



DISSERTATION

ON

Legal Protection of Child Labour in Bangladesh during Pandemic

Course Title: Supervised Dissertation

Course Code: Law 406

Supervised By

Nabila Farhin

Lecturer, Department of Law

East West University

Submitted By

Arfana Hossain

ID: 2018-2-66-007

Date of Submission

19/05/2022



CONSENT FORM

The dissertation titled Legal Protection of Child Labour in Bangladesh during Pandemic. Prepared by Arfana Hossain, ID: 2018-2-66-007 submitted to Nabila Farhin (Lecturer , Department of Law) for the fulfilment of the requirements of course 406 (Supervised Dissertation) for LL.B. (Hons.) degree offered by the Department of Law, East West University is approved for submission.

.....

Signature of the Supervisor

Date: 22/05/2022

AKNOWLEDGEMENT

First of all, I would like to thank respected Dr. Md. Mehedi Hasan, (Chairperson and Assistant Professor, Department of Law, East West University) for giving me this opportunity to do the thesis work . I am also grateful to my supervisor, Nabila Farhin (Lecturer, Department of Law, East West University) for helping to choose the subject matter. She has provide me various research supports and directed me in every steps. Last but not the least, I would like to thank Almighty that's why I can able complete my research work.

DECLARATION

I, Arfana Hossain, do hereby solemnly affirm and declare that this research paper is original and completely my own work and did not copy from anywhere or anyone's views. The purpose of this research is to complete my undergraduate degree. A list of reference is inserted to maintain the citation materials.

TABLE OF CONTENTS

ABSTRACT.....7

LIST OF ABBREVIATION8

CHAPTER –ONE:

INTRODUCTION.....9-10

1.1 Introduction9

1.2 Research Objective.....10

1.3 Research Question.....10

1.4 Methodology.....10

1.5 Scope and Limitation.....10

CHAPTER –TWO:

CONCEPT AND DEFINITION OF CHILD LABOUR.....11-13

2.1 International Definition of Child and Child Labour.....11

2.1.1 CRC Standard.....11

2.1.2 ILO Standard.....11-12

2.2 Definition of Child and Child Labour in Bangladesh.....12

2.2.1 Bangladesh Labour Act, 2006.....12

2.2.2 Children Act, 2013.....12-13

CHAPTER –THREE:

PROTECTING CHILD RIGHTS IN BANGLADESH14-16

3.1 International Laws.....14-15

3.1.1 Universal Declaration of Human Rights.....	14
3.1.2 The International Covenant on Civil and Political Rights.....	14
3.1.3 The International Covenant on Economic, Social and Cultural Rights.....	14
3.1.4 UN Convention on the Rights of the Child.....	14-15
3.2 National Laws.....	15-16
3.2.1 Constitutional Provisions for Child Rights in Bangladesh.....	15
3.2.2 The Contract Act, 1872.....	16
3.2.3 The Majority Act, 1875.....	16

CHAPTER –FOUR:

IMPACT OF PANDEMIC OVER CHILD LABOUR.....	17-19
5.1 Pre Pandemic Situation.....	17-18
5.2 During Pandemic Situation.....	18-20

CHAPTER –FIVE:

FINDINGS, RECOMMENDATIONS AND CONCLUSION.....	21-22
6.1 Findings.....	21
6.2 Recommendation.....	21-22
6.3 Conclusion.....	21-22
Bibliography.....	23-24

ABSTRACT

Child labour in Bangladesh now a days a serious issue. During pandemic situation child labour in Bangladesh is not well enough. In pandemic situation they face many difficulties. The purpose of this research is to find out whether the child labour in Bangladesh protected by labour law during pandemic or not. In Labour Law there are some sections related to the child labour. There are others laws relating to the child labour in my paper I also discuss some of these laws. Child labour is a huge problem in our country though there is a law for child labour. This is an qualitative research based on primary and secondary data. In this research paper I want to show that the labour law is not enough to protect the child labour during pandemic.

Key Words: Child Labour, Bangladesh, Pandemic.

