipulated in international human rights law and standards, and to ensure that children have prompt access to justice and redress, the higher courts should apply the concept of child protection when making decisions involving children.
- When dealing with children who are in contact with the law or who are in conflict with it, the judiciary should adhere to the fundamental premise of child justice.

5.4 Recommendations for national and provincial human rights institutions

- To ensure that the recommendations of the UN bodies are

followed through the various periodic reviews, national human rights institutions should closely monitor the implementation of international agreements to which the State is a party.

- These institutions should create efficient and easily accessible grievance procedures, swiftly look into concerns, and take appropriate action when necessary.
- At the federal and provincial levels, an in-depth study should be carried out on the effects of child labor in domestic work.
- The institutions should work with Treaty Implementation Cells to gather information on CDL and the status of the Government's ratification of treaties.
- The institutions should urge the Pakistan Government to ratify the 2011 Domestic Workers Convention (No. 189).
- To raise awareness of children's issues and the plight of child abuse and exploitation, the institutions should urge all State institutions and officials to mark Universal Children's Day on November 20 each year.

5.5 Recommendations for civil society organisations

- Media personnel and media outlets should be involved in informational, educational, and behavior-changing communication efforts to influence stakeholder trends, practices, and behaviors. They should initiate campaigns to raise awareness and lobby for the implementation of laws and policies at provincial and national level with the Department of Labour, Department of Law, Home Department, Department of Social Welfare, the Police, Department of Education, child protection authorities and relevant commissions.
- There should be research to understand the barriers to the implementation of current policies, programs, and interventions, as well as the impact of CDL on children, families, and society.
- To increase public knowledge of the harm and effects on children's lives of CDL, social media should be made use of. Additionally, the public should be made aware of pertinent legislation, social assistance programs, children's rights, and the legal and regulatory framework surrounding these rights.

- To address the issue of CDL, civil society organizations should adopt a robust advocacy and lobbying strategy that explicitly outlines the tasks and responsibilities of each organization.
- Media campaigns that highlight child labor laws by collaborating with well-known media spokespersons, celebrities, and influencers should be used to advance the cause of children's rights.

5.6 Recommendations by the respondents of this research

The respondents also offered the following pertinent suggestions to address the issue of CDL:

Shereen Mustafa suggested that parents, media, employers, and the general public need to be educated and sensitized about the negative impact of CDL and the urgent actions required to enroll out-of-school children in schools.

Sajjad Ali Lolai said that to eradicate CDL; more labor officers should be deployed at the *tehsil* level, and awareness should be spread among parents, the general public, the media, the police, the labor departments, and social welfare departments. He also suggested that to eradicate CDL, laws have to be implemented, and all out-of-school children have to be attending school. He suggested allocating resources for eradicating CDL and said special appointments should be made to ensure that children are not engaged in domestic work. He urged civil society to work to create political will among the political parties on this issue.

Lehaf Ali recommended that Government provide an alternative to poor families to address their economic woes; they should be provided with financial incentives under the condition that they do not engage their children in any work.

Hafeez Tunio suggested educating and sensitizing the general population regarding the Sindh Prohibition of Employment of Children Act, 2017, and its efficient implementation is also needed. He added that mass awareness is required to eradicate CDL, and coordination among different departments is required. He also suggested that the media play a role in spotlighting the issue of CDL and gaps in policy

and laws. He added that the media alone cannot play this role unless the Government is serious about the issue.

Muhammad Ijaz said that the following steps should be taken to address the issue of CDL: “allocation of adequate budget, the appointment of more officers, strengthening of coordination among the relevant departments, strengthening of referral mechanism, capacity building of the duty bearers, and awareness raising about the negative impacts and importance of education.” Ijaz added that to eradicate CDL, comprehensive data is required, along with strengthening of monitoring teams, ensuring the education of children from ages 5 to 16, providing vocational education along with formal education to adults, and implementing existing laws.

Nazir Ghazi suggested implementing the Right to Free and Compulsory Education Act, which would bring about positive results and decrease CDL, ensuring at least that minors under 16 years of age do not have to toil in the houses of others. Ghazi added that the Government should have data about the number of family members in each household and their occupational or work-related activities. He commented that there is an urgent need to sensitize families and parents in rural areas and suburban areas of cities about the harms of CDL because CDWs move from the former to the latter to work in households. He noted that all gated colonies in the cities have bylaws, which should be amended to incorporate details about CDL. He concluded that it is not possible to eliminate CDL in Pakistan—but that it can be reduced.

