



## CAUSES AND CONSEQUENCES OF THE VIOLATION OF CHILD'S RIGHTS: BANGLADESH PERSPECTIVES

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### Abstract

*With a population of around 160 million people, Bangladesh is a very crowded country. Twenty million children below the age of five make up around half the population of Bangladesh, which is considered a kid-friendly country. More than two-thirds of children reside in rural areas, whereas less than one-third live in cities. In Bangladesh, the abuse of children's rights is a widespread occurrence. Education, a balanced diet, nutrition and health, and involvement in recreation are fundamental rights of children. They also have safe water, sewerage, and hygiene. The vast majority of Bangladeshi children are denied even the most basic human rights. UNICEF's initiatives are being taken to ensure that all children are educated and reduce child labour use. To establish a child-friendly atmosphere in Bangladesh, we have discussed several issues related to children's rights here.*

**Keywords:** *Bangladesh, children, rights, child labour laws.*

### Introduction

Children are, by definition, sentient individuals who can be shaped into adults by education and exposure to the real world. In Bangladesh, societal institutions have failed to provide all children with a chance to grow and develop as they should have naturally. As of 2006, the new labour law set a range of 14 to 18 as the minimum age for entry into the workforce. About 13% of Bangladesh's youngsters are forced into child labour and denied their fundamental rights to education and health care, among other things. Children have been implicated in crimes, including the transportation of weapons, drugs, and other illicit goods. These people ranged from criminals to vagabonds to those reported missing. With the lowest birth registration rates in the world, protecting from forced labour, trafficking, and other persecutions is challenging in Bangladesh (Mohajan 2012)<sup>1</sup>. Young people rarely can express themselves because of their low income and social structure. Those who reside in the cities cannot participate in various sports on the open field or participate in many traditional festivals because of a lack of support.

In Bangladesh, infant and maternal deaths are extremely high since most deliveries occur at home with the assistance of inexperienced women and without the provision of adequate medical

<sup>1</sup> Mohajan, H.K. (2012). *Lack of Consciousness of Child Rights in Bangladesh*, Lambert Academic Publishing, Germany.



treatment. More than half of children under the age of five are underweight due to starvation, with 22% of newborns born underweight. Sharma (2007)<sup>2</sup> and Bhattacharya (2007)<sup>3</sup> Explore the issues of child labour and maltreatment, respectively. Khanam (2006)<sup>4</sup> Noted how child labour is on the rise in Bangladesh, even though it is dropping in other countries in southern Asia, which she attributes to the inapplicability or insufficiency of Bangladesh's current child labour regulations.

Natural catastrophes such as floods and cyclones destroy Bangladeshi communities, leaving them more vulnerable to abuse, neglect, exploitation, and other forms of exploitation, as well as to family separation, migration, and human trafficking (Mohajan 2012)<sup>5</sup>. The study's goal is to examine Bangladeshi children's rights. Located in southern Asia, Bangladesh is a country in transition. People in this country are not aware of the rights of children. We have attempted to demonstrate in this article who children are, what their rights are, how to lessen child persecution, and the benefits to the country if children's rights are successfully enforced. Specifically, we have focused on child smuggling and child criminality, and we have attempted to discuss the detrimental consequences of these crimes. We have made it a priority to eradicate these two horrible vices from society.

### **Children and fundamental rights**

Different rules apply to children in Bangladesh. Children under the age of 12 are not permitted to work in regular jobs under the Employment of Children Act of 1938, save as apprentices, and children under the age of 14 are prohibited from working in factories under the Factories Act of 1965. As of 2006, the revised labour law set a range of 14 to 18 as the minimum age for entry into the workforce. A child is defined as a person under eighteen (UNCRC) and sixteen (Children Act of 1974) in United Nations documents. A person under the age of 16 is considered a kid under the Anti-Women and Child Oppression (Amendment) Act, 2003. By law, any 18-year-old orphan can claim or sell the property that he or she is lawfully entitled to inherit under the Court of Wards (Amendment) Act of 2006 (Mohajan 2012)<sup>6</sup>. When a kid reaches the age of 12 for girls and 15 or 16 for boys, he or she is considered an adult under Muslim national law (Siddiqui 2001)<sup>7</sup>.