LIST OF ABBREVIATIONS

ILO	INTERNATIONAL LABOUR ORGANIZATION
UDHR	THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
ICCPR	THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS
CRC	CONVENTIONS OF THE RIGHTS OF THE CHILDS
UN	UNITED NATION
NGO	NON-GOVERNMENT ORGANIZATION
UNICEF	UNITED NATIONS CHILDREN’S FUND
ICESCR	THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

CHAPTER- ONE

INTRODUCTION

1.1 Introduction:

Allah says, ‘wealth and children are the splendour of the life of this world’ (Surah Al-Kahf, verse 46).¹ According to ILO, Child labour means the work which deprived child from their childhood and from their fundamental rights. They do hazardous work which harmful for their physical and mental development. In Bangladesh most of the child engaged in child labour. It is a common issue in our country. Our country is over populated and the reasons behind the child labour is poverty, illiteracy and many more reasons. There are many laws relating to child labour but this are not enough for eliminate child labour from Bangladesh. Situation of child labour in Bangladesh now worse than before because of the pandemic. This pandemic situation pushed million of children to the child labour.² Most of the student stop to go their schools and works as a child labour for their family to give them financial support.

The main purpose of this paper is to analyse how the labour law protect child labour in Bangladesh in pandemic situation. I also discuss about the pre pandemic situation of child labour in Bangladesh to show the differences between them. There are many laws regarding child labour but there should be more laws to protect child during pandemic situation. In chapter 1, I discuss about introduction, research question, methodology, scope and Limitation of my research work. In Chapter 2, I try to discuss about Concept and definition of child labour in Bangladesh. In Chapter 3, I discuss about International and national laws which protect child rights in Bangladesh. In Chapter 4, I discussed the main highlighting part of the paper which id Pre pandemic and pandemic situation of child labour in Bangladesh. In my Last chapter which is Chapter 5, I put it some findings, recommendation and conclusion.

Lastly I can say that during pandemic situation the condition of child labour is not well enough at all.

¹ ‘Rights of children in Islam, solution of child labour problem’ (Islamic live 24, 02 May 2019) < <https://islamiclives24.blogspot.com>> accessed 09 May 2022.

² UNICEF.2020.Covid-19 push millions more children into child labour ILO and UNICEF. Available at < <https://www.unicef.org/bangladesh/en/press-releases/covid-19-may-push-millions-more-children-child-labour-ilo-and-unicef> > accessed 5 May,2022

1.2 Research Objective:

My paper's objective is whether the child labour in Bangladesh protected under labour law during pandemic. I discuss about Labour law and some other national and International laws to find out the loopholes and what steps should be needed to take to protect child labour in Bangladesh.

1.3 Research Question:

This research has been limited to following question. To fulfil the purpose of the research following question will be addressed:

Are the Labour Law in Bangladesh adequate enough to protect child labour in Bangladesh during Pandemic?

1.4 Research Methodology:

This research work is a qualitative research which is based on primary and secondary sources. I mainly used primary source by collecting data from Acts, Constitution. It also depending on secondary sources by searching various books, newspaper, articles, journals, websites etc.

1.5 Scopes and Limitations:

My work is based on Legal protection of child labour in Bangladesh during pandemic. In my paper I discuss about before pandemic situation and during pandemic situation. I also discuss about the Labour Law and other major laws. I also discuss some case study in my paper. The limitations of this research are time and resource limitations. The research on this issue might be able to get a better outcome if there is no limitation of time. Doing this research, I did not get enough published material on this research work. I tried my best to do a new thing in a short time. I complete my research work based on the Statutes, International conventions, articles, newspapers and online published journals. At last I can say that there are lots of limitations for this research in this field.

CHAPTER- TWO

CONCEPT AND DEFINITION OF CHILD LABOUR

2.1 Definition of Child Labor in International Laws:

There are some International definitions about Child Labour provided by the International conventions or International laws. I will discuss these definition in my paper.

