

Poverty as a Driving Factor for Child Labour in Khyber Pakhtunkhwa

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Abstract: This research paper deals with the study and analysis of poverty as the main factor for the prevalence of child labour in Pakistan and specifically Khyber Pakhtunkhwa. This study will discuss the issues that play a detrimental role in the non-observance of these laws. In this paper, we will try to look into the factors that are responsible for the non-observance of these laws and how we will eradicate these factors in order to safeguard the children of Khyber Pakhtunkhwa from child labour. Child labour is not a new phenomenon and it can be traced back in history but with the advent of the industrial revolution, it became a major problem that needs an immediate solution. The civilized world under the banner of the United Nations has formulated many laws and conventions but the desired results are yet to be achieved in many parts of the world. According to the survey of the International Labour Organization in September 2013, around 168 million children were working as child laborers around the globe. The main cause of child labour in Pakistan is poverty and a lack of mechanisms to enforce child labour laws effectively. In this study, we will analyse the ground reality of child labour in Khyber Pakhtunkhwa, pinpoint the main factors responsible for child labour and suggest measures to implement the child labour laws in letter and spirit.

Keywords:

Child Labour,
Poverty,
Khyber Pakhtunkhwa,
Economic Disparity,
Child Education,
Resources, Reforms,
Enforcement Reforms

1. Introduction

Kofi Annan, United Nations Secretary General, said “Child labour has serious consequences which stay with the society and with the individual for far longer than the years of childhood”. Children working as labourers not only face dangerous working conditions, but they also face long-term emotional, intellectual and physical upsets that later on in life develop into serious conditions such as PTSD. They face an adulthood of unemployment and illiteracy. Here, it will be explained who can be categorized as a child? The Convention on the Rights of the Child defines a 'child' as a person below the age of 18, until and unless the laws of a specific government specify another scale. For the Rights of the Child, the committee has prescribed the monitoring body for the Convention, urging all states to raise the majority age to 18 years and to increase the level of safeguards of all minors and children under 18. A child implies an individual who has not attained the age of eighteen years. Child labour is an international dilemma that needs to be taken care of if the civilised world wants to improve human rights across the globe. There are almost 168 million child labourers in the world right now, out of which 100 million are boys while 68 million are minor girls mostly working in the agricultural sector. This means 11 percent of the worldwide child population is involved in child labour one way or another. This forced or slave labour generates 150 billion dollars illegally.

Chart: World Report on Child Labour¹



¹ ILO. (2015). World Report on Child Labour 2015: Paving the way to decent work for young people. International Labour Organization.

A child in an insecure situation means that he has no parental care or proper guardian to look after him, and he is prone to being used as a labourer and also prone to abuse at different levels in society. Child safety and wellbeing are the most important aspects of the modern welfare state. Child security issues quite often bring out an enthusiastic debate, and it is a serious problem that requires a prompt strategy reaction. In the meantime, child security is a complex and multidimensional idea, which is informed by very unique presumptions, qualities and dispositions from the individuals who are involved in distinguishing, characterizing, detailing and reacting to the child security issues and more importantly, child labour issues. It additionally includes societal esteems and measures related to children's social and legal benchmarks of child wellbeing and prosperity in a welfare society and demeanors towards manhandle, misuse and disregard of child rights. Considering these, social esteem, models and states of mind are intrinsically relative and socially built in nature. Along these lines, in many parts of the world, including KP, Pakistan, a couple of insights are accessible on the child protection issue. Notwithstanding, to convey an issue to open consideration and to place it on the priority list, precise proof of the occurrence and prevalence of the issue is an immense requirement.

In 2015, Pakistan made a direct headway in endeavours to dispose of the most exceedingly terrible types of child labour. The Prohibition of Employment of Children Act and Bonded Labour Abolition Act were made by the Government of Khyber Pakhtunkhwa. In this regard, the efforts of the legislative assembly of Punjab are worth mentioning. In this regard, legislation is done at the federal level to stop all sorts of child labour and is waiting for endorsement by the Senate. Be that as it may, children in Pakistan are occupied with the most exceedingly awful types of child labour, incorporating into constrained household work and fortified work in block furnaces. Minimum age for child work is not mentioned by three federating units in Pakistan, and that's why it misses the mark regarding universal benchmarks. In KP, a large number of unemployed, fewer opportunities for work and the availability of cheap labour are the main factors for the increasing presence of child labour.

