



NATIONAL POLICY CONSULTATION ON ENVIRONMENT, HUMAN AND CHILD LABOUR, AND ANIMAL WELFARE IN PAKISTAN'S BRICK KILNS: TACKLING CHALLENGES AND WORKING TOGETHER TO CHANGE THE INDUSTRY



Organized by NACG Pakistan, ILO, Brooke Pakistan, Solidar Switzerland and CRM (Child Rights Movement)

Jointly hosted by the Ministry of Human Rights (SAIEVAC National Mechanism, Pakistan) in collaboration with the Ministry of Climate Change-Pakistan Environmental Protection Agency

The first National Policy Consultation on Environment, Human and Child Labour, and Animal Welfare in Pakistan's brick kilns was held in Islamabad on 3rd May 2017 to discuss the challenges of the industry and how to work together to change/improve the environment in the brick kilns both for humans and animals, since those that are interdependent and a helping hand for each other.

1. Background

The first dedicated high level regional policy conference on South Asia's brick kilns - ***Environment, Human and Child labour and Animal Welfare in South Asia's Brick Kilns: Tackling Challenges and Working Together to Change the Industry- took place on the 26th- 27th of January 2017 in Pokhara, Nepal.***

The conference was hosted by the Government of Nepal and gathered representatives from the South Asia Initiative to End Violence Against Children (SAIEVAC), national governments and UN agencies, as well as participants from NGOs, research and training institutes, trade unions and employers' organisations.

The conference generated an unprecedented momentum around the urgency to tackle the deep-rooted challenges of the brick industry in South Asia given its impact on the environment, people and the working animals it uses. It also resulted in a consensus on the need to address those challenges through a multi-stakeholder and cross-sectoral approach, with a focus on the sectors of human labour, environment and animal welfare. The Pokhara outcome statement suggested a way forward to work at international, regional and national level to move forward the agenda.

Islamabad Consultation Objective

1. To increase the understanding of the three main sectors related to child labour in general and the brick kilns in Pakistan and strengthen linkages amongst stakeholders.
2. To stimulate discussions on addressing challenges and identify opportunities for tackling the industry's challenges across the environment, human labour and animal welfare sectors.
3. To agree on a time-bound plan of action based on the commitments – in line with the Pokhara Joint Outcome Statement.

Expected Outcomes

1. Enhanced awareness and understanding of the 3 sectors and their intersection across all key constituencies of stakeholders.
2. Critical priority areas identified (e.g. research gap, stakeholders etc.)
3. Anchor/coordinator and set up to move agenda forward identified
4. Time-bound action plan with key deliverables agreed.

Keeping in view the Pokhara Outcome Statement, a national level consultation was organised by the Government of Pakistan in Ramada hotel, Islamabad. The event brought together more than 50 organisations including, government, civil society, donor agencies, academia, politicians and students to discuss the invisible issues of brick kilns. This was the first consultation of its kind at the national level where multi stakeholders deliberated intensely on interconnected issues of the brick

kiln industry and on creating not only an increased understanding of key issues around brick kilns but also on generating a broad consensus for collective action.

2. Proceedings

Mr Ishtiaq Gilani, NACG Pakistan, Chairman welcomed all participants and said that he was very excited to see cross sectorial organisations together to discuss brick kiln issues in a participatory way. He said that NACG Pakistan would continue to extend its full support for coordinating and moving ahead with a collective agenda to positively transform the brick kiln environment.

Dr Rinchen Chopel, Director General, SAIEVAC came from Nepal to join the consultation. He explained that the discourse around the Brick Kilns did not deviate from SAIEVAC's focus from its primary goal to address children's issues. He stated that, on the contrary, this new narrative would reinforce cross sectorial collaboration and would place child rights and protection in a fundamental discourse on humanity: "one health, one safety; one welfare, one dignity". This new discourse and rationale relies on the principle that the universe belongs to everyone- human beings, animals and the environment-and it underlines that the adoption of a collective approach to address issues of brick kilns, presents an excellent opportunity to create a better world. He said that SAIEVAC Regional Secretariat considers important to provide strategic coordination and support to this whole process at both regional and national level, so that the process initiated in Pokhara.

