

## **From the Global to the Local:**

### **How International Children's Rights in Bangladesh Reach the Grassroots Level**

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## **Scholarly Abstract**

The Government of Bangladesh has ratified the UN Convention on the Rights of the Child and the ILO Worst Forms of Child Labor Convention. Although national legislation pertaining to children's rights is inconsistent and the National Child Labor Policy has yet to be adopted, many activities to transport children's rights principles to underprivileged children have already been initiated in Bangladesh. These mainly take the form of projects by International Organizations or the Bangladesh Government, implemented through local Non-Governmental Organizations or local government structures. Two programs are introduced here, the rural "Food for Education" Program and the urban project, "Prevention and Elimination of Selected Worst Forms of Child Labour in the Informal Economy in Dhaka City". Both are analyzed in terms of what mechanisms and actor constellations were used to promote children's rights at the grassroots level. Even though these projects reflect the principles of global norms and transport them to the local people, reaching out to a high number of underprivileged and poor children remains a challenge.

## **Author's Note**

During my work as a Carlo-Schmid-Scholar at the International Labour Organization, I conducted research on projects that aim to increase school enrolment and attendance, reduce dropout rates, and eliminate child labor. After reading quantitative evaluation reports, I wondered if these programs indeed reflect the principles of international legal instruments. Additionally, I asked myself if these activities are actually necessary after national governments have already committed themselves to guarantee these rights. I also wondered why, despite increasing ratification rates, human rights situations do not necessarily improve. Against this background I decided to create a qualitative research project that systematically traces the process of international human rights gaining meaning among its local addressees. This resulted in a dissertation project on children's rights implementation with a larger case study involving field research in Bangladesh.

Keywords: children's rights, child labor, education, Bangladesh.

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## Introduction

Inspired by Mary Robinson, the former United Nations High Commissioner of Human Rights, who was convinced that if human rights doesn't have meaning locally, it has little meaning elsewhere,<sup>1</sup> I started my dissertation project eager to find out how global human rights norms can reach the local level. I was particularly interested in the steps that need to be taken after the ratification of legal human rights instruments, and I wondered what mechanisms and actors have to be in place to make these rights meaningful to the local people. I chose Bangladesh as a case study because after the ratification process of international children's rights and the adoption of national legislation and policies, many activities were initiated there to actually transport principles of these rights to the grassroots level. In other words, children's rights implementation in Bangladesh constitutes a data rich case. The two most important principles in global child rights are 1) the right to education and the right to health, as anchored in the Convention on the Rights of the Child; and 2) protection from economic exploitation and hazardous work as codified in the ILO Worst Forms of Child Labour Convention. Considering the Bangladesh context, there are two compelling questions. First, how do principles of international conventions reach the 3.179 million child laborers, 40.6 percent of whom are engaged in hazardous work? Second, can education be provided to working children, 41.3% of whom are illiterate?<sup>2</sup>

Gender	Economically Active children (EAC)	Child labor (CL)	Children in hazardous work (CHW)	Child labor as percent of EAC	CHW as percent of EAC	CHW as percent of CL
Total	7423	3179	1291	42.8	17.4	40.6
Boys	5471	2461	1172	45.0	21.4	47.6
Girls	1952	718	120	36.8	6.1	16.7

**Economically active children (ages 5 to 17), child labor, and hazardous work by gender in millions (current status)<sup>3</sup>**



**May-July 2008; Dhaka, Bangladesh; Child laborers in an urban slum making bracelets to sell. This dark, sticky room without proper equipment constitutes a hazardous working environment. The children, many of whom are below the legal age for employment, must cover on the cold stone floor.**

To address these two questions, I examined projects that reach out to local children. These projects are complex and multilayered, ranging from programs led by International Organizations (IOs) and Non-Governmental Organizations (NGOs) to governmental programs that address children's rights in urban slums and poor rural areas. For my case study, I selected projects that have been independently evaluated to study the mechanisms that contributed most to the achievement of their objectives. During a three-month research stay in Bangladesh, I conducted problem-centered interviews with IOs, NGOs, and Bangladesh Government Officials to gather more data on implementation processes. I also collected observational data via field visits to the project locations and by talking to participants. These field notes summarize my observations and findings after visiting and analyzing two projects.