<sup>2</sup> Sharma, K. (2007). Trade, Growth and Child Labour Practices in South Asia, in Gamini Herath and Kishor Sharma (eds.) *Child Labour in South Asia*, Aldershot, Hampshire, UK and Burlington, VT, USA: Ashgate.

<sup>3</sup> Bhattacharya, M.S. (2007). *The saga of Agony and Shame: Child Labour and Child Abuse in India and SAARC Countries*, New Delhi, India: Decent Books.

<sup>4</sup> Khanam, R. (2006). Child Labour in Bangladesh: Trends, Patterns and Policy Options, *Asian Profile*, 34(6): 593–608.

<sup>5</sup> Mohajan, H.K. (2012). *Lack of Consciousness of Child Rights in Bangladesh*, Lambert Academic Publishing, Germany

<sup>6</sup> *ibid*

<sup>7</sup> Siddiqui, K. (2001). *Better Days, Better Lives: Towards Strategy for Implementing the Convention on the Child's Rights in Bangladesh*, Dhaka, University Press Limited.



All children have the right to an education, a healthy diet, a safe water supply, and the opportunity to participate in recreational activities. Unfortunately, children's rights in Bangladesh are being violated. Food and education are all in short supply for the vast majority of children worldwide.

### **Human Rights and Food**

Development in Bangladesh is a global phenomenon. As of this writing, about 26% of its population is earning a minimum wage (less than \$1.00 per person per day or unable to afford food that provides a daily caloric intake of 2,100 kilocalories). Children who were expelled from school due to infractions at their previous school could not return when food prices dropped (FAO and World Food Programme, 2008)<sup>8</sup>.

School performance, adult health, and national service are all enhanced by well-nourished youngsters rather than those who are undernourished. Children in rural areas have a higher risk of malnutrition than those in metropolitan areas. Undernourished children are more susceptible to common childhood illnesses like diarrhoea and respiratory illnesses and are much more likely to die. According to the World Health Organization, underweight and chronic malnutrition affects over half the children under the age of five in Bangladesh. The number of Bangladeshi children underweight for their height is estimated to be as high as 2.2 million on the cautious side. As many as half a million of these children are severely malnourished and are at an increased risk of dying. Some of Bangladesh's urban poor children are overweight due to their parents consuming high-calorie, low-fibre junk food. In reality, these children are ill. The primary cause of mental impairment and poor psychomotor development for young children is iodine deficiency disorder (IDD). In Bangladesh, deficiency in Vitamin A can lead to night blindness in youngsters (Mohajan 2012)<sup>9</sup>.

### **Educational Freedoms**

Bangladesh has made impressive strides in boosting elementary school enrollment in the last two decades. Between 1985 and 2005, the total number of students enrolled nearly doubled. Even though school enrollment is rising, dropout rates are still high in Bangladesh. About 14.5% of students in grades 1–4 and 5.2% of those in grades 5 dropped out in 2008. According to official data from schools, more than half fail to graduate from the fifth grade. Those who have completed primary school can simply move on to secondary education. According to MICS

<sup>8</sup> FAO and WFP (2008). Special Report: *FAO/WFP Crop and Food Supply Assessment Mission to Bangladesh*.

<sup>9</sup> *ibid*



(Multiple Indicator Cluster Surveys) (MICS 2006), 89 per cent of students moved from primary to secondary school in 2006. Girls have a higher rate of transition than boys (UNICEF 2009)<sup>10</sup>.

### **Bangladesh's Child Labor Force**

Child labour is cheaper in Bangladesh than adult labour. Most employers believe that children can work hard, are easier to govern, and are less demanding than adults. Adults are often reluctant to perform low-status or dirty jobs, so some save them for children. Children are more likely than girls to work as children (17.5 per cent vs 8.1 per cent), and children in rural areas are slightly more likely to work than those in urban areas. Child labour is also widespread (18 per cent). It is estimated that about half of all child employees do not go to school (UNICEF 2009)<sup>11</sup>.