Ms. Rabiya Javeri Agha, Secretary, Ministry of Human Rights and chief guest of the event said that the subject was very close to her heart. She highlighted that transforming the brick kiln environment had domestic, moral, social, economic and environmental ramifications. She added that Child Rights was the ministry priority and that it was determined to end violence against children. She mentioned that the child rights legislation was not as strengthened as it should be and that the ministry was focusing on . She ended adding that the Ministry of Human Rights was already working on these issues and that it welcome this unified approach and would provide its full support.

Director General Human Rights, Mr Mohammad Hassan Mangi welcomed civil society organisations to join hands with his department that would fully support the process of transforming the brick kiln environment. He appreciated efforts of Punjab in eliminating child labour and added that other provinces were also going to work on these lines. He further added that without free education, livelihood incentives and social protection, it was impossible to comprehensively address the issue because the challenge was enormous. He stated that there was a greater need to improve initiatives like Benazir Income Support Program; he then informed the participants that the planning commission of Pakistan and other institutes came forward to play their role in this collective action and responsibility.

Ms Farzana Shah, Director General, Pakistan Environmental Protection Agency said that brick kilns led to unsafe environment in Pakistan and in the whole South Asia. She explained that the brick kilns had yet to be recognised as an industry in Pakistan and indicated that there was no legislation to address this issue. She further declared that the brick kiln industry had some big challenges attached to it that required collective efforts to address and support an integrated approach. She assured full support from the ministry of climate change in this regard.

Dr Qurban Hussain, Director General Livestock Punjab, Dr Khursheed and Ms Farah Manzor (MPA) Member Standing Committee on Livestock and Dairy Development, encouraged this participatory initiative and ensured the participants of their full support in future endeavours. The DG Livestock explained that children in brick kilns were suffering from nutritional deficiencies and that livestock products could help reduce the problem. He specified that the government of Punjab was planning to help provide livestock resources to labourers in brick kilns.

The representative of the **International Labour Organisation** made a presentation which aimed to explain the difference between child work, labour and worst forms of child labour.

The Brooke presented a documentary that highlighted the intersection between animal welfare, child labour and environmental concerns which was followed by a power point presentation to explain and present the intersecting issues and linkages that characterised the brick kiln environment; The presentation helped to understand why animal welfare is necessary to improve human welfare as they are the earning hands and livelihood assets for the poor families.

Solidar Switzerland and Labour Education Foundation and Group Development Pakistan presented another documentary titled “Piloting an intervention to counter child labour in one slum of Lahore, Punjab” which highlighted the non-conducive environment child labourers leave in. This also gave room to present not only the challenges but the solutions to eradicate child labour. This was followed by a power point presentation to introduce Solidar and share examples of good practices identified during the intervention conducted by the three partners, to counter child labour. Those good practices were also compiled and described in a report titled *Piloting an intervention to counter child labour in one slum of Lahore, Punjab Good Practices*.

ICIMOD shared basic statistics and evidences around human and child labour, environment and animal welfare that demonstrated the need to transform the brick kiln environment through an intersecting logic.

The participants found an opportunity to sit together to discuss gaps and common challenges related to the three sectors (Child Bounded Labour, Environment and Animal Welfare) that need to be changed to improve the situation of brick kilns in Pakistan. They also identified opportunities and relevant stakeholders to make coordinated efforts to improve the situation of brick kilns to eradicate child and bounded labour, environment pollution and animal welfare issues.

To improve the understanding of why SAIEVAC is opting for a cross-sectorial approach, a group exercise was conducted by participants divided into four groups including a child group. The exercise identified joint fora, commonalities in sectors gaps and recommendations, which set the ground for an inclusive and proactive approach.