2.1.1 UN Convention of the Right of the Child (CRC): There is a definition of child in the Article-1 of the UN Convention of the Right of the Child (CRC), the purpose of the Convention is that a child means every person who are not the age of eighteen years or not gain the majority of the age according to the law, she/ he is called a child.³ Now I would like to discuss about definition of Child Labor which is the most important part of my paper.

2.1.2 International Labour Organization (ILO): ILO has two convention- One is the Convention 138 of the International Labour Organization , 1973 which talks about the minimum age. Another one is the 182 Convention on the worst forms of child labour, 1999. According to the Article-3 of the convention 138 of the ILO 1973, Child labour means when a person not at the age of 15 is doing work and this work is depriving them of their childhood, potential and dignity which is harmful for physical and mental development. It also interferes with their school. Depends on the age of the child, type and hours of work, a particular forms of Work called child Labour.⁴ Child's are involved with various forms of child labor which is extreme for example child slavery, hard labor, prostitution and mutilation.⁵

There are many child's works in agricultural and textile sectors, factories, mining companies, sweatshops and home-based work.⁶ They get low wages from the companies and company employ them for their benefits.⁷ The UNICEF also give a definition about child labour- There is a classification from this a child is considered to be involved in child labour activites- (a) children 5 to 11 years of age that does at least one hour of economic activity or at least 28 hours of domestic work, and

³ CRC Article 1

⁴ Convention 138 of the ILO,1973 Article 3

⁵ The world Counts.2022. Definition of Child Labour. Available at: <https://www.theworldcounts.com/stories/Child_Labour_Definition> accessed 26 March, 2022.

⁶ ibid.

⁷ ibid.

(b) Children 12 to 14 years of age that during the week preceding the survey did at least 14 hours of economic activity or at least 42 hours of economic activity and domestic work combined.⁸

According to UNICEF at the beginning of 2020 160 million children were child labor and 9 million additional children at risk due to the impact of pandemic.⁹ Many Children move to the work for various reasons. Most of the children are in hazardous work and it effect their health and moral development.¹⁰ Many of them work in the pandemic situation when their families face financial crisis or uncertainty. Child Labour causes bodily and mental harm even death. Most of the time for their works they have to stop their education.¹¹ During Pandemic Child labour increase than before the pandemic. In this pandemic situation most of the children engage in different types of work and it hamper their education.

2.2 Definition of Child Labour in Bangladesh:

Bangladesh is a developing country that has the largest number of children, who work as a child labour.¹² According to the survey of the International Labour Organization showed that there are 3.45 million children age of 5-17 years old are working out of which 1.28 million children are engaged in hazardous work (ILO, 2013).¹³ The government of Bangladesh has developed and adopted legislative measures to address the issue of child labor.¹⁴

2.2.1 Bangladesh Labour Act, 2006:

According to the Bangladesh Labour Act, 2006 Child means who is not obtained at the age of fourteen. In this act it define adolescent between the age of fourteen and eighteen. If there is a fitness certificate then an adolescent can work in a factory and she/ he has to carries a token while at work which give reference to the certificate. There is an exception according to sec 44, a 12 years old child can work or employed if the work does not endanger health or interfere with his or her education. Over 1.2 million children work under hazardous conditions in Bangladesh.¹⁵

⁸ *ibid.*

⁹ UNICEF.2021.Child Labour. Available at: <<https://www.unicef.org/protection/child-labour>> accessed 26 March, 2022.

¹⁰ UNICEF.2021.Child Labour. Available at: <<https://www.unicef.org/protection/child-labour>> accessed 26 March, 2022.

¹¹ *ibid.*

¹² Eurasian Research.2020. Cause of child labour in Bangladesh. Available at: <<https://www.eurasian-research.org/publication/the-causes-of-child-labor-in-bangladesh/>> accessed 26 March, 2022.

¹³ *ibid.*

¹⁴ *ibid.*

¹⁵ *ibid.*

2.2.2 The Children Act, 2013:

There is another definition of child labour according to the Children Act, 2013 a Child mean who is up to eighteen years of age and she/ he regarded as a Children.

