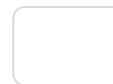


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2023 Findings on the Worst Forms of Child Labor: Afghanistan

No Advancement

In 2023, Afghanistan made no advancement in efforts to eliminate the worst forms of child labor. The humanitarian crisis following the Taliban takeover in August 2021 has resulted in an increase in the prevalence of child labor, including its worst forms, and exacerbated existing child labor risks for girls. During the reporting period, the Taliban actively recruited and used children as part of their security forces. Furthermore, the Taliban considered some child trafficking victims, especially those engaged in *bacha bazi* or in armed conflict, as criminals, housing them in juvenile detention centers, and subjecting them to physical abuse and other forms of ill treatment rather than referring them to victim support services. Additionally, since September 2021, the Taliban have prohibited Afghan girls from attending public secondary school. The Taliban also lack a mechanism to impose penalties for child labor violations and sufficient programs to address situations of child labor or prevent its occurrence. Lastly, Afghanistan's laws do not meet international standards on the minimum age for work because they do not apply to workers in the informal sector, or on the prohibition of forced labor because Afghan law does not sufficiently criminalize practices similar to slavery, including debt bondage.

I. Prevalence and Sectoral Distribution of Child Labor

Children	Age	Percent of Population
Working	5 to 14	22% (Unavailable)
Boys		24.5%
Girls		19.3%
Urban		10.3%

Children	Age	Percent of Population
Rural		25.6%
Hazardous Work by Children	15 to 17	39.2% (Unavailable)
Boys		49.7%
Girls		29%
Urban		22.1%
Rural		45.5%
Attending School	5 to 14	37%
Combining Work and School	7 to 14	11.5%

Statistics on Children's Work and Education

Sector/Industry	Activity
Agriculture	Farming, including harvesting poppies, and herding.
Industry	Mining † of coal and salt, brickmaking, and carpet weaving. † Working in metal workshops and as tinsmiths and welders. † Construction, including painting.
Services	Collecting garbage † and street work, including peddling, vending, shoe shining, carrying goods, and begging. Domestic work. Transporting goods, including across international borders. Repairing automobiles and washing cars. Selling goods in stores, working as waiters in restaurants, and tailoring in garment workshops.
Categorical Worst Forms of Child Labor‡	Forced recruitment of children by non-state armed groups for use in armed conflict, including for terrorist activities and suicide bombings, and recruitment of children for use in armed conflict. Commercial sexual exploitation, sometimes as a result of human trafficking. Use in illicit activities, including in pickpocketing, weapons trafficking, and in the production and trafficking of drugs. Forced labor in the production of bricks, domestic work, street begging, and for use as assistant truck drivers.

Overview of Children's Work by Sector and Activity

Children in Afghanistan are subjected to the worst forms of child labor, including forced recruitment for use in armed conflict and recruitment by the Taliban for use in armed conflict.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Boys in Afghanistan are vulnerable to being recruited and used as child soldiers. The Taliban typically recruits boys between the ages of 14 and 17, and 97 percent of these recruits become part of the Taliban's security forces. The Taliban does not have a formalized age verification mechanism to ensure children are not being recruited into the armed forces. Some boys are coerced or recruited under false promises or fraudulent circumstances. According to the UN, the Taliban recruited 342 children in 2023 into combat and support roles. However, 333 of the children recruited in 2023 were subsequently released.

Children at Higher Risk

Boys in Afghanistan continue to be subjected to commercial sexual exploitation through the practice of *bacha bazi*, which typically entails keeping a boy for the purpose of sexual gratification. Some boys are sold into the practice by their families. Children subjected to *bacha bazi* often become further victimized by the threat of violence when returning to their families, necessitating the placement of these child victims in rehabilitation centers; however, research was unable to determine whether sufficient rehabilitation centers existed to meet this need. Additionally, girls from impoverished families are sold into marriage with adult men in order for the girls' families to obtain dowries.