Below are the key results from the group exercise.

The commonalities identified by the group 1 are:

- Labour and workers’ rights are interrelated and both relate to bonded labour.
- Child labour does not provide a protective and healthy environment: children working in brick kilns are deprived of it. The toxic gases resulting from the burning does not only pollutes the atmosphere and damage the ozone layer it directly impact children’s health.

- Safe working environment should be provided to all workers, and monitoring of the safe working environment can also ensure (no child labour) through its monitoring team.
- Animal rights and workers' rights are corresponding with each other: both work days and night yet they are poorly reattributed (meagre food, low wage), and are not provided with a favourable environment to work.
- All the local stakeholders need to synergize to sensitize parliamentarians for better policy reforms and protection of national assets.
- Environmental pollution affects workers and child labourers' health and causes skin disease so there is mutual relationship between environment and health of child, adults and animals that are being impacted by those hazards. Improved animal welfare leads to improved welfare of people who work with them. The infectious and contagious diseases transmitted via animals will affect the environment and health of human being and failing to ensure good health of animals will affect the economic prosperity of the labourers/ workers relying on them.
- Social Justice includes fulfilment of rights to Education, Children's Rights, Animal Rights for which livestock department need to take immediate measures to introduce legal interventions and policy reforms. There should be rigorous advocacy and consultation with key stakeholders.
- Health department should synergize or collaborate with World Health Organization to eradicate malnutrition.

Stakeholders for Joint efforts are: Ministry of Education, Ministry of Environment, Health and Human Rights, Ministry of Livestock, Ministry of Labour Rights, Individual Researchers and Civil Society Organizations, Society Security Department, Children, NHRIs and Media.

Gaps identified by the participants are the following:

- Isolation - environmental and labour industries work in isolation they must join hands together for education on workers' rights and to eliminate child labour.
- Insufficient researches and lack of evidence of abuses and rights violations in brick kiln sector.
- Lack of inclusiveness – (inclusion of all key stakeholders from legislators, executive and judiciary to achieve our goals)
- Violation of human and labour rights.
- Gap of collaboration for win-win situation: selfish interests above mutual win.
- Lack of awareness on child rights and child protection
- Children deprived from Right to play, clothing and healthy environment
- Schools at distant places
- Lack of Cooperation b/w workers and livestock department
- Brick kiln not recognized as a formal industry
- Loopholes in child labour legislation; lack of uniformity in child labour laws.
- Disproportion in age determination of child boy and girl child.
- Poor wages of labourers
- Inappropriate Resource allocation

- Deficient Shelters; need to develop rehabilitation, alternate care and child friendly centres with the view that full institutionalisation remains the last solution for child protection.
- Gaps in labour survey.
- Project based working lacks sustainability..
- Lack of Quality education
- Social insecurity for which mechanism should be strengthened
- Non-availability of social justice/ lack of implementation/ unawareness of beneficiaries
- Capacity building for animal management and grooming.
- Lack of free education.
- Lack of partnership with brick kiln owners
- Shift of child labour from brick kiln to factories
- Lack of coordination with health departments/ institutions
- Lack of access to legal aid facilities
- Lack of proper and legal framework to address these issues
- Lack of Task force for strong advocacy/follow up and monitoring.
- Issues of brick kiln industry are interrelated but organisations work in isolation and do not adopt a holistic approach.

Strategic Group Work was conducted with an objective to establish a forum, which identifies strengths, weaknesses and areas of Cooperation.

Children’s Group:

The consultation involved children ensuring their meaningful participation and best interest as enshrined in UNCRC Concluding Observations and Recommendations (CO & R) report of 2016. Children working or who had worked in brick kilns were asked to present and describe their surroundings, the challenges they face and their ideas to overcome those challenges.