## **1. Global Child Rights Agreements**

The Government of Bangladesh commits itself to numerous global child rights agreements, including the 1990 United Nations Convention on the Rights of Child (CRC). On August 3<sup>rd</sup>, 1990, The Bangladeshi Government ratified the CRC with only a single

reservation.<sup>4</sup> The principles of this convention, summarized as *the views of the child*,<sup>5</sup> include *non-discrimination*, consideration of the *best interests of the child*, *the right to life, survival, and development*, and the idea that children's opinions must be heard and taken seriously. The CRC highlights the need for free and compulsory education, the entitlement to the highest attainable standard of health, protection from economic exploitation and from work that interferes with children's education and health, and time to rest and play.<sup>6</sup>

On March 12<sup>th</sup>, 2001, Bangladesh also ratified the 1999 ILO Worst Forms of Child Labour Convention. This convention calls for the immediate elimination of the worst forms of child labor defined as (a) *all forms of slavery or practices similar to slavery*; (b) *child prostitution or pornography*; (c) *the use, procuring or offering of a child for illicit activities, such as drug trafficking*; and (d) *work which is by nature and circumstances likely to harm the health, safety or morals of children*.<sup>7</sup> Forms of labor that jeopardize children's mental, physical or moral wellbeing are called *hazardous child labour* and their abolition is mandated as a priority for ratifying State Governments.

An additional international standard of global child rights, which Bangladesh still refuses to legally commit itself to, is the 1973 ILO Minimum Age Convention. This convention demands that ratifying governments determine a minimum age for employment. For countries with less developed economies and education systems, the minimum age for entry into work should be no less than 14 years.<sup>8</sup>

## **2. National Legislation and Policies in Bangladesh**

There are also national policies in Bangladesh that concern child labor. Several parallel national acts define various ages for legal admission to the labor market between 12 and 18 years of age. These rules and acts only partly reflect the regulations of the ILO Convention on Minimum Age, but are generally in tune with the ILO Convention on the Worst Forms of Child Labour. Apart from this rather antiquated national legislation, there are few national laws and policies that promote child rights. One policy, the Compulsory Primary Education Act (1990), attempts to achieve universal primary education in accordance with the CRC.<sup>9</sup> After 1993, a compulsory primary education system was established in Bangladesh and in the following years, the Government significantly increased its budget.<sup>10</sup> The Constitution of the People's Republic of Bangladesh contains two major ratified principles of international children's rights, namely free and compulsory education and the prohibition of forced labor.

After 1992, there were attempts to rearrange this group of rules and regulations under a single umbrella legislation. Finally, in 2006, the new Labour Code was passed, including national standards that reflect the 1973 ILO Minimum Age Convention.<sup>11</sup> To respond to the ratification of the ILO Worst Forms of Child Labour Convention, several drafts of a National Child Labor Policy are now circulating among government officials, IO experts, local NGO staff, and academics. Even though it has not yet been adopted, signals are positive that a final draft will be passed within the foreseeable future.<sup>12</sup>

Altogether, national legislation and policies pertaining to child protection are inconsistent, but newer regulations are becoming more effective. Nevertheless, even if these national laws constitute a necessary condition for the promotion of children's rights, they do not sufficiently assure that these rights will reach the children at the grassroots.

### **3. Project Interventions Transporting Rights to the Local Level**

Legally protecting and reaching out to poor and underprivileged children in urban slums and rural areas of Bangladesh is a challenge. Two different interventions that aim to transport principles of children's rights to the local level are introduced here. First, the Bangladesh Government initiated Food for Education programs in target rural areas to promote the right to free and compulsory education as defined in the CRC. In 2002, the governmental Food-for-Schooling program turned into a Primary Education Stipend (PES) Program because of leakage in food distribution. Second, the ILO project "Prevention and Elimination of Selected Worst Forms of Child Labour in the Informal Economy in Dhaka City" promotes the immediate elimination of hazardous child labor in urban areas. To analyze the programs' strategies, mechanisms, and actors, I undertook several problem-centered interviews with relevant governmental and nongovernmental experts, informal interviews with project participants, and on-site field observations.