References

Ahmad, Iftikhar (2017). Child labor: Lack of coherent reforms in Pakistan. Centre for Labour Research. Islamabad: Indigenous Solutions. Available at <https://clr.org.pk/wp-content/uploads/2020/06/Child-Labour.-Lack-of-Coherent-Reforms-in-Pakistan.pdf>, accessed 27 April 2023, and updated with new legislative developments in provinces.

Akhtar, Sajjad and Razzaq, Saadiya (2005). Child domestic labor in Pakistan: Overview, issues and testable hypothesis. Islamabad: Center for Research and Poverty Reduction and Income Distribution.

Asrar, Shakeeb (2021). "Are we not humans?" Pakistan's domestic workers confront abuse. Christian Science Monitor. Available at <https://pulitzercenter.org/stories/are-we-not-humans-pakistans-domestic-workers-confront-abuse>. Accessed 29 April 2023.

Bilal, Rana (2018). LHC orders the Punjab govt to ban the employment of children under the age of 15 as domestic help. Dawn. Available at <https://www.dawn.com/news/1452575>. Accessed 27 April 2023.

The Borgen Project (n.d.). Child labor in Pakistan. Available at <https://borgenproject.org/child-labor-in-pakistan>. Accessed 28 April 2023.

Committee against Torture (2017). Concluding observations on the initial report of Pakistan. Available at <https://www.ohchr.org/en/documents/concluding-observations/catcpakco1-committee-against-torture-concluding-observations>. Accessed 27 April 2023.

Committee on Civil and Political Rights (2017). Concluding observations on the initial report of Pakistan. Available at <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d2%FPPRiCAqhKb7yhssy mRLSm3gUSDIntv8Slm2%F2%BjSkxSILEnCLYiaWS2Zt2IT QfT1lhv40 HhjfTMf8Nky906kLKaSHalcX2%Byl2%7FtFUPrUqGm8FbOBvJ6oGjzq pQw>. Accessed 27 April 2023.

Committee on Economic, Social and Cultural Rights (2017). Concluding observations on the initial report of Pakistan. Available at

https://digitallibrary.un.org/record/1318562/files/E_C-12_PAK_CO_1-EN.pdf?ln=en. Accessed 27 April 2023.

Committee on the Rights of the Child (2016). Concluding observations on the 5th periodic report of Pakistan. Available at <https://digitallibrary.un.org/record/835009?ln=en>. Accessed on 27 April 2023.

Express Tribune (2021). NCRC stresses legislation against child labor. Available at <https://tribune.com.pk/story/2280767/ncrc-stresses-legislation-against-child-labour>. Accessed 28 April 2023.

Geo News (2021). KP prohibits domestic employment of children under 14. Available at <https://www.geo.tv/latest/363217-kp-prohibits-domestic-employment-of-children-under-14>. Accessed 27 April 2023.

Godh and Global March (2017). Need gap analysis child domestic labor in Pakistan. Available at http://globalmarch.org/wp-content/uploads/2017/09/NeedGapAnalysis-PAKISTAN_0.pdf. Accessed 28 April 2023.

Government of Pakistan (n.d.). Labour Force Survey. Chapter 12. Available at https://www.finance.gov.pk/survey/chapters_18/12-Population.pdf. Accessed 28 April 2023.

Imran, Myra (2020). Child domestic labour is prohibited under Child Employment Act 1991. Available at <https://www.thenews.com.pk/print/696798-child-domestic-labour-prohibited-under-child-employment-act-1991>. Accessed 27 April 2023.

Institute for Social Justice et al. (2013). The unending plight of child domestic workers in Pakistan. Available at <http://www.isj.org.pk/wp-content/uploads/2013/06/The-unending-plight-of-child-domestic-workers-in-Pakistan.pdf>

International Labour Organization (n.d.). Ratifications for Pakistan. Available at https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:103166. Accessed 27 April 2023.

International Labour Organization (1996). Summary results of Child Labour Survey in Pakistan (1996). Islamabad: FBS/ILO/IPEC. Available at https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/--sro-new_delhi/documents/publication/wcms_436435.pdf. Accessed 28 April 2023.

International Labour Organization (2004). World Day against child labor: New ILO report highlights the plight of children in domestic labor. Available at https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_005207/lang--en/index.htm. Accessed 28 April 2023.

International Labour Organization (2015). Giving rights to millions of domestic workers in Pakistan. Available at https://www.ilo.org/islamabad/info/public/fs/WCMS_347029/lang--en/index.htm. Accessed 28 April 2023.

International Labour Organization and UK Aid (2022). Child labor in domestic work in Pakistan: A scoping study. Available at https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms_851153.pdf. Accessed 28 April 2023.

International Labour Organization and United Nations Children's Fund (2021). Child Labour: Global estimates 2020, trends and the road forward. Available at https://data.unicef.org/wp-content/uploads/2022/01/Child-Labour-Report-1_24.pdf. New York: ILO/UNICEF. Accessed on 26 April 2023.

Khoso, Abdullah and Kousar, Umbreen (2022). The founding law of Pakistan's National Commission on the Rights of the Child: legal challenges, bureaucratic barriers, and vague opportunities. In *The Roles of Independent Children's Rights Institutions in Advancing Human Rights of Children*. pp. 131-150. Bingley: Emerald Publishing Limited.

Lyon, Scott and Valdivia, Cristina A. (2010). Towards the effective measurement of child domestic workers: building estimates using standard household survey instruments. *Understanding Children's Work Project working papers series*. ILO/UNICEF/World Bank. Available at <http://documents1.worldbank.org/curated/en/337621468155366890/pdf/574140WP0Measu10Box353749B01PUBLIC1.pdf>. Accessed on 26 April 2023.

Naeem, Zaheem, Shaukat, Faiza and Ahmed, Zubair (2011). Child labor in relation to poverty. *International Journal of Health Sciences*, 5(2 Suppl 1), 48.

National Commission on the Rights of Child (2022). Policy Brief: The legal framework for child domestic labor in Pakistan.

Islamabad: NCRC. Available at <https://drive.google.com/file/d/1-OxXWRnUEHaVh8Qob1FAQwTu7gYujm8m/view>. Accessed on 27 April 2023.

Qureshi, Hooriya (2022). National Child Labour Survey serving since March 2019. Available at <https://pni.net.pk/en/business-economy-news/national-child-labour-survey-serving-since-march-2019>. Accessed 28 April 2023.

Rehman, Zia Ur (2020). 140 child domestic workers were tortured, raped, or murdered in a decade. Available at <https://www.thenews.com.pk/print/601492-140-child-domestic-workers-tortured-raped-or-murdered-in-a-decade>. Accessed 28 April 2023.

Society for the Protection of the Rights of the Child (2011). Rapid assessment on child domestic workers. Available at <https://www.sparcpk.org/images/Pubs-Thumb/Rapid-Assesment.pdf>. Accessed 28 April 2023.

United Nations Office on Drugs and Crime (n.d.). Human trafficking. Available at <https://www.unodc.org/unodc/en/human-Trafficking/Human-Trafficking.html>. Accessed 28 April 2023.

About the author

Iqbal Ahmed Detho currently serves as the Chairperson of the Sindh Human Rights Commission. Previously, he was a member representing Sindh on the National Commission on the Rights of the Child. He has been Human/Child Rights Trainer and Educator for over 15 years and is a member of several Provincial Monitoring Committees. He has conducted several studies and authored many books, research papers, and toolkits on the protection of human rights.

He received a Master of Science in "Human Rights" from the London School of Economics, UK, as Chevening Scholar. He was also a Hubert H Humphrey Fellow (Law & Human Rights) at Humphrey School of Public Affairs, University of Minnesota, USA.

Imprint

Friedrich-Ebert-Stiftung (FES), Pakistan Office
1st Floor, 66-W, Junaid Plaza, Jinnah Avenue,
Blue Area, P.O Box 1289, Islamabad, Pakistan

Responsibility for content and editing:

Dr. Niels Hegewisch | Country Director
Abdullah Dayo | Program Advisor

Contact/Order:

@ info.pakistan@fes.de

+92 51 2803391-4

pakistan.fes.de

@FESPakistanOffice

@FES_Pak

Printed by: FES-Pakistan

The views expressed in this publication are not necessarily those of the Friedrich-Ebert- Stiftung. Commercial use of media published by the Friedrich-Ebert-Stiftung (FES) is not permitted without the written consent of the FES.

ISBN: 978-969-9675-59-1

© 2023

Friedrich-Ebert-Stiftung (FES) is the oldest political foundation in Germany. The foundation is named after Friedrich Ebert, the first democratically elected president of Germany.

FES Islamabad Office was established in 1990, though the cooperation with national institutions of Pakistan had already commenced during the middle of the 1980s. Based on its commitment to the basic values of social democracy including peace and social justice, FES-Pakistan formed partnerships to carry out activities for promoting dialogue involving state institutions, political parties, social partners, civil society actors, opinion leaders and citizens.