Children made their presentation by drawing the scenery of Brick kiln where they work^{9ed}) with their parents. They stated that they drew a donkey and a man hitting the donkey because they have observed that when donkeys do not move fast enough, human beings hit them violently. They drew a cot under the tree to depict the actual situation of where they rest after the hazardous and heavy work. Children drew bricks with identified number of brick kilns. Moreover they shared that each brick kilns has its particular number on the brick and that’s how they keep an account of bricks. They also stated that they draw a heavily loaded trolley, overfilled with mud to make bricks. They drew children wearing school uniforms which symbolised their motivation to acquire quality education. They drew fruits to describe their ideal health diet which they are deprived of. Children shared that they wanted a fresh and green environment and flowers around them that’s why they had drawn plants.

Challenges while working identified by children:

- Fire, coal, and excessive smoke, hot instrument, wooden shoes: “the fire burns our skin and bones”.

- Nail and skin damage, due to burning and excessive work
- Brunt Ribs causes respiratory infections, backache, allergies and asthma.
- “There are only Primary Schools for girls; when we complete primary education afterwards we have trouble to find school in our vicinity for secondary education. There should be more NFE Centres”, statement made by girls child brick labourers
- “Some poor child labourers commit suicide, due to slavery and bonded labour of brick kilns because they do not earn enough to manage the expenses of their family and have to stop their education.”

Recommendations

- Child Friendly Centres should ensure secondary education as well.
- Proper clean drinking water should be available.
- CSOs, government, health and education authorities should ensure our protection and our rights. Who can resolve the problem? CSO, government, health and education authorities (school and hospital authority)
- “We children should have gone to talk to the children who felt sad so that they would not commit suicide, we should also go in a group to talk to the parents so that they do not stop the child from going to school.”
- More hospitals close by
- We should train other children and other parents with our parents on child rights and child protection.

Testimonials:

- A girl child shared that, “when she sees labourers beating the donkey she feels very bad and wonders why they beat donkey; to end violence at animals and human steps must be taken. The toiling work done by human being; children and animals should be done by machines.
- “If a person beats an animal, he she will beat us too.”
- Another girl child shared that, “Once we are free from slavery of brick kilns; my father will drive a rickshaw”.
- Children shared that happiest moment of year for us is the occasion of “Eid” because that day we have day off from work, we visit our relatives and enjoy visiting parks. “ We can have fun, same when there is a wedding.”

Group 02:

Basically there are zoonotic diseases which are transmitted from animals to human and children when they work in close interaction for which we need one health and one welfare approach. Children are

stunted and they have imbalanced diet and are devoid of their basic education. They are not well aware of their rights and responsibilities which drive towards violation of their rights. Environmental issues, cheap clothes available in low bazars and markets, shoes and burning of chemicals in Brick Kilns cause ill health to the children. Welfare of Equines is compromised although they work for 24/7 and yet they are not fed enough to fill their need. Labourers working in brick kilns and factories are treated as bonded slaves and they are paid low. They have threats of social security and sometimes it leads to their death. Such marginalized and vulnerable labourers are dependent on the owner for their economic growth and to fulfil their responsibilities they take loans with interest which keeps them under the slavery till their last breath.

Recommendations:

1. There is a dire need for effective legislation and policy Reforms.
2. Technology Adoption is required to develop new technologies.
3. Minimum Wages for factory employees should be defined appropriately by the state.
4. Social Security of the labourers, factory workers and their families must be ensured by the state institutions.
5. Economic development initiatives must be introduced to ensure sustained society.
6. Budget allocations for education and capacity building of the staff should be ensured, as well as proper learning atmosphere must be provided.

Group 03:

Group 03 included most of the participants who were working in the brick kilns or who were associated with brick kilns unions and lawyers.

Group 03 shared that a bonded labour legislation was introduced in 1992, "Prohibition of Bonded Labour Act 1992 Later, in 2012, the Punjab Provincial government adopted this act which demonstrated that, within the context of 18th amendment and the devolution process, the act was applicable within the jurisdiction of Punjab.