There are other laws relating to the child labour but these Acts only give the definition of child labour. I discussed about the definition of child labour in National and international laws.

Above mentioned Acts shows that these laws gives protection to the child. In Bangladesh Labour Law Act, 2006 there is a specific chapter for child labours and there are some sections also. I discuss the definition of child labour in the second chapter. But from this I can say that this Act does not give enough protection to the child labour in Bangladesh. During pandemic the situation is more critical than before.

CHAPTER- THREE

PROTECTING CHILD RIGHTS IN BANGLADESH

3.1 International Laws:

3.1.1 Universal Declaration of Human Rights (UDHR):

According to Article 25(2) of the UDHR, it declared about the special care and assistance for motherhood and childhood. Every children must be enjoy the same protection, if they born in or out of wedlock situation.

3.1.2 The International Covenant on Civil and Political Rights (ICCPR):

According to the Article 24 (1) of this Covenant, All child without any discrimination as to race, sex, color, language, religion, national or social origin, Place of birth, as a minor this right must be protected by law , on the part of society , on the part of his family and the state. According to the Article 24 (2) - All child have to be registered soon after birth and he/she must be obtained a name. According to Article 24 (3)- All child suppose to obtain the right of nationality.

3.1.3 The International Covenant on Economic, Social and Cultural Rights (ICESCR):

According to Article 10(3) of this Covenant, The present Covenant recognized by the States Parties that, for the reasons of parentage and other conditions special steps to protect them and assistance have to be taken for the child and young persons. For this no one can discriminate. All children and young persons have to protect from any economic and social exploitation. Their work is harmful for their health or it's harmful for their morality or dangerous for life or it hamper their normal development and it must be punishable by law. Child labour have to be prohibited by law and punishable by law, for this states have to set the minimum age limitation for child labour.

3.1.4 UN Convention on the Rights of the Child (CRC):

This treaty protects and defend the rights of children in the whole world.¹⁶ The treaty has been rectified more than one. In this convention Child means less than 18 years of age. According to Article 32 of the Convention, without any kind of discrimination within the jurisdiction the state must have to ensure the given rights of the child.

¹⁷Children are protected by this Convention. They are also protected from economic exploitation and those work

¹⁶ Sharmin Akter and Abu Sayed Muhammed Abdullah, "Protecting Child Labour in Bangladesh: Domestic laws vs International Instruments "(2013)10.

¹⁷ *ibid.*

which are harmful for their physical, mental or moral development. To ensure the educational right of the child primary education must be free and available according to Article 28.¹⁸

3.2 National Laws:

3.2.1 Constitutional Provisions for Child Rights in Bangladesh:

There are some fundamental rights of the citizens which is given by the Constitution of the People's Republic of Bangladesh. In this Children are also included. In these Articles 14, 15, 16, 17, 18, 19, constituting the fundamental principles of state policy of the Constitution ensuring compulsory primary education for the children as well as adopting special measures for the children who are physically and mentally challenged. The Constitution also has guaranteed the fundamental rights of citizens. There are some Articles regarding this for example Article 28, 34, 37, 38, 39 - 41. Forced Labour is completely prohibited by these Articles and in case of violation of fundamental rights there are also legal remedies. In Article 14 of the Constitution it prohibited all types of exploitations which is suffered by the workers and backward sections of the people in society. According to the Article 15 of the Constitution, it gives the right of basic necessities of life which are food, clothing, shelter, education, medical care and recreation. All these are the basic demands which is relevant to the children. It also ensure right to social security because the children suffered from undeserved situations. In the Article 17 of the Constitution talks about adopting effective steps for the purpose of established a universal system of education, free and mandatory education for all the children. For serves these needs we have to trained and motivate the citizen regarding education an illiteracy must be removed. In the Article 18 of the Constitution it gives specific instructions regarding public health and morality because it's the primary duty and also takes effective measures for not consuming alcohol and intoxicating drugs or drinks because these are harmful for health. According to Article 28 of the Constitution, it is prohibited to discriminate on the grounds of religion, race, sex, caste or place of birth, the state can make any ground for special provision, if it is necessary, in favor of child. According to Article 34 of the Constitution it directed to prohibit all types of forced labour and it amount to be punishable offence if there is any contravention of this article. Article 34 is relevant with the situation of working children who are engaged in household work in Bangladesh.¹⁹

¹⁸ *ibid.*

¹⁹ The Constitution of the People's Republic of Bangladesh, 1972.