#### *3.1 Food for Education*

The Government of Bangladesh initiated the Food for Education (FfE) program as an incentive to increase school enrollment and reduce dropout rates. One essential strategy was the use of a two-step targeting mechanism to help reach out to the most needy. In the first step, economically aggrieved areas with low literacy rates were selected. Within these areas, households with primary school aged children were eligible to participate if they met at least one of the following conditions:

- The family was landless or owned less than half an acre of land;
- The parents were day laborers;

- The household was female-headed;
- The parents were engaged in certain low-income occupations, such as fishing, pottery, or blacksmithing.<sup>13</sup>

Beneficiary households were entitled to receive a free monthly food ration, in the form of up to 20 kilograms of wheat or 16 kilograms of rice, if their primary school aged child attended school on a regular basis (at least 85 percent of classes). The families could either consume the food ration or sell it for cash to satisfy other basic needs. Local government structures like the School Management Committee and private food retailers arranged the food distribution and project implementation.

Tapan Kumar Chakravorty, Deputy Director of the Primary Education and Stipend Program in Bangladesh's Ministry of Primary and Mass Education, told me about the challenges that the FfE faced.<sup>14</sup> The challenges he identified had to do with project management, time constraints, manpower constraints, and the rise in food price. However, he did not mention the harmful influence of heavy leakage, corruption allegations found by the International Food Policy Research Institute (IFPRI). Private food retailers did not distribute the designated amount of wheat or rice to the beneficiaries and too much food got lost on the way to the ones in need.

As a response to the problems that the program faced, the FfE program turned into a Primary Education Stipend Project in 2002. Eligible students now receive 100 BDT per month and their mothers obtain the bankcards needed to collect the money. The conditions for participation remained almost the same. Students now have to attend at least 85 percent of classes and achieve 40 percent pass marks. A 2002 IFPRI evaluation revealed that school enrollment increased by about 35 percent, particularly remarkably for girls, whose enrollment increased by 44 percent. It is also important to note that the program has helped raise awareness of children's rights: As Mr. Chakravorty told me, "The teachers are telling the students that it is your social right; you must be educated. [...] education for all is the government commitment."<sup>15</sup> Additionally, attendance rates have risen, dropout rates have decreased, and the quality of education has improved as it becomes less disturbed by fluctuation. As of 2008, 5.5 million students receive the stipend in 65,000 primary schools in rural Bangladesh.

Gorad Government Primary School in Savar Upazila was one of the first schools to introduce the FfE program in 1993. Miah Mohammed Kahlilur Rahman, the headmaster, told me that after the program was introduced, enrollment increased significantly. However, the right to education created unexpected problems; for instance, there were not enough teachers



or enough space after the enrollment increase. The Parents and Teachers' Association and the School Management Committee solved these problems by hiring voluntary, unpaid honorary teachers. Two program beneficiaries who I talked to, Sonia and Uzzale of class 5 of Gorad Government Primary School, explained that they can even use part of the money for a private tutor who helps them advance their learning achievements. They said that without these benefits it would be hard for them to regularly attend school.



**May-July 2008. Savar, Bangladesh: Classroom at Gorad Government Primary School.**

When I visited the classes, the effect of the program was obvious. In the first class, 74 of 92 total students were present. Of the 30 students in the class who received a stipend, 29 were in class. According to Mohammed Abdul Aziz, an Upazila Education Officer in Savar, all unions in Bangladesh are now covered with the stipend program. This is another advantage over the FfE, which only reaches the poorest areas. Still, due to financial constraints, only 40 percent of the students in program schools are eligible to receive the stipend, a challenge that remains to be addressed.

My visit to this project site also revealed opportunities and challenges of undertaking grassroots research in developing countries. Because the Education Officer and District Monitoring Officer accompanied me to the school, I was easily able to gain access; however, it was also almost impossible to discuss difficulties with participants due to the presence of

my official companion. The classes at the primary school seemed to be showcased to me as an example, as they had a high number of attending students who took classes in relatively well-equipped classrooms. After visiting with students, I ate lunch with the headmaster and a few teachers. The lunch was luxurious for that part of Bangladesh, however the interpreter—a government official—blocked my critical questions about attendance rates and the possibility of students continuing to be involved in child labor.