Barriers to Education Access

Children in Afghanistan face significant barriers to education due to poverty and Taliban restrictions on women and girls' roles in society. Since September 2021, Afghan girls have been prohibited from attending public secondary school and since December 2022, from attending university. Access to education is further hampered by lack of identity documents, which disproportionately affects girls. Since the Taliban banned women from teaching boys, schools face significant difficulties hiring teachers, resorting to hiring men with only high school diplomas or with no formal educational credentials. Some teachers only speak Pashto, leaving Dari-speaking children unable to understand lessons. Some positions remain unfilled, leaving children with no instructor at all and corporal punishment also discourages children from attending school. Additionally, the cost of school supplies, textbooks, and transportation prevent some Afghan children from attending school.

II. Legal Framework for Child Labor

			Meets	Legislation
Standard			Age International Standards	
Minimum Work	Age for	18	X	Article 13 of the Labor Law
Minimum Hazardous Work	Age for	18	✓	Articles 13 and 120 of the Labor Law; Article 613 of

Standard	Meets Age International Standards	Legislation
		the Penal Code; Article 63 of the Law on Protection of Child Rights
Identification of Hazardous Occupations or Activities Prohibited for Children	✓	List of Prohibited Jobs for Child Laborers; Article 613 of the Penal Code
Prohibition of Slavery, Debt Bondage, and Forced Labor	X	Article 4 of the Labor Law; Articles 510–512 of the Penal Code; Article 37 of the Law on the Elimination of Violence Against Women
Prohibition of Child Trafficking	✓	Articles 510–512 of the Penal Code
Prohibition of Commercial Sexual Exploitation of Children	X	Article 18 of the Law on Elimination of Violence Against Women; Articles 510–512, 650, and 652–667 of the Penal Code
Prohibition of Using Children in Illicit Activities	✓	List of Prohibited Jobs for Child Laborers; Articles 1, 7, and 23 of the Counter Narcotics Law
Minimum Age for Voluntary State Military Recruitment	18 ✓	Articles 605–608 of the Penal Code
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*	
Prohibition of Military Recruitment by Non-state Armed Groups	✓	Articles 510–512 of the Penal Code
Compulsory Education Age	15‡ ✓	Article 17 of the Education Law; Article 609 of the Penal Code
Free Public Education	✓	Article 17 of the Education Law

Laws and Regulations on Child Labor

Afghanistan has ratified all key international conventions concerning child labor. However, Afghanistan's laws do not meet international standards on the minimum age for work because they do not apply to workers in the informal sector, and the prohibition of forced labor because Afghan law does not sufficiently criminalize practices similar to slavery, including debt bondage.

* Country has no conscription

‡ Age calculated based on available information

The Taliban have not made a clear pronouncement on whether they are following modified versions of either Afghanistan's 1964 or 2004 constitution, or whether they will produce a new constitution, making it unclear the degree to which they view relevant protections in the 1964 and 2004 constitutions as remaining in effect. Simultaneously, the Taliban have conveyed that the laws that predate the Taliban takeover of August 2021 remain in effect unless they violate the Taliban interpretation of Sharia, as determined by Taliban religious leaders or Taliban-led courts. Reporting indicates that the Taliban have verbally announced the abolition of chapters 10 and 11 of the penal code, which deal with child trafficking crimes and the recruitment and use of children in armed groups, and have further instructed lawyers not to cite the penal code in court.

The Afghan Labor Law's minimum age provision prohibits those who have not completed age 18 from being "recruited as a worker." However, the law defines "worker" as a person who is "recruited based on a definite contract," meaning that the minimum age provision does not apply to those in informal employment. Afghan law does not sufficiently criminalize practices similar to slavery, including debt bondage. The Penal Code criminalizes the use of male or transgender children in *bacha bazi*, criminalizes forcing children to dance, and criminalizes the forced use of girls in prostitution. However, the legal framework does not criminalize the use of boys or non-forced use of girls in prostitution.

III. Enforcement of Laws on Child Labor

Organization/Agency | Role & Activities

Ministry of Labor and Social Affairs (MoLSA): Responds to complaints of child labor, child trafficking, and child sexual exploitation. Formerly referred cases to the Attorney General's Office (AGO), operated a shelter for human trafficking victims in Kabul, and had a special prosecutor for crimes against children; however, the Taliban closed the AGO in 2023 and replaced it with the so-called "General Directorate for Monitoring and Follow-up of Decrees and Directives." Research indicates this new directorate lacks the investigative role of the AGO. Research was unable to determine whether the Kabul shelter remained in operation.