3.2.2 The Contract Act, 1872:

In this act states that "A minor is not competent for any kind of contract. This is a settled principle of the law that whenever a minor enter in to a contract to someone then this contract will be amount as null and void. For the benefit of the estate or for legal necessity a guardian of a minor can enter in to a contract of sale. For this it is binding upon the minor's guardian. When a minor attaining his/her majority can sue for restitution of the property or within the 12 years from the date of transection."²⁰

3.2.3 The Majority Act, 1875:

From this Act we can say that, when a person completed the age of 18 years then he/she can attains the majority. But in case of marriage, dower, divorce and adoption this law cannot be exercised, Personal Law for example, Muslim Law or Hindu Law have to be applied in such situations.²¹

²⁰ Md. Abu Taher, Child Labour in Dhaka City, University publication Bureau , 2003

²¹ Md. Abu Taher, Child Labour in Dhaka City, University publication Bureau , 2003

CHAPTER- FOUR

IMPACT OF PANDEMIC OVER CHILD LABOUR

4.1 Pre Pandemic Situation in Bangladesh:

In Bangladesh children are engaged in the worst forms of child labor.²² Children working in agriculture they do variety of tasks with the risk of dangerous machinery and tools, harmful pesticides and heavy loads.²³ Most of the girls, work as domestic servants in Bangladesh. They engage in dangerous work that includes welding, carpentry, rickshaw pulling and automobile repair.²⁴ Children are also involved in the production of salt, soap, matches, bricks, cigarettes, footwear, steel furniture, glass, jute, leather and textiles.²⁵ In the time of producing these goods, often in small workshops or homes, they face dangers that may include working with hazardous chemicals and sharp objects in cramped conditions with low lighting for long hours.²⁶ They are also found working on the streets, garbage picking, vending, begging and pottering. Children may face multiple dangers including severe weather, vehicle accidents and criminal elements. Children working in hotels and restaurants face long working hours and potential abuse.²⁷ There is forced child labor occurs in Bangladesh. Children are often those living on the streets, are exploited in illicit activities, including smuggling trading arms and drugs.²⁸ The situation of child labour in Bangladesh worst during pandemic. There are some case study of childes before the pandemic situation.

²² International Research on Working Children. The Worst Forms of Child Labour in Asia: Main Findings from Bangladesh and Nepal; 2010 [online]. Available at :< http://www.childlabour.net/documents/worstformsAsiaproject/WOFAS%20presentatie%20samenvatting_2010.pdf > accessed March 27, 2022.

²³ Rahman, K. M. Mustafizur; Islam, Towfiqua Mahfuza, and Tareque, Md. Ismail, 2010. Socioeconomic correlates of child labour in agricultural sector of rural Rajshahi District, Bangladesh.” International Journal of Sociology and Anthropology, 2(6):109-117[online]. Available at: <www.academicjournals.org/IJSA/PDF/pdf2010/Jun/Rahman%20et%20al.pdf> accessed: 27 March 2022.

²⁴ Rahman, K. M. Mustafizur; Islam, Towfiqua Mahfuza, and Tareque, Md. Ismail, 2010. Socioeconomic correlates of child labour in agricultural sector of rural Rajshahi District, Bangladesh.” International Journal of Sociology and Anthropology, 2(6):109-117[online]. Available at: <www.academicjournals.org/IJSA/PDF/pdf2010/Jun/Rahman%20et%20al.pdf> accessed: 27 March 2022.

²⁵ Bangladesh Bureau of Statistics, 2003. Report on National Child Labour Survey 2003. Dhaka.