May-July 2008. Savar, Bangladesh: school children at Gorad Government Primary School.

The World Food Program continues the FfE Program with its own component called the School Feeding Program. The short-term objectives of the program are identical to the FfE project, namely to improve school enrollment and attendance and to reduce the number of dropouts. However, according to Shahida Akther, Project Officer at the World Food Program in Bangladesh, it is unfeasible to give a cooked school meal to every student in Bangladesh, the most densely populated country in the world. It is too difficult to handle the cooking along with space problems at school facilities. The School Feeding Program responds to these challenges by providing high nutrition biscuits to children as an incentive to attend school regularly. One package of biscuits contains 67 percent of the recommended daily

nutrient intake for each student. Teachers hand out the biscuits in the morning so children do not have to be hungry during class. The distribution of biscuits is conditional on regular school attendance and the teachers have to ensure that students finish their package in class and do not take it home to sell or share it with others. Additionally, health services are delivered to program participants.

Together the FfE Programs and the Governmental Primary Education Stipend Program have promoted the principles set forth in the Convention on the Rights of the Child, including the *best interests of the child, the right to life, survival and development*, the need for free and compulsory education, the entitlement to the highest attainable standard of health, and protection from economic exploitation and work via regular school attendance. Increased school enrollment and attendance indicates that engagement in the worst forms of child labor is prevented. Therefore, the program indirectly fosters principles in accordance with the ILO Worst Forms of Child Labour Convention. The sophisticated targeting mechanism ensures that these principles of global norms are transported to the local level.

### *3.2 Prevention and Elimination of Selected Worst Forms of Child Labour in the Informal Economy in Dhaka City*

The project entitled “Prevention and Elimination of Selected Worst Forms of Child Labour in the Informal Economy in Dhaka City” was launched in 2001 by the ILO’s International Programme on the Elimination of Child Labour. The program aimed to address hazardous child labor in Bangladesh. Out of an estimated 1.3 billion Bangladeshi children who are engaged in hazardous child labor, 90 percent are involved in the urban or rural informal economy.

The project strategy included the following four components:

- (a) Social Protection;
- (b) Monitoring, Verification, and Tracking;
- (c) Advocacy and Awareness;
- (d) Capacity Building.<sup>16</sup>

After a child withdraws from a hazardous workplace, three complimentary modules provide economically and socially viable alternatives for his or her family. A local NGO, Dhaka Ahsania Mission (DAM), helps provide project participants with Non-Formal Education (NFE). NFE is a yearlong, child-friendly reintroduction to education, generally comprising of two-hour, daily sessions held in community-owned Multi-Purpose Centers. After completion of this reintroduction program, younger children are integrated into the

formal education system while older children move on to participate in Skills Development Training (SDT). Another local NGO, the Underprivileged Children's Educational Program (UCEP), which specializes in vocational training, provides these skill development courses. Course options include motorcycle repairing, refrigeration and air conditioning, signboard and banner writing, embroidery and jori-chumki,<sup>17</sup> tailoring, and dressmaking.

The Social and Economic Empowerment (SEE) component of the program targets the parents and guardians of former child laborers and seeks to provide them with an economic alternative to the children's lost income. The Resource Integration Centre (RIC), another Bangladeshi NGO, provides mothers of working children with a micro credit of 5,000-25,000 Taka depending on what kind of business they want to start. The SEE component also provides women with business training to help them gain success in self-employment.<sup>18</sup>



**May-July 2008. Dhaka, Bangladesh: The hazardous workplace of children in an informal biscuit factory. Laborers kneel on the floor during their long working day; the huge oven in this tiny room creates an extremely hot environment. The factory owner revealed that he can only maintain his factory if he employs cheap laborers, predominantly child immigrants from rural areas who are, from a legal perspective, too young to take up employment.**

Impact assessments showed that of the 30,000 children who enrolled in the Non-Formal Education component of the ILO/IPEC project, about 20,000 completed the course.<sup>19</sup> Children who graduated from the NFE component also significantly improved their health status. An change in attitude regarding child labor became apparent as more participants

became convinced that children should not start working at such a young age. Only 180 children have graduated from skills development training; this low graduation rate can be attributed to the fact that the SDT component had to be redesigned throughout the project when it did not meet the determined objectives. Nevertheless, more than 90 percent of the SDT graduates found a decent workplace. Lastly, about 9,500 guardians and parents of former child laborers received micro-credit through the SEE component of the project. Those participating in three loan cycles experienced a significant increase in economic wellbeing.