2. National and Provincial Context of the Child Labour Phenomenon

At the national level child labour survey was conducted in the year 1996, and due to the lack of specific data, currently in 2016, the Federal and Provincial Governments are unable to produce and follow a solid and unified policy. Small girls are victims of child trafficking and sexual abuse.² Young men are casualties of human trafficking for business and sexual abuse around vulnerable places in Pakistan. Minor-aged individuals are sold and used in the organized mafia controlling beggary. Militant activist

² Ajwad, H. J. (2014). *"Child Labour in Pakistan"*. The Nation.

gatherings, for example, expert Taliban agitators, constrain youngsters to participate in reconnaissance, furnished combat, and suicide assaults.³ Children are utilized to pirate medications and small arms over the Pakistan-Afghanistan border. Some child residential specialists are subjected to rape and extraordinary mishandle, including cases in which child household laborers were murdered by their bosses. A few youngsters fill in as reinforced workers in the creation of blocks and in coal mines. This is ordinarily a consequence of Pakistan's obligation servitude framework, *peshgi* which leads to child labourers forced to work under certain conditions to pay off a debt taken by their parents or guardians. Education is the basic human right guaranteed to every Pakistani as per the 1973 constitution, but still it's not implemented in letter and spirit.⁴ High monetary rates of quality education, insufficient offices, absence of transportation, and beating may discourage youngsters from going to school. In war zones, military operations regularly disturb school participation and the harm framework. Furnished gatherings and radical gatherings frequently assault and undermine schools, disturbing children's access to schools and education.

Pakistan has envisaged many laws and rules which safeguard the minors and children. In this regard, the Constitution of Pakistan is the basic document which, as a grand norm, safeguards the protection of children. After the 18th amendment in the Constitution of Pakistan 1973, the power of making rules for the protection of children rests with the provinces, i.e. the federating units of Pakistan. Pakistan's child labour laws are not in accordance with worldwide benchmarks on child labour, including the Worst Form of Child Labour Elimination Laws. The Federal Government and the federating units, except for Khyber Pakhtunkhwa, have not set up a minimum working age for children, which may improve the probability that exceptionally youthful children take part in activities that risk their well-being and security.⁵ The laws of the federal government are not consistence with the International standards. Baluchistan, Sindh and Punjab Provinces are making laws on a priority basis to match the International standards.⁶ In this regard, some of the previous attempts to protect children from child labour are as follows:

- The Constitution of Pakistan, 1973.
- The Factories Act, 1934.
- The West Pakistan Shops and Establishments Ordinance, 1969.

³ Networks, I. R. (2014). *"Military Operations in NW Pakistan Disrupt Education"*. IRINnews.org.

⁴ Ibid 1.

⁵ Nation, T. (2017). *"Child labour in Pakistan"*. The Nation.

⁶ Mazhar, Z. A. (2008). *"Child Labour in Pakistan: Including the Excluded Subsidized Education and Subsidy: Tools to Combat the Worst Forms of Child Labour"*. 53.

- The Employment of Children Act, 1991.
- The Bonded Labour System Abolition Act, 1992.
- The Juvenile Justice System Ordinance, 2000.
- The Khyber Pakhtunkhwa Child Protection Act, 2010.
- The Prohibition of Employment of Children Act, 2015.

Province-wise Comparison of Child Labour⁷

Province	Total No. of Children in the age group of 5-14 years (Millions)	Total No. of Economically Active Children in the Age group of 5-14 years (Millions)	Ratio of Child Labour
Punjab	22.63	1.94	8.6%
Sindh	8.62	0.30	3.5%
Baluchistan	2.07	0.01	
Khyber Pakhtunkhwa	6.71	1.06	15.8%
Total	40.03	3.31	8.3%

3. Factors Responsible For Child Labour In Khyber Pakhtunkhwa

Child work is accepted as a necessary evil that extents in Khyber Pakhtunkhwa, and studies demonstrate that no work in the showcase is free from child work. It is currently perceived as a noteworthy social issue, contrary to the general improvement of the area. As per the survey of the Federal Board of Statistics that came as the National Child Labour Survey in the year 1996, it is found that over one million economically active children aging from 5-14 years are present in Khyber Pakhtunkhwa.⁸