Child labour is a significant problem in Bangladesh because of poverty. Child labour has a strong positive relationship with poverty. Providing free and compulsory high-quality education until the age of 20 is essential in reducing child labour. There are many ways to look at poverty, and each one has its unique viewpoint on the issue (Mohajan 2012)<sup>12</sup>.

Hunger and mental anguish impede the growth of Bangladeshi youngsters from low-income homes. This violates children's rights, as some of these children must labour rather than attend school. In Bangladesh, almost 40% of siblings and children work to support the family. Unskilled manual labour, such as pulling rickshaws (17 per cent), working in factories (18 per cent), transport (12 per cent), and farming (10 per cent), are all common occupations for them. Other southern Asian countries are seeing a decrease in child labour, but the Bangladeshi government and the country's civil society are to blame for its recent rise (Mohajan 2012)<sup>13</sup>.

To begin with, Cain (1977)<sup>14</sup> I looked at how youngsters in rural Bangladesh worked. According to this research, kids' productivity as subordinate members of their parents' households has been researched and attempted to be determined. He discovered that youngsters in rural Bangladesh begin making money as early as five years of age, contributing to their families financial well-being.

According to figures from the Government of Bangladesh (Khair 2005)<sup>15</sup> There are an estimated 22.8 million workplaces in which children are employed under fourteen. There were 200

<sup>10</sup> UNICEF (2009). Situation Assessment and Analysis of Children and Women in Bangladesh.

<sup>11</sup> ibid

<sup>12</sup> Mohajan, H.K. (2012). Human Trafficking in Asia: A Heinous Crime against Humanities, *International Journal of Cross-Cultural Studies*, 2(1): 29–41.

<sup>13</sup> Mohajan, H.K. (2012). *Lack of Consciousness of Child Rights in Bangladesh*, Lambert Academic Publishing, Germany.

<sup>14</sup> Cain, M.T. (1977). The Economic Activities of Children in a Village in Bangladesh, *Population and Development Review*, 3(3): 201–227.

<sup>15</sup> Khair, S. (2005). *Child Labour in Bangladesh: A Forward-Looking Policy Study*, Geneva, Switzerland: International Labor



different tasks that children were found to engage in, 49 of which were deemed damaging to children's physical and mental health. About 12 per cent of the country's workforce is made up of child labourers. It is not uncommon for children employed in low-wage jobs to receive no compensation at all. In most cases, female workers do not get paid and are only given poor food, especially in rural jobs where they clean.

Bangladesh's garment industry boomed in the 1980s, and child labour was rampant throughout the supply chain. When Bangladeshi textile manufacturers topped the list of those employing the most children in the 1990s, as long as child labour was used in Bangladesh's garment industry, the United States and other countries stopped buying Bangladeshi clothing (Rahman et al., 1999)<sup>16</sup>. The BGMEA or the government did little to help the dismissed impoverished labourers, some of whom had been trafficked in the Middle East, India, Pakistan, and other countries of the world, some of whom had taken domestic work and others of whom had taken more dangerous and challenging jobs.

Many people say that children who work longer hours, in more dangerous jobs, and when they start working at a young age are more likely to have health problems than people who start working later in life (Mamun et al. 2008)<sup>17</sup>. Many child workers indeed enjoy their jobs, but many are unaware of the severe long-term consequences their early labour has had on them (Ehsan 2001)<sup>18</sup>.

### **Workplace safety regulations for children**

Laws prohibiting the hiring of minors or setting a minimum age for employment are not in harmony. Labour regulations in China have been revised and harmonized by the Government of Bangladesh's National Labor Commission since 1993. Among the laws currently in place are the 1938 "Employment of Children Act", the 1965 "Factory Act", the 1965 "Shops and Establishments Act", and the 1976 "Children's Act and Rules". It is illegal to hire children in leather businesses, carpet factories, cement factories, match factories, and even fireworks factories (U.S. Department of Labor, 2002)<sup>19</sup>. Article 44(1) of the Act imposes a Tk.1 000 fine

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Office, April.