Ronald E. Berghuys, ILO/IPEC Chief Technical Advisor in Bangladesh, attributed the success of the program to its comprehensive and participatory approach, and especially the fact that the community took over program ownership. During the targeting process, very poor children could be identified at hazardous workplaces and were convinced to take part in the project. Before this project intervention, children had been unaware of their rights: “They are surviving in an urban jungle,” said Mr. Berghuys, “The notion that they have certain rights is very often simply not there. And that’s also sustained, of course, by, let’s say, by overall society.”<sup>20</sup>

To speak with some of the project’s participants, I visited Hazaribagh and Lalbagh, target areas in of the ILO/IPEC project. I felt like a gatecrasher when I entered this independent entity at the margin of the mega city of Dhaka. It appeared like a world of its own, with its own structures, laws, citizens, and authorities, and I left with a sense of not having learned enough. Finding a particular spot in Hazaribagh seemed impossible if you were unfamiliar with the area, especially as a “bedeshi,” a white foreigner—while in Hazaribagh, I attracted the attention of the locals who did not hesitate to show curiosity and question my country of origin. The slum was overcrowded with informal businesses and houses, as well as littered with leather shreds from the tanneries, garbage rifled through by crows, goats, and countless flies. Cooking smells mixed with the smoke of informal shops and the stink of human excrement on unfortified tiny paths, which during monsoon time turned into smelly muddy creeks; the water on these creeks reflected the colors of the nearby factory’s chemicals.

One of the most impressive encounters I made in Hazaribagh was with a group of ILO/IPEC beneficiaries who break with ingrained gender roles and family traditions to struggle for a brighter future of their formerly working children. The women’s group I met was comprised of 22 enthusiastic female business owners cramped into a single room in one of their homes. The ILO field workers who guided me and my companion, a Dutch researcher, to Hazaribagh translated our informal interviews. Once a week, the women get

together to pay back dues and discuss problems related to their new self-employment in the urban slums of Dhaka. They seemed shy at first, quietly watching us while sitting on the floor and offering us the only comfortable seats on the bed. However, the longer we remained their guests, the more thrilled they became about sharing their experiences in the ILO micro-credit program. Their children had formerly been working in the leather industry, but now the women acted as breadwinners, buying and lending out rickshaws, garments, or dishes on the market, or doing block and batik printing.



**May-July 2008. Dhaka, Bangladesh: women's group receiving micro-credit.**

When I asked if their children still worked, the women became enraged and loudly exclaimed replies at the same time. They felt it was a mistake that their children worked earlier, they told me. Now the children were in school and not employed because school education is more profitable in the long run. Also, with the help of their businesses and micro-credit possibilities, the women could afford the school costs. After school, the children engaged in homework, reading, and playing; some of them even saw a private tutor. However, the women's experience in the SEE component of the program hadn't run altogether smoothly. They frankly referred to the problems they faced, like the fact that some of their cycle

rickshaws had been stolen. But in cases like these, they stuck together and profited from a common pot of savings.

My experiences studying the “Prevention and Elimination of Selected Worst Forms of Child Labour in the Informal Economy in Dhaka City” program led me to believe that the principles anchored in the ILO Convention and the Worst Forms of Child Labour reached project participants at the grassroots level. The program also addresses the rights set forth in the CRC regarding education, health, and development. Principles like free and compulsory education and entitlement to the highest attainable standard of health were also reflected in the project objectives and promoted with the help of this ILO/IPEC project. Despite the fact that the ILO Minimum Age Convention has not been ratified in Bangladesh, its basic principles have still been promoted through enrolling working children in non-formal education and providing them with skill training when they reach the legal age of employment. Through a targeting strategy aimed at catering to needs of child laborers engaged in hazardous occupations, local NGOs have reached the working children in the Dhaka slum of Hazaribagh.