²⁶ International Federation for Human Rights. Child breaking Yards. Paris; 2008 [online]. Available at: <<http://www.fidh.org/IMG/pdf/bgukreport.pdf> > accessed 27 March, 2022.

²⁷ U.S. Department of State. Bangladesh in Country Reports on Human Rights Practices-2011. Washington, DC; May 24, 2012; [online]. Available at: <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=186459> accessed 27 March 2022.

²⁸ Alam, S., 2011. Child Labour and Child Rights, The Financial Express, Dhaka, October 15, Editorial [online]. Available at: < http://www.thefinancialexpress-bd.com/more.php?page=detail_news&news_id=152963&date=2011-10-15 > accessed: 27 March, 2022.

Case Study-1 A 11 or 12 years old boy name Azmal. He lives with his family but they are very poor. His father do nothing that's why his mother take him to a steel furniture shop to work there. The employer give him money but that is not enough for him or his family.

Case Study-2 A 13 years old boy Rahman Lives in Mirpur slum. His parents also works in factory. He also works in the factory with other child workers. He do not get enough money, not get any bonus, leave, holiday or extra money for overtime. His employer is very cruel to him.

Case Study-3 Akib 12 years old boy he is a vegetable huckster. His father is old that's why he cannot work. He was in class four but he cannot continue his study because of his work. He has no intention to continue his study and he gives his income to his family.²⁹

4.2 During Pandemic Situation in Bangladesh:

The pandemic has a negative impact on lives and future of the vulnerable children.³⁰ We know that Bangladesh is over populated country. In our country before pandemic we have also child labours but in the time of pandemic it increase. The main reason behind this closure of the schools and their family income also reduced during the pandemic situation.³¹ A study showed that, huge number of child out of the school and they all are not return to the school when the schools are reopen.³² The temporary school closures affecting nearly more than 1 billion learners over 130 countries.³³ After starting of the classes most of the parents not to able send their children to the schools.³⁴ For this most of the children forced to do exploitive and hazardous works.³⁵ There are also seen gender inequality with girls in agricultural work and in domestic work.³⁶ ILO and UNICEF developing their model to look at the impact of pandemic on child labour.³⁷ Tuomo Poutiainen, Country Director, ILO Bangladesh said that “Up until the current crises hit, Bangladesh had been making great strides in reducing child labour”.³⁸

²⁹ n 16.

³⁰ UNICEF.2020.Covid-19 push millions more children into child labour ILO and UNICEF. Available at <
<https://www.unicef.org/bangladesh/en/press-releases/covid-19-may-push-millions-more-children-child-labour-ilo-and-unicef> >
accessed 5 May,2022

³¹ ibid.

³² ibid.

³³ ibid.

³⁴ ibid.

³⁵ ibid.

³⁶ ibid.

³⁷ ibid.

³⁸ ibid.

About 160 million of children work as a child labour worldwide.³⁹ An increase of 8.4 million children in the last four years and with millions more at risk due to the impacts of pandemic.⁴⁰ This report given by the International Labour Organization (ILO) and UNICEF. According to this report 5 to 7 years old children do hazardous work which harm their health, safety and morals.⁴¹ As a result of the pandemic nine million children are at risk and they are pushed at child labour by the end of 2022.⁴² In school closure situation children are in child labour. They work as a child labour for long hours or in worse condition.⁴³ Most of the children forcefully works for their family because their family have no income in this pandemic situation.⁴⁴

This pandemic situation affected the lives of working child in Bangladesh.⁴⁵ Lockdown given by the Government when the virus spread that time buyers of the garments products cancelled their orders.⁴⁶ For that reason most of the child worker remain unpaid.⁴⁷ According to a report five million garments worker are children, 60% girls and 13% boys lives in slum of the Dhaka City.⁴⁸ A huge number of girls child work as a child labour in our country.⁴⁹ Most of the children cannot afford safety equipment during pandemic.⁵⁰ After lockdown most of the children fights for their livelihood. Fear of being effected by virus most of the people stay at their home and they avoid domestic workers.⁵¹ There are some small business or restaurants are not open all the time.⁵² Some of the garments and leather industries are closed because their economic situation is not well.⁵³ Recently Bangladesh rectified The Convention 138 of the International Labour Organization which includes minimum age for child labour.⁵⁴ This provision is not enough to give protection to the child labour. Bangladesh fixed age of 14 years old for the child