<sup>16</sup> Rahman, M.M.; Khanam, R. and Absar, N.U. (1999). Child Labor in Bangladesh: A Critical Appraisal of Harkin's Bill and the MOU-Type Schooling Program. *Journal of Economic issues*, XXXIII (4): 985– 1003.

<sup>17</sup> Mamun, R.; Mondal, N.I.; Islam, R. and Kabir, M. (2008). Impact of Some Key Factors on Health Complication of the Child Laborers during Work: A Study on Rangpur, Bangladesh. *Pakistan Journal of Social Sciences*, 5(3): 262–267.

<sup>18</sup> Ehsan, K. (2001). "Children and Education", in Shishu Adhikar Sangjog (ed.), *Child Rights: Reality and Challenges* (Dhaka, Bangladesh: British Council).

<sup>19</sup> US DOL (2002). *Advancing the Campaign Against Child Labor: Efforts at the country level*. Washington DC, U.S. Dept. of Labour, Bureau of International Labor Affairs.



for any infraction. Children even cannot be employed in begging or be exploited in Prostitution (US DOL 2003)<sup>20</sup>.

There is no mention of child labour in the agriculture industry in Bangladesh's labour law. This industry employs 65 per cent of Bangladesh's overall child labour force. These laws do not apply to the informal and household sectors or too small businesses (Khanam, 2006)<sup>21</sup>. The Government of Bangladesh must take action for these industries to be covered by labour regulations.

### **Bangladesh's violations of children's rights are on the rise.**

Violent crimes against children are frequent in Bangladesh, yet they are rarely brought to the attention of the proper authorities. There is a lack of statistics from the government and reports in the media about the types and levels of abuse that children are subjected to. The adult behaviours that children despise the most include physical, verbal, humiliating, or threatening punishment. Many children are subjected to these atrocities, which are often allowed by society overall and by the children. It is because they have had no other option but to accept the brutality they have been subjected to since childhood (UNICEF 2009)<sup>22</sup>.

### **Bangladeshi Girls' Persecution**

As a result of gender-based discrimination, girls are more likely to be in danger of being impoverished and abused and deprived of fundamental human necessities. According to UNICEF's research, females in Bangladesh are not only the last to be fed, but they are also fed more diminutive than their male counterparts. Because they are less likely to be protected by their families, it is common for young people to get married by the time they are 15. Despite efforts by the Bangladeshi government to reduce the prevalence of this type of violence, it remains a severe threat to the lives of Bangladeshi girls. The youngsters took their own lives in the past year, making suicide the leading cause of death for this age group (UNICEF 2005)<sup>23</sup>.

### **Neglect of Children's Rights**

Children are abused in homes, schools, businesses, institutions, and public settings. When it comes to child abuse, it is complicated to gauge the extent of sexual abuse because of the stigma attached to it and the dangers children face if they come out. Bangladesh has the highest rate of

<sup>20</sup> US DOL (2003). *The Department of Labor's 2002 Findings on the Worst Forms of Child Labor: Trade and Development Act of 2000*, Washington DC, U.S. Dept. of Labour, Bureau of International Labor Affairs.

<sup>21</sup> Khanam, R. (2006). Child Labour in Bangladesh: Trends, Patterns and Policy Options, *Asian Profile*, 34(6): 593–608.

<sup>22</sup> UNICEF (2009). Situation Assessment and Analysis of Children and Women in Bangladesh.

<sup>23</sup> UNICEF (2005). Support to the Acid Survivors Foundation and the Kishori Abhijan Project in Bangladesh, in *Women and girls in Bangladesh*.





child abuse globally, and it all begins at home. Because of the power imbalance between adults and children, violence against children is likely to occur. Parents frequently use physical punishment on their children out of frustration and rage, not realizing its dangers. Ninety-one per cent of school-age students said it occurs in their classrooms. There is a widespread belief among many teachers that verbal abuse is the most effective way of enforcing discipline. Whether male or female, most teachers physically chastise their kids.