There are just a couple of child labour inspectors in many regions, and they regularly have less training and deficient assets. Enactment has possessed the capacity to control child work in the formal sector to some degree.⁹

A given account of the usage of the Employment of Children Act (ECA) 1991 from 2008-2011 uncovers that investigations have been completed under the ECA, cases held up, chosen, and fines have been imposed. The lowest number of assessments was 393 done in 2008, which expanded to 816 in

⁷ SPARC. (2017). "Child Domestic Labour".

⁸ (1996). "National Child Labour Survey". Islamabad: Federal Bureau of Statistics .

⁹ Khan, Z. (2017). "Child Labour". *The Nation*.

2009. Again in 2010, the number dropped to 566, yet went up to 644 in 2011. What is critical is that the controllers are dynamic and that there is some expectation that, with time, the circumstances will enhance as far as choices and burden of fines on violators.¹⁰

Now we will explain the main factors responsible for child labour in KP, which are as follows:

3.1. Poverty

Poverty and monetary needs are the push factors for child labour. Poor families can't bring home the food needed with one worker in the house and see their children as assistance. Poor families have low respect for technical training or education, and trust that a child should work. For them, putting resources into children's education is not a suitable alternative, and, given the low quality of instruction being conferred in government schools, it is a risk more than a guide to a superior life.¹¹ To additionally add to this problem is the reality that more children are conceived in poor families, and the armed force of child workers continues developing.¹² Children are an essential piece of the work drive in the towns, both on the ranch and in the home. This can now and again result in the unintentional arrangement of a child in a circumstance of exploitative work.¹³

Child labour is likewise appealing in light of the fact that it gives a cheap and simple to oversee workforce. It is a demand-driven marvel. It happens in light of the fact that there is a business opportunity for children in urban communities for evident reasons, and this is coordinated by an endless supply of children, frequently from poor families, who are simple prey for the individuals who try to make a profit by exploiting their needs.¹⁴ It is not that there are no laws in Khyber Pakhtunkhwa to anticipate or check child labour. The issue is of poor execution of existing laws and global traditions marked and approved by Pakistan to manage this underhandedness. The base time of work ought to be 14 years; however, children as young as five and seven are seen labouring endlessly in the most unfriendly and brutal conditions.¹⁵ An increase in inflationary weight influences poor people and the underprivileged fragment of the general public the most. Rising costs of essential necessities and high service charges, removal adds to the powerlessness of the most noticeably worst types of child labour. There is an insufficiency in the Education System in Pakistan, which prompts youngsters to go to work

¹⁰ (2015). *"Khyber Pakhtunkhwa in Figures"*. Peshawar: Planning and Government Dept. Govt of Khyber Pakhtunkhwa.

¹¹ Ali, M. R. (2016). *"Child labour in Pakistan"*. Dawn.

¹² Gazdar, H. (1999). *"Review of Pakistan Poverty Data"*. Sustainable Development Policy Institute.

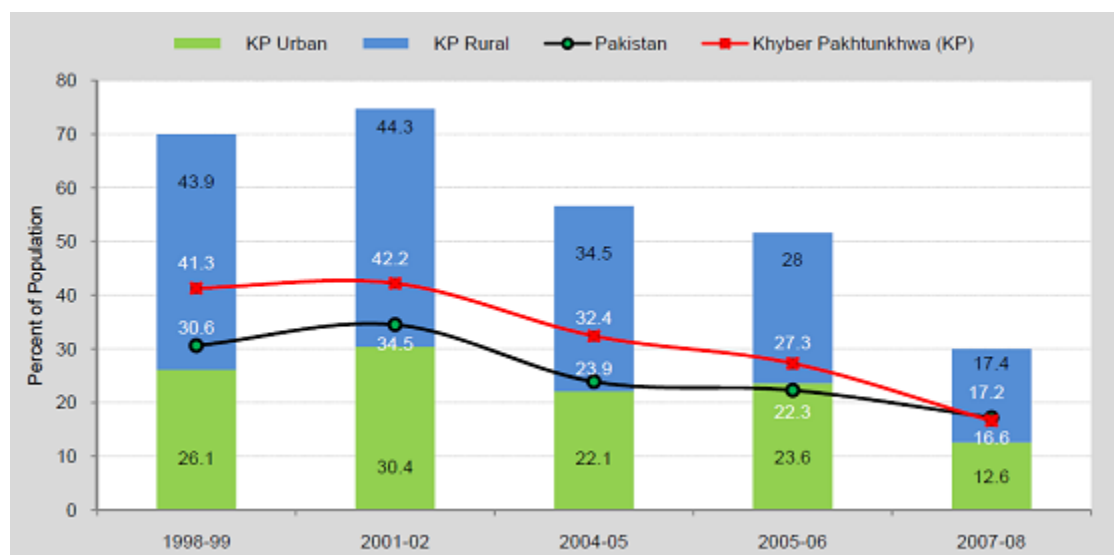
¹³ Ibid 6.