³⁹ UNICEF.2021.Child labour rises to 160 million-first increase in two decades. Available at < <https://www.unicef.org/bangladesh/en/press-releases/child-labour-rises-160-million-first-increase-two-decades> > accessed 6 May, 2022

⁴⁰ *ibid.*

⁴¹ *ibid.*

⁴² *ibid.*

⁴³ *ibid.*

⁴⁴ *ibid.*

⁴⁵ Mahmudul Haque Moni, 'Child Labour and Coronavirus in Bangladesh: How do we respond to the shattered livelihoods?' (2022)

⁴⁶ *ibid.*

⁴⁷ *ibid.*

⁴⁸ *ibid.*

⁴⁹ *ibid.*

⁵⁰ *ibid.*

⁵¹ *ibid.*

⁵² *ibid.*

⁵³ *ibid.*

⁵⁴ Sayed Manzur Elahi, 'Bangladesh ratifies ILO Convention 138 in a major move to eliminate child labour' (22 March, 2022)

and no one shall suppose to do employment or work in any sector except light work for the child.⁵⁵ In this pandemic situation child workers faces many difficulties and number of the child workers are huge.

⁵⁵ Sayed Manzur Elahi, 'Bangladesh ratifies ILO Convention 138 in a major move to eliminate child labour' (22 March, 2022)

CHAPTER- FIVE

FINDINGS, RECOMMANDATION AND CONCLUSION

5.1 Findings:

The research question is that weather the child labour in Bangladesh during pandemic protected by labour law or not. Child labour is a problem or curse for our country. Child labour causes physical and mental harm even death. They do not get adequate protection by labour law. But when pandemic starts child labour increase and situation becomes worse. In pandemic situation the condition of child labour is more critical than before. During pandemic they engage in various types of work to earn money for their family. There is a comparison between before pandemic situation and pandemic situation to find out the problems of child labour. Before pandemic the situation of child labour is different than pandemic. During Pandemic Most of the Children stop to going school. Poverty is a big reason of child labour. They are force to work as a child labour. Though Bangladesh Rectified the ILO convention 138 to eliminate the child labour but Bangladesh fail to fulfill international obligations.

5.2 Recommendations:

Child labour is a problem and to eliminate this problem there are some necessary steps to be followed-

- Child workers are in both formal and informal sectors. Government should take necessary steps to give them financial support to overcome this pandemic situation.
- NGO's, other organization and individual have to take steps towards the child labours.
- To give them protection and proper care who lives in the street or slums.
- The Government should collaborate with international agencies, NGO's and society members to give them protection and for their welfare.
- If Government provide some cash to the child workers than they also attend their schools. The pressure of income for their family can be reduce.
- The legislations and regulatory institutions have to ensure insurance for the child workers.
- The provisions relating to protection of child rights should be more focused.
- Though Bangladesh rectified ILO convention 138 for eliminate child labour thi is not enough. There should be new provision regarding child rights protection.
- International provisions need to more specific to protect child rights during pandemic situation.
- By ensuring works of the adults there is a scope to reduce child labour.
- Government should eliminate the school fees in this situation for back the children to the schools.

- There should be social protection programs for the child rights.
- We have to end gender discrimination which influence child for child labour.
- Government should invest in agricultural development and rural public services.

5.3 Conclusion:

In our Country children from poor household are involved with child labour. There are difference between pre pandemic situation and during pandemic situation of child labour in Bangladesh. Child labour in Bangladesh is a problematic issue but pandemic situation is more problematic than before. In Bangladesh child labour increases day by day because of the poverty. Now the situation is more critical than before. In pandemic situation more children engage in child labour and it hamper their education. In pandemic situation there are lots of children engage in their work but after the lockdown when schools are reopens they all are not go to their schools. They work for their family because their family income is not enough for livelihood. Bangladesh should take this child labour problem seriously. The labour law is not adequate enough to protect child labour in this pandemic situation. Government should takes necessary steps and must be prepared for this types of future pandemic as well. There must be a legal framework in protecting child labour during emergencies and the Government should implement it to prevent possible outcome.