Ministry of Interior: Enforces laws related to child trafficking, the use of children in illicit activities, and child sexual exploitation. Research was

Organization/Agency | Role & Activities

unable to determine if any enforcement activities were undertaken during the reporting period.

Agencies Responsible for Child Labor Law Enforcement

In 2023, labor law enforcement agencies in Afghanistan took actions to address child labor. However, the extent to which criminal law enforcement agencies are carrying out the enforcement activities mandated by the pre-August 15, 2021, government—or whether these agencies continue to function—is unknown.

Overview of Enforcement Efforts	2023
Has a Labor Inspectorate	Yes
Able to Assess Civil Penalties	No
Routinely Conducted Worksite Inspections	Yes
Unannounced Inspections Permitted	Unknown
Has a Complaint Mechanism	Unknown
Imposed Penalties for Child Labor Violations	Unknown
Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Unknown
Imposed Penalties for Worst Forms of Child Labor Crimes	Unknown

Enforcement Mechanisms and Efforts

The Taliban reported that the Labor Audit Department within MoLSA inspected **259** manufacturing facilities in 2023, finding **42** children under the age of 18 who were working more than 10 hours per day. It is **unknown** whether the children were removed from these workplaces or provided with appropriate services. It is **unknown** whether investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.

IV. Coordination, Policies, and Programs

Coordinating Body | Role & Activities

National Commission on Protection of Child Rights: Monitors and protects children's rights established under the Law on Protection of Child Rights and strengthens national coordination on child protection. Prior to the Taliban takeover in August 2021, participants included representatives from the AGO, the Afghanistan Independent Human Rights Commission, the Ministry of Education, and other bodies. Also included was an inter-ministerial technical committee, chaired by the MoLSA Minister, to ensure that the Child Act is operational at the provincial and district levels. The Taliban closed the Afghanistan Independent Human Rights Commission in May 2022. Research was unable to determine whether this committee continued to function or carried out activities during the reporting period.

Key Mechanism to Coordinate Government Efforts on Child Labor

Afghanistan established a mechanism to coordinate its efforts to address child labor. However, gaps exist that hinder the effective coordination of efforts to address child labor, including lack of utilization of previously established coordinating bodies.

Policy | Description & Activities

Labor Policies: The National Labor Policy includes objectives to eliminate the worst forms of child labor, such as those involving hazardous activities, the enactment of laws prohibiting child labor, and the effective enforcement of child labor laws. The National Child Labor Strategy and Action Plan aims to eliminate the worst forms of child labor by 2025 and all child labor by 2030. It also recommends improving social protections and oversight. Research was unable to determine whether this policy is still in force, or whether activities were undertaken to implement it during the reporting period.

National Anti-Trafficking in Persons Action Plan: Organizes Afghanistan's response to human trafficking, including *bacha bazi*, with a three-pronged approach: mandates the National Child Protection Committee to find and respond to *bacha bazi* cases among Afghan civil servants; encourages the implementation of laws, the prevention of child recruitment into armed conflict, and the reporting of corruption by the Ministry of Defense, the Ministry of Interior, and the National Directorate of Security; and oversees the production of annual or semiannual interagency progress reports on addressing trafficking in persons. Research was unable to determine whether this policy was still in force, or whether activities were undertaken to implement it during the reporting period.

Protection Strategies Related to Child Labor: The National Strategy for Children at Risk creates a framework to provide social services to at-risk children and their families, and guides donors in contributing toward a comprehensive child protection system. Focuses specifically on working children, victims of child trafficking, child soldiers, and other children affected by conflict. The Policy for the Protection of Children in Armed Conflict protects children from recruitment and sexual exploitation in the armed forces and provides services to children rescued from engagement in armed conflict. Assigns the Ministry of Defense and the Afghan National Police with monitoring that children's rights are safeguarded, and coordinates with Child Protection Action Network chapters and the Afghanistan Independent Human Rights Commission. Research was unable to determine whether these policies were still in force, or whether activities were undertaken to implement them during the reporting period.

Key Policies Related to Child Labor

Afghanistan established policies related to child labor. However, these policies do not cover all the worst forms of child labor, including lack of implementation of previously established policies and strategies.