#### **4. Conclusion**

As seen in these case studies, the process of implementing child rights norms can be successfully traced from the global to the local level. After the ratification and adoption of international children’s rights, certain interventions were necessary for these rights to reach the grassroots level. These interventions were largely successful; however, problems still existed, including management problems, corruption, and ignorance about the root causes of the child rights situation, such as education deficits and socio-cultural perceptions. In order to achieve a sustainable impact after these projects have terminated, it is essential to create an environment for change, a community awareness of children’s rights, and a demand for the provision of all rights-related services that the government has committed to provide. If this is accomplished, protected and empowered children may break the cycle of poverty and contribute to a process of sustainable development. Reaching out to children in developing countries who are deprived of their basic rights remains a challenge, but the programs mentioned here have been largely successful in achieving their goals by using sophisticated targeting procedures, increased awareness, capacity building, and community ownership of project initiatives.

## Notes

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<sup>1</sup> Mary Robinson, “Making Human Rights Matter: Eleanor Roosevelt’s Time Has Come,” Harvard Human Rights Journal 16 (2003): 2.

<sup>2</sup> Bangladesh Bureau of Statistics, Ministry of Planning, Report on National Child Labour Survey (Dhaka, Bangladesh: Government of the People’s Republic of Bangladesh, 2003) 63.

<sup>3</sup> Ibid.

<sup>4</sup> The Government of Bangladesh claims that article 21 on child adoption is not in accordance with Muslim law.

<sup>5</sup> Office of the High Commissioner for Human Rights, “Fact Sheet No.10 (Rev.1): The Rights of the Child,” OHCHR.org, 17 Feb. 2009 <<http://www.unhcr.ch/html/menu6/2/fs10.htm>>.

<sup>6</sup> Ibid.

<sup>7</sup> International Labor Organization, “C182 Worst Forms of Child Labour Convention, 1999,” ILO.org, 2006, 17 Feb. 2009 <<http://www.ilo.org/ilolex/cgi-lex/convde.pl?C182>>.

<sup>8</sup> International Labor Organization, “C138 Minimum Age Convention, 1973,” ILO.org, 2006, 17 Feb. 2009 <<http://www.ilo.org/ilolex/cgi-lex/convde.pl?C138>>. For the specific problem context in Bangladesh see Mathew J. Bannermann and Ronald E. Berghuys, Breaking the Cycle: Key Learning from an ILO-IPEC Project in Bangladesh (International Labour Office, 2008) 11.

<sup>9</sup> Sumaiya Khair, Child Labour in Bangladesh: A Forward Looking Policy Study (Geneva: International Programme on the Elimination of Child Labour, ILO, 2005) 5.

<sup>10</sup> International Programme on the Elimination of Child Labour, Child Labour and Responses: Overview Note – Bangladesh, Geneva: International Programme on the Elimination of Child Labour (Geneva: International Labour Office, 2004) 3.

<sup>11</sup> Khair 37.

<sup>12</sup> “Nat'l policy on elimination of child labour within month,” The Daily Star [Bangladesh] 12 Jun. 2008: 3. Also see “Govt targets child labour phase out,” The Daily Star [Bangladesh] 7 Jul. 2008: 16.

<sup>13</sup> Akhter U. Ahmed and Suresh C. Babu, “The Impact of Food for Education Programs in Bangladesh,” Food Policy for Developing Countries: Case Studies, 2007, Cornell University, 17 Feb. 2009 <<http://cip.cornell.edu/dns.gfs/1200428158>> 5.

<sup>14</sup> Tapan Kumar Chakravorty, Personal Interview, Dhaka, Bangladesh, 17 Jul. 2008



<sup>15</sup> Chakravorty.

<sup>16</sup> Bannermann and Berghuys 1.

<sup>17</sup> A special kind of glitter work from Bangladesh.

<sup>18</sup> Bannermann and Berghuys 24.

<sup>19</sup> Ibid. 42.

<sup>19</sup> Ronald E. Berghuys, Personal Interview, Dhaka, Bangladesh, 19 May 2008.

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