Bibliography:

Statute:

1. The Bangladesh Labour Act, 2006.
2. The Children Act, 2013.
3. The Constitution of the People's Republic of Bangladesh, 1972.
4. The Contract Act, 1872.
5. The Majority Act, 1875.

International Framework:

1. International Labour Organization (ILO)
2. The Universal Declaration of Human Rights (UDHR)
3. Convention on The Rights of the Child (CRC)
4. The International covenant on civil and political rights (ICCPR)
5. The International Covenant Economic, social and cultural Right (ICESCR)

Articles:

1. Mahmudul Haque Moni, 'Child Labour and Coronavirus in Bangladesh: How do we respond to the shattered livelihoods?' (2022)
2. Sayed Manzur Elahi, 'Bangladesh ratifies ILO Convention 138 in a major move to eliminate child labour'(22 March,2022)
3. Sharmin Akter and Abu Sayed Muhammed Abdullah, "Protecting Child Labour in Bangladesh: Domestic laws vs International Instruments" (2013) 10.

Reports:

Bangladesh Bureau of Statistics, 2003. Report on National Child Labour Survey 2003. Dhaka.

Md. Abu Taher, Child Labour in Dhaka City, University publication Bureau, 2003.

Blogs:

'Rights of children in Islam, solution of child labour problem' (Islamic live 24, 02 May 2019) <<https://islamiclives24.blogspot.com>> accessed 09 May 2022.

Websites:

1. UNICEF.2021.Child Labour. Available at: <<https://www.unicef.org/protection/child-labour>> accessed 26 March, 2022.
2. UNICEF.2020.Covid-19 push millions more children into child labour ILO and UNICEF. Available at < <https://www.unicef.org/bangladesh/en/press-releases/covid-19-may-push-millions-more-children-child-labour-ilo-and-unicef> > accessed 5 May,2022
3. UNICEF.2021.Child labour rises to 160 million-first increase in two decades. Available at < <https://www.unicef.org/bangladesh/en/press-releases/child-labour-rises-160-million-first-increase-two-decades> > accessed 6 May, 2022
4. International Research on Working Children. The Worst Forms of Child Labour in Asia: Main Findings from Bangladesh and Nepal; 2010 [online]. Available at: < http://www.childlabour.net/documents/worstformsAsiaproject/WOFAS%20presentatie%20samenvatting_2010.pdf > accessed March 27, 2022.
5. Rahman, K. M. Mustafizur; Islam, Towfiqua Mahfuza, and Tareque, Md. Ismail, 2010. Socioeconomic correlates of child labour in agricultural sector of rural Rajshahi District, Bangladesh.” International Journal of Sociology and Anthropology, 2(6):109-117[online]. Available at: <www.academicjournals.org/IJSA/PDF/pdf2010/Jun/Rahman%20et%20al.pdf> accessed: 27 March 2022
6. Eurasian Research.2020. Cause of child labour in Bangladesh. Available at: <<https://www.eurasian-research.org/publication/the-causes-of-child-labor-in-bangladesh/> > accessed 26 March, 2022.
7. U.S. Department of State. Bangladesh in Country Reports on Human Rights Practices-2011. Washington, DC; May 24, 2012; [online]. Available at: <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=186459> accessed 27 March 2022.
8. Alam, S., 2011. Child Labour and Child Rights, The Financial Express, Dhaka, October 15, Editorial [online]. Available at: < http://www.thefinancialexpress-bd.com/more.php?page=detail_news&news_id=152963&date=2011-10-15> accessed: 27 March, 2022.
9. The world Counts.2022. Definition of Child Labour. Available at: <https://www.theworldcounts.com/stories/Child_Labour_Definition> accessed 26 March, 2022.