¹⁴ Hassan, M. T. (2002). *"Governance and Poverty in Pakistan"*. Pakistan Institute of Development Economic.

¹⁵ Shujaat, Q. (2015). *"The State of Children in Pakistan"*. SPARC.

instead of going to school to gain training.¹⁶ The instructional offices accessible in little urban communities of the nation are so poor and lacking that guardians have no inspiration to send their youngsters to school, so they prefer toward sending their children to work in the industrial facilities.¹⁷

Source: Poverty Trend in Khyber Pakhtunkhwa¹⁸



3.2. Children as Sole Earning Heads of Family

Mostly, children are the sole bread earners of their families and they have to work in order to feed all the whole family. Non-existent primary education or low-quality guidelines are another component that adds to the high event of child work. Education is seen as one of the major differentiating choices to invalidate child work.¹⁹ Basically, family pay impacts children's direction, and poor guardians can't afford to pay for children any case, children are driven to work and are less chosen. The going on region gives a chart among instruction and child labour, and how training is the most fundamental potential substitute for child work, second the reasons why children don't go to school. Children who have to support their whole family do not have many options to study, and they usually contribute to child labour in order to feed their large families.

3.3. Economic Disparity

The main reasons child labour laws are to be implemented in their real letter and spirit are economic inequality and poverty. A huge number of kids are compelled to function as workers because of the

¹⁶ Ibid 7.

¹⁷ Ibid 15.

¹⁸ Government of Pakistan. (2010). *Various Issues of Pakistan Poverty Assessment Report*. Islamabad.

¹⁹ Ibid 15.

destitution before they ever enter school, and greater part of them leave school amidst the scenario to wind up workers.²⁰ The issue of child labour is closely connected with destitution and underdevelopment. As in all developing nations, including Pakistan, the existence of destitution is high, and in this way, child labour in these developing nations, especially in Asia and Africa, exists to a bigger degree. Poverty in Khyber Pakhtunkhwa stands at 49 percent. Widespread poverty in Khyber Pakhtunkhwa is the main reason why child labour laws are not implemented in this region. People deprived of basic necessities of life usually send their children to work rather than educating them because it costs, and they are in no position to bear the expenses of their education.²¹

Children as child labour worked the longest hours and were the most noticeably awful paid of all workers.²² In our investigation, 305 (46.6%) youngsters worked for the entire week and day by day for 12 hours. An examination led by the ILO in Pakistan, i.e. Khyber Pakhtunkhwa, clarified that they originated from poor families and were in the low-income class.²³ The normal family unit size of child labourers was seen to be 8 persons in many cases, which is higher than the required no. Current examination additionally uncovered majority of the child labour were from families having no exceeding 10 persons.²⁴

3.4. Low Family Income

Nonattendance at schools or low quality education is another component that adds to the high rate of child labour. Education is seen as one of the crucial differentiating alternatives to invalidate child labour. Basically, family pay impacts children's direction, and poor guardians can't stand to pay for children any case, children are compel to work and don't have any other option. Looking at the region gives a graph among education and child work and how instruction is the most basic potential substitute for child work second the reasons why children don't go to school because child labour gives them instant economic relief. It can be assumed positively that low income of families is the main reason behind child labour in many districts of Khyber Pakhtunkhwa.