Program | Description & Activities

Child Protection Units (CPUs) of the Afghan National Police (ANP):[†] Units located within ANP recruitment centers to ensure that children are not recruited to join armed conflict. Operated in all provinces. Prior to the Taliban takeover, Afghanistan did not have sufficient CPU reporting channels to identify children, prevent them from joining the security forces, or provide shelter, services, and family reintegration. Research was unable to determine whether CPUs have continued to function after the Taliban takeover.

Asia Regional Child Labor Program (2019–2023): Funded by ILO and implemented with UNICEF and the Institute for Development Studies, worked with the Afghan government to ensure that policies on child labor align with ILO conventions while strengthening local and national Plans of Action. Contained a special focus on internally displaced persons and returnee migrants, along with other groups vulnerable to child labor and human trafficking. The ILO stated that activities under this program within Afghanistan were suspended in 2022.

Key Social Programs to Address Child Labor

Afghanistan may have funded and participated in programs that include the goal of preventing child labor. However, these social programs are inadequate because of a lack of implementation of previously established programs.

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

[†] Program funded by the Government of Afghanistan prior to the Taliban takeover.

V. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action
Legal Framework	Ensure that the minimum age for work applies to all children, including those engaged in informal employment.
	Increase the compulsory education age from 15 years old to 18 years old to align with the minimum age for work, and ensure this applies to all children, including girls.

Area	Suggested Action
Enforcement	Ensure that provisions of the penal code related to child trafficking and military recruitment and use of children are in effect and enforced.
	Criminalize the use of boys and girls for prostitution.
	Criminally prohibit debt bondage.
	Publish information on labor law enforcement efforts, including information about the labor inspectorate's funding, number of labor inspectors, number and type of child labor inspections, and number of violations found, and whether penalties were imposed and collected.
	Publish information on criminal law enforcement efforts undertaken, including training for criminal investigators, number of investigations, prosecutions initiated, convictions achieved, and imposed penalties for violations related to the worst forms of child labor.
	Authorize the labor inspectorate to assess penalties and establish implementing regulations for labor inspections.
	Ensure that labor inspectors and criminal investigators receive training on child labor.
	Establish a mechanism to receive child labor complaints and ensure labor and criminal law authorities refer survivors to social services.
	Ensure that victims of the worst forms of child labor are correctly identified as victims and referred to appropriate social services, not arrested, detained, or subjected to mistreatment or physical abuse.
	Investigate, prosecute, and when appropriate, convict and sentence Taliban personnel complicit in facilitating the worst forms of child labor, such as <i>bachi bazi</i> and child soldier recruitment.
Coordination	Ensure the investigative and prosecutorial duties of the now-closed Attorney General's Office are carried out.
	Establish Child Protection Action Networks in every province with trained staff that can accommodate persons that cannot read or write.
Government Policies	Employ at least 172 labor inspectors to ensure adequate coverage of the labor force of approximately 6.8 million workers.
	Ensure the National Commission on Protection of Child Rights is active and able to carry out its intended mandates, including by holding meetings at the mandated intervals.
Government Policies	Implement key policies related to child labor such as the National Labor Policy, the National Child Labor Strategy

Area	Suggested Action
	and Action Plan, and the National Anti-Trafficking in Persons Action Plan, and publish results from activities implemented.
Social Programs	Provide children with <i>e-tazkeera</i> national identity cards so they can register for school. Implement key social programs to address child labor such as the Asia Regional Child Labor Program, deployment of Child Protection Units of the Afghan National Police, and the administration of Juvenile Rehabilitation Centers, and make information about implementation measures publicly available. Ensure access to education for girls at all levels, provide children with <i>e-tazkeera</i> national identity cards so they can register for school, and address barriers to education such as corporal punishment, a lack of qualified teachers, teachers that speak the language of students, and the costs of attending school such as supplies, textbooks, and transportation. Develop inter-governmental reporting channels for Child Protection Units to identify children, prevent them from joining the security forces, and refer them to shelter, social, and family reintegration services.

Suggested Government Actions to Eliminate Child Labor

The suggested government actions below would close gaps USDOL has identified in Afghanistan's implementation of its international commitments to eliminate the worst forms of child labor.

References

[Download the 2023 Bibliography](#)

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