In October 2016, "Prohibition of Child Labour Act 2016", was enacted; the group figured out that unfortunately, the legislation was too vague and still presented many loopholes.. As per the most recent survey of the government 1.4 children per family are working in brick kilns. Whenever there is school inspection/ monitoring day, the owners somehow gets to know about it and they send children to school when the inspectors come and count the children and report that children are in school but those children again go back to Brick Kilns afterwards.

The point to ponder is how loan with interest is legalized, law enforcement agencies, particularly the police is there on ground for monitoring. How Brick Kiln owners can employ children into labour when there is Article 25-A, "Free and Compulsory Education for all children from 5- 16th of age" in place in the constitution of Pakistan.

Recommendations:

1. **Welfare of Livestock** -- We must realize that though animals are not human yet they are living being, they feel cold and hot, suffering and hunger. Therefore, key stakeholders must initiate awareness campaigns with relevant government departments and media to enlighten the general public about animals 'rights and protection.
2. "Slogan: Food, water, and Health for animal"
3. Vaccination, understanding the age of animal they must not be forced into labour if they are physically not able to. Most Important; No, violence with animals.
4. Insurance of Animal; Life insurance and cart insurance because otherwise just to buy a cart a family stays in bonded labour for ages.
5. Immediate implementation of Article 25-A, "Free and Compulsory Education for all children from 5- 16 of age".
6. Business skill, livelihood skills, strict inspection, monitoring and evaluation should be ensured for accountability and effectiveness.
7. Brick Kilns Workers, must register themselves and relevant institutions must make the registration process more feasible for a layman.
8. Bonded slavery (Paishge) should be eradicated. The owner must pay for the expense of the cart to avoid bonded labour.
9. Brick Kiln industry must be recognized as a Formal Industry.

Group 4:

Group 4 highlighted the Joint outcome statement for Stakeholders and prioritized the key stakeholders chronologically who should be eminently responsible to transform brick kilns environment.

1. Brick Kilns owners association and Unions.
2. Labour Departments of provincial governments.
3. Governmental and Non- Governmental Organization; ILO, IUCN, the Brooke Foundation.
4. Human Rights Commission of Pakistan.
5. Literacy Departments;
6. Livestock Departments of all the provinces; since Equine animals are also being added to the Livestock.
7. Bar Councils; District Levels to the high court levels.
8. Law department; in each province, provincials law departments are responsible for drafting and finalizing the laws. These are the most relevant stakeholders
9. Civil society networks and CSOs working for child protection, labour rights and/or environmental issues.

Final notes:

There is a need to develop a forum including above mentioned organisations and the key task force will be; ILO, IUCN, the Brooke, led by Ministry of Human Rights Pakistan. We will develop mechanisms, strategies and Action Plans.

The organisations who volunteered to join the forum included **ILO, Brooke, Solidar, FAO, IUCN, AGAHE, CRM, BLLF, Labour Education Foundation, Plan International** and **Brick Kiln Owner Association** under the leadership of ministry of Human rights and other related ministries.

It was also discussed that provincial workshops will be organised to make an action plan with roles and responsibilities which could not be done in this one day workshop. It was agreed in the meeting that a planning exercise will be held with the Volunteer group and the possibility of organising Provincial workshops will also be discussed. The planning meeting is expected to be held in July 2017 with the consultation of a Volunteer group.

Annexure 1

Workshop Agenda

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TOGETHER TO CHANGE THE INDUSTRY
May 03, 2017, Ramada Hotel, Islamabad - Pakistan**