Some of the most prevalent forms of corporal punishment include beatings with a stick. As a result, a youngster who is regularly subjected to physical punishment risks developing unfavourable personality traits, such as being overly aggressive. Male lecturers can sexually harass female students from time to time. Students from well-to-do households receive light punishment if any at all. Some teachers exclusively punish students who are not active in private tutoring. Primary schools had a higher prevalence of corporal punishment than madrasas, while NGO schools had a lower prevalence (UNICEF 2009)<sup>24</sup>. The Government of Bangladesh recently outlawed schools from using physical or psychological punishment on students.

More than a quarter of employed individuals indicated that their workplaces were abusive. The child labourers were frequently tormented and sexually abused by their bosses. Employers sometimes fail to pay their employees' salaries or pay them low rates. Workers are brutally beaten by their employers under the excuse of stealing or because they broke something carelessly (Mohajan 2012)<sup>25</sup>. Arrest and interrogation can lead to physical abuse of minors, and youngsters accused or accused of murder are routinely kept with adult convicts who are prone to abuse (Mohajan 2012)<sup>26</sup>.

### **Effects of Child Marriage Relations**

As recently as 30 years ago, child marriage was a mandatory practice in Bangladesh, but it is still prevalent in rural and urban areas, especially among the impoverished. A younger daughter's dowry may be less than that of an older daughter's in Bangladesh because of the financial benefits to her family and her absence from the household's payroll. A man is eager to marry a 12-year-old girl, and the girl's parents take advantage of this opportunity to get her married. Risks to the health of child brides include premature pregnancy and sexually transmitted illnesses (UNICEF 2009)<sup>27</sup>. Children's rights are being violated by the early marriage of both girls and boys. Most parents are not aware of the dangers of child marriage, so they have no qualms about setting up their children for marriage at a young age (Mohajan 2012)<sup>28</sup>.

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<sup>24</sup> ibid

<sup>25</sup> ibid

<sup>26</sup> ibid

<sup>27</sup> ibid

<sup>28</sup> ibid



### **Bangladesh is a hotbed for child smuggling.**

As defined by the U.N. Protocol on Trafficking in Persons: “Trafficking in persons shall mean the recruitment of, transportation, transfer, and receipt of persons using force or other forms of coercion; abduction; fraud; misrepresentation; the abuse of power; or the receiving or receiving payments and benefits in order to achieve the consent of a person having been conned.” Prostitution and other types of sexual “exploitation” under this definition.

Child trafficking is punishable by the death sentence or life imprisonment in the United States if done illegally. However, these regulations are not strictly enforced, particularly in rural regions. “Anti-Dowry Prohibition Act of 1980” and cruelty to “Women Law of 1983” were enacted by the government to prohibit prejudice against women (Sarker and Panday 2006)<sup>29</sup>.

### **In Bangladesh, there are many child crimes.**

Around 35,000–45,000 Bangladeshi minors are thought to be participating in criminal groups dealing in weapons and drugs. All of these weapons can be found on their person; they include revolver-type weapons (such as the .45 calibre revolver) as well as AK-38 semi-automatic weapons (such as the AK-38 assault rifle) as well as hand grenades (such as the AK-47 hand grenade). As a society, we stigmatize youngsters who live in squats, in low-income communities, or on the streets because of their involvement in firearms-related activities. More girls than boys are involved in criminal activities is attributable to poverty. Due to their lack of training, the children have difficulty finding jobs that suit their abilities. They may be forced to resort to criminal activity if they cannot feed themselves due to a lack of economic opportunities. Some children on the streets have no parents or guardians and must provide for themselves in all aspects of their lives, including food, shelter, and clothing. In exchange for food, shelter, and financial support, the crooks entice the victims into participating in their illicit enterprises.

