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Bridging the Gap: International Standards and Domestic Realities in Pakistan's Child Protection Laws

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Abstract

This research article explores the challenges Pakistan faces in aligning its child protection framework with international standards, despite being a signatory to the Convention on the Rights of the Child (CRC) and relevant ILO Conventions. It examines key obstacles that hinder the harmonization of national laws with international norms, focusing on issues such as child labor, limited access to education, and weak legislative enforcement. Through an analysis of international conventions and Pakistan's domestic legal framework, the study identifies critical gaps in implementation. It evaluates the roles of government agencies, law enforcement, and the judiciary, while also considering the broader political and social factors affecting child protection. The findings reveal that institutional weaknesses, legal shortcomings, and economic constraints contribute to Pakistan's inability to fully meet its international obligations. The study concludes that comprehensive legal reform, institutional strengthening, and effective enforcement are essential for advancing child protection. Bridging the gap between international standards and national practice is crucial to securing children's rights in Pakistan.

Keywords: Child Protection, Pakistan, Child Labor, Convention on the Rights of the Child (CRC), International Labor Organization (ILO) Conventions.

Introduction

Child protection is a central concern in international human rights law, obligating states to adopt and enforce legal frameworks that safeguard children from abuse, exploitation, and neglect. (Brown, 2021) Instruments such as the United Nations Convention on the Rights of the Child (CRC) and various International Labor Organization (ILO) Conventions establish global norms for child welfare, compelling signatory states to implement protective mechanisms at the domestic level. As a party to these international treaties, Pakistan has committed to upholding the rights of children, particularly in the areas of education, labor, and welfare services. (Jabeen, 2016) Despite these formal commitments, Pakistan continues to face significant child protection challenges stemming from socio-economic inequalities, cultural norms, weak institutional enforcement, and gaps in the legal system. According to the Pakistan Bureau of Statistics (2019), an estimated 3.3 million children are engaged in child labor, often in hazardous and exploitative conditions. Additionally, over 22.8 million children remain out of school, making Pakistan home to one of the world's largest populations of out-of-school children. These realities expose

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substantial weaknesses in the country's ability to harmonize its national framework with international child protection standards. The study is grounded in theoretical frameworks of international law compliance and models of legal transplants, which explore how domestic legal systems adopt and adapt international norms. These perspectives assist in analyzing the interplay between Pakistan's treaty obligations and the socio-political realities that shape domestic legal reform processes.

A qualitative, doctrinal legal research methodology is employed, supported by a review of international treaties, domestic legislation, judicial decisions, government reports, and scholarly literature. Additionally, selected case studies and statistical data are incorporated to contextualize the challenges within Pakistan's socio-economic environment.

This paper is structured as follows: The first section provides an overview of Pakistan's international commitments under the CRC and relevant ILO conventions, highlighting key provisions applicable to child labor and welfare. The second section examines the domestic legal framework, identifying critical gaps and inconsistencies in existing child protection laws. The third section analyzes the implementation challenges, including administrative inefficiencies, resource constraints, and socio-cultural factors. The fourth section reviews previous scholarly literature on Pakistan's child protection system, identifying gaps that this study seeks to address. The final section offers legal and policy recommendations aimed at enhancing Pakistan's adherence to its international child protection obligations.

This research argues that Pakistan's child protection framework, while formally aligned with international obligations, remains ineffective in practice due to weak enforcement mechanisms, socio-cultural barriers, and institutional fragmentation. Addressing these structural deficiencies is essential to improving child welfare outcomes and achieving meaningful compliance with global child protection standards.

Accordingly, the research aims to achieve the following objectives:

- To identify the main legal, institutional, and policy-related obstacles preventing the effective implementation of the CRC and ILO conventions within Pakistan's child protection framework.
- To analyze how socio-economic and cultural factors exacerbate these challenges.
- To propose practical legal and policy reforms that can enhance Pakistan's compliance with international child protection standards and improve child welfare outcomes.

Content Analysis of Conventions

Convention on the Rights of the Child (CRC)

As the first officially enforceable international pact the CRC establishes every civil cultural economic political and social right. The UN General Assembly accepted this international agreement on November 20, 1989, after thirty years of the Declaration of the Rights of the Child. (Assembly, 1989) The convention has received entire state approval worldwide except for Somalia and the United States of America (USA). The international law obligates all ratifying states to enforce rights for children as specified in the agreement. All provisions of the convention are built upon four fundamental concepts which include nondiscrimination and the best interests of children alongside their right to life survival and development together with respect for their opinions and free expression. The basic requirement for parties to the

Convention on the Rights of the Child is to protect all rights stated in the document. Under the CRC nations must take all possible measures to fulfill the convention requirements but the document avoids specific guidelines about integration into national laws. (Heymann et al