Agenda

10:00am	Registration of the Participants and Tea	Staff and Child Volunteers
10:30-11:30am	Inaugural Session	
	Welcome Remarks Syed Ishtiaq Gilani –National Action Coordination Group Opening Remarks Dr. Rinchen Chopel (DG SAIEVAC) Ministry of Human Rights Secretary Ministry of Environment Ms. Farzana Shah, DG Environmental Protection Agency Ministry of Human Rights Mr. Hassan Mangi, SAIEVAC Pakistan representative Animal Husbandry Commissioner Dr. Qurban – Animal Husbandry Brick Kiln Owner Association Mr. Mehar Abdul Haq Inaugural Address Chief Guest, Mr Kamran Michael (MoHR)	<i>Individual intervention</i>
11.30-11.45am	Tea Break	
11.45 am-12.30pm	Session A: Context Setting	
	Objective: increase understanding of Brick Kilns Industry across sectors (Child Labour Animal Welfare and Environment)	
	Pokhara Outcome Statement	Individual PP Presentation by NACG Chair

ILO Presentation on Child Bonded Labour (10mn)	ILO Representative
ICIMOD Presentation on Environment (5mn)	ICIMOD Representative
Animal Welfare Intersection with Human and Child Labour and Environmental issues in Brick Kilns in Pakistan (8 mn) <ul style="list-style-type: none"> - Brooke Documentary - Solidar Documentary 	Joint, Multi-Sectorial Interactive Sessions Mixing PP, Documentary and Participatory Questions
Why are we opting for this cross sectorial approach?	Interactive Session, Three Boards Titled 1) Joint forum 2) Commonalities 3) Gaps To be filled according to participants responses
Group Picture	Team and Momentum Building, Institutional Memory
12.30-13.00 Session B: Examples of Good Practices	Description of what is being done in various Sectors?
Objective: present what is being done	
Example of good practices to counter Child Labour by Valerie Khan for Solidar (10 minutes)	PP Presentation
Presentation by Punjab Labour Department (10 minutes)	PP Presentation
Case Study on Animal owner working in Brick Kilns (5 mn)	PP Presentation
13.00-13.30 Session C: Questions/answer sessions	
Objective: Verify that participants have increased their understanding on what is happening at a cross sectorial level within Brick Kilns and own a multi prong approach	Interactive session
13.30-14.30 Lunch	
14.30-15.30 pm Session D: Strategic Group Work	
Objective: Establish a Forum, Identify Strengths and Weaknesses and areas of Cooperation	
<ul style="list-style-type: none"> - Keeping in view these three sectors, what are the gaps and common challenges that need to be filled to improve the situation? - Identify opportunities to make coordinated efforts to improve the situation of brick kiln industry? - Identify the relevant stakeholders to establish a dedicated forum to move the agenda forward 	Work Group, participants will be divided into 4 groups (including a Child Group) and two facilitators (Gender Balanced Composition) will be present in each group to ensure: <ul style="list-style-type: none"> - Fair distribution of speech/inclusion - Translation - Cross sectorial approach - Children, Animal Owners, Civil Society,

	Government Departments, Media will be included Questions will be simplified and presented in a Child friendly manner for Children
Presentation of each Group Work	Wall visit with live presentation by designated rapporteur
15.30 - 15.45 pm Tea break	
15.45 pm - 4.30 pm Session E: Develop an Action plan and deliverable	
Objective: Establish a basis for coordinated action and a road map at national level to improve situation in Brick Kilns	
Preparation of Work Plan to be compiled by facilitators later on	Group Work, same structure as previous Group Work Exercise
4.30 - 4.45 pm Session F: Closure	
Vote of Thanks	Ms. Valerie Khan (Co-Chair NACG)
Concluding Remarks	Dr. Rinchen Chopel

Annexure 2

List of abbreviation

Abbreviation	Explanation
NACG	National
ILO	International Labour Organisations
CRM	Child Rights Movement
SAIEVAC	South Asia Initiative to End Violence Against Children
UN	United Nations
MPA	Member Provincial Assembly
DG	Director General
ICIMOD	International Centre for Integrated Mountain Development
UNCRC	Convention on the Rights of the Child
NFE	Non Formal Education
CSO	Civil Society Organisations
IUCN	International Union for Conservation of Nature
FAO	Food and Agriculture Organization
AGAHE	Association for Gender Awareness & Human Empowerment
BLLF	Bonded Labour Liberation Front