3.5. Family Size

Most families in Khyber Pakhtunkhwa are very large, and couples mostly have five to eight children. Due to such a massive family size, the parents are unable to support their children, and thus, these

²⁰ Khan, R. E. (2003). *"The Determinents of Child Labor: A Case Study of Pakpattan and Faisalabad"*. 332.

²¹ Ibid 6.

²² Boyden, B. A. (1988). *"Combating Child Labour"*. Geneva.

²³ Ibid 15.

²⁴ Grimsrud B, S. L. (1997). *"Child labor in Africa"*.

children start to work at a very early age. Parents send their children to work because of the family size, and it is also seen that young boys are usually employed because girls cannot work outside the home due to social constraints. Mostly, the eldest child of the family is prone to be employed as a child worker. These children don't have access to primary education because they have to support their family, i.e. to provide them with food and shelter.²⁵

3.6. Child Education

Lack of education or inadequate educational facilities is another element that increases the ratio of child labour. Education is viewed as one of the fundamental rights that can eliminate child labour. Essentially, family income determines a child's education, and poor guardians can't bear to pay for children. If we look into the two factors, i.e. education and child labour, we will see that both are inversely proportional to each other, and we can see that there are monetary reasons why children don't go to school.

4. Recommendations: Way Forward

4.1. Education as a Weapon to Fight Against Child Labour

The greater part of the KP respondents trusted in the significance of education in children. They thought of it as an imperative instrument for breaking the vicious cycle of poverty. Subsidized education alongside some money bolster diminishes the burden of education costs as well as saves their generations from the child labour curse. The guardians are for the most part altruistic towards children; however, they require some help despite the need to manage the additional cost of quality education. It is obvious from the information that the greater part of parents know the importance of education and send their children to school even if they have low income. Yet, because of the low quality of education, most of the children drop out at a very early age.

4.2. Efforts at Executive Level and Policy Making

Complete child labour eradication and sustainable projects should be the first priority of the government at the provincial and federal levels. The social projects of the government at the provincial and federal level do not comply with the pervasiveness and extent child labour issue in Pakistan. Existing projects likewise don't give enough insurance and recovery administrations for reinforced workers and casualties of human trafficking. Government activities are expected to explicitly target children residential

²⁵ Ibid 7.

specialists and child labour in the informal sector. Extra social projects are additionally important to bring issues to light and give help to youngsters utilized by militant organizations to participate in armed conflict.²⁶

It is suggested that Federal and Provincial governments endeavor purposeful endeavors to annihilate child labour, give access to training; audit enactment and fit it with worldwide guidelines; execute ILO Convention and endorse Minimum Age Convention 1973 (No. 138); create child work observing framework; direct a review to evaluate pervasiveness of child work, including reinforced and constrained work and fortify the work of inspectorate. The part of work assessors ought to go well past that of law master. Work monitors ought to be associated with ventures so they increase mindfulness about the outcomes of child work, work with managers to enhance the circumstance and work with non-governmental organizations to guarantee that children pulled back from work get proper help and recovery, and that substitute methods for gaining for individuals are likewise created.²⁷ Risky jobs ought to be restricted entirely and aptitude improvement programs, with fiscal advantages, ought to be begun as a reasonable option.

4.3. Resource Sharing Among Federation and Khyber Pakhtunkhwa (Federating Units)

It is suggested that administration offices working for children at the government, common and region levels should arrange and team up with each other. They ought to likewise consider sharing assets (budgetary and human) to accomplish their targets, specifically when the idea of their intercession is benefit arranged. This will spare assets, such as an office running an assistance line can get approaches to all issues of various office managing children, and can be connected to important administrations be it identified with advising, revealing of an infringement, looking for data, and so forth.

4.4. Allocation in Federal and Provincial Budget

Guaranteeing adequate budget for children is basic for the acknowledgment of various parts of their rights. It must be founded on a ceaseless investigation of the current spending systems, designations and productivity of the uses in scratch zones, for example, child labour and so on. Openly accessible spending information does not give the essential subtle elements to such examination. It is in this way required to reveal spending things straightforwardly identified with children or produce such things so as to track consumptions coordinated to interest in children. This will permit surveying the proficiency of

²⁶ The Government of Khyber Pakhtunkhwa Prohibition of Child Employment of Children ACT, 2015.