The drug smugglers pay the youngsters more than they earn from their daily work, leading to heroin addiction in many of the children. Sometimes, criminal groups employ juveniles in robbery and vandalism operations. In some instances, young people are inspired to engage in unlawful behaviour because their elderly relatives have already done so. Drug addiction (44 per cent), stealing (21 per cent), and trafficking (13 per cent) are among the most common criminal behaviours (14 per cent). Many inner-city youths are shocked to learn that some offenders enjoy high social status even though they have committed crimes. In order to make money, some young people commit criminal crimes. To protect our children from harm, we must adhere to the following guidelines.

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<sup>29</sup> Sarker, P.C. and Panday, P.K. (2006). Trafficking in Women and Children in Bangladesh: A National Issue in Global Perspective, *Asian Journal of Social Policy*, 2(2): 1–13.





### **Promoting the rights of children in Bangladesh**

Since Bangladesh gained independence in 1971, the Government of Bangladesh and UNICEF have worked together to advocate for children's rights. The government is currently working on a five-year plan that focuses on income progress, poverty reduction, and social inclusion according to a long-term goal. The Government of Bangladesh provides several social safety net programs in specific ways (Khanam, 2006)<sup>30</sup>.

Through educational seminars, symposiums, movies, and booklets, we may raise awareness of the harmful impacts of child trafficking, strengthen border security patrols, give specific training and encouragement to the police, and punish child traffickers with exemplary punishment (Mohajan 2012)<sup>31</sup>. No parent should have to leave their children to school because there are few job options. Gender violence must be eliminated from both the family and society simultaneously. Those street youngsters must be compensated and subsidized in order to secure an education for all (Mozdalifa 2012)<sup>32</sup>.

The government of Bangladesh should ensure that children are protected from all types of violence, prejudice, and exploitation. Abuse and neglect must not be tolerated. It provides a safe and nurturing environment for children, especially those at risk. Reintegration into society is also necessary for child victims of child abuse and violence. Preventive techniques are devised and implemented to identify and address the core causes of children's vulnerabilities that lead to physical abuse, discrimination, violence, and exploitation (National Plan of Action for Children Bangladesh 2005)<sup>33</sup>.

Employers should refrain from placing youngsters in precarious positions of employment. They should be well-versed in all policies and legislation about child labour. To that end, they must treat child workers with respect and dignity, pay them a wage that is fair for their age and abilities, honour any contracts they have made with them, ensure the safety of the jobs they perform, provide them with educational opportunities, and teach them skills that will serve them well in the future (UNICEF 2009)<sup>34</sup>.

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<sup>30</sup> ibid

<sup>31</sup> ibid

<sup>32</sup> Mozdalifa, J. (2012). Social Connection of Street Girls in the Context of Dhaka City, Unnayan Onneshan- The Innovators, Bangladesh.

<sup>33</sup> National Plan of Action for Children Bangladesh (2005). Ministry of Women and Children Affairs Government of the People's Republic of Bangladesh.

<sup>34</sup> ibid



## **Conclusion**

About 160 million people call Bangladesh home, making it one of the most densely populated countries in the world. The majority of the population is uneducated. As a result, child abuse and neglect are widespread in Bangladesh, where neither parents nor children are aware of their legal rights. In Bangladesh, children are denied their fundamental human rights, including the right to an adequate standard of living, adequate access to healthcare, and quality education. Due to poverty, ignorance, a lack of social consciousness, and discrimination, children's rights are infringed. Children's rights, such as those against child labour, corporal punishment, violence against women, and the exploitation of their genitalia and bodies in sexual slavery, are often violated. Most individuals do not know the laws and treat them as a normal part of life regarding violence. Because street children must provide for themselves, they are more vulnerable. When they are ill, they have no one to turn to for help. To preserve the children, numerous measures have been implemented by the Government of Bangladesh and national and international NGOs, including free primary education, cash transfers for children and food distribution. Educating girls has many benefits, including early marriage, lower fertility rates, improved health and nutrition, and increased women's participation in economic and political decisions. The Government of Bangladesh has taken several measures to educate and empower females.

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