²⁷ (2016) "Child Labour in Pakistan". United States Dept. of Labor, Washington.

these ventures, recognizing the bottlenecks and addressing them.²⁸

4.5. Legislative Reforms

The federal and provincial governments should enact new laws or those which have been pending for many years. These include:

- Create laws to stop all sorts of work activities with imminent danger to labour and not allow any person aged less than 18 years to work in such surroundings.
- Ensure that these laws are followed in every federating unit, i.e. provinces, and a proper mechanism should be envisaged to follow these rules.
- Use of children in prostitution or child pornography should be dealt with an iron fist, and severe punishments should be awarded to the offenders.
- Accumulate and distribute required information for child rights infringement and criminal infringement of rights, including slave labour.
- Guarantee that children are not used in illegal exercises, such as the creation and trafficking of drugs.
- Stop recruitment of child soldiers in armed conflicts.

4.6. Enforcement Reforms

These reforms are suggested as per the enforcement of child labour laws.

- Empower labour inspectors at the provincial level to survey, investigate matters and impose lawful punishments whenever needed and visit facilities without prior notice.
- Make and ensure strong coordination between child protection agencies and the labour department.
- Proper inspection and follow-up mechanisms were ensured throughout the province.

4.7. Social Reforms

As per society, these reforms should be implemented.

- Give all children easy and free access to education and technical training.

²⁸ The Government of Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010.

- Implement schemes to spread knowledge of and give help to children used by militant groups in armed conflicts.
- Introduce far-reaching mechanisms to help children prone to abuse and neglect.

5. Conclusion

The purpose behind this study was to show the frequency of child labour in Khyber Pakhtunkhwa. Poverty plays the role of a leading factor that contributes towards the process of child labour. As a rule, poor youngsters add to the family unit's income. Child work can be found in urban and rural zones. However, by far most of child labour happens in rural areas since destitution is widespread. In a bid to achieve better living conditions, most people migrate to urban areas and end up employing their children as domestic and commercial labourers. This increases the dropout rate from schools and leads to a low literacy rate. The quest for a better life ends up in a bitter tragedy because the. Children who are supposed to be in schools end up working as child workers in pity work conditions. This phenomenon has its roots in economic factors that lead common people to tread on this path.²⁹

This paper has inspected the condition of child labour through Khyber Pakhtunkhwa. The rising picture is one of a youngster confronting a horde of financial issues, and along these lines, they take part in various types of work. It has been observed that the declining financial circumstances have unfavorably influenced the ability of social foundations to address the issue of distance and the underestimation of children. The measures taken to address the necessities of the child, including education, well-being, and administrations have been inadequate and ineffectual.³⁰

The children of Khyber Pakhtunkhwa score ineffectively on a large number of the most vital markers. They keep on experiencing high rates of newborn child and child mortality, high rates of adolescence infections, low rates of instructive achievement and high drop-out rates. Huge quantities of children are in danger of being mishandled and abused. Children in cities and remote zones are particularly hindered. The economy of Khyber Pakhtunkhwa is described by exceptionally skewed pay dispersion and supreme poverty with a high population growth rate, accordingly sentencing families and children to degraded destitution and restricting the ability of governments to act. Through the historical backdrop of Pakistan, children were generally subjected to injustice and forced labour. Infringement of child rights was obviously seen in Khyber Pakhtunkhwa. Many issues of children were uncovered which shed light

²⁹ Sadruddi. M. M, (2011). *"Study on the Important Issues of Child Rights in Pakistan"*.

³⁰ Chaudhry. S, (2012), *"Millions Perished into child labour in Pakistan"*.

on the truth that there were a bigger number of issues than solutions.³¹ The rate of issues confronted by youngsters in Pakistan rose between 2004-2008. From the issue of well-being to education rights, the vast majority of the reports unmistakably uncovered that child rights were not fully implemented in Khyber Pakhtunkhwa.³²

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²⁴ Alexandra M. Green, "Improving Corporate Governance Practices," *Journal of Corporate Governance* 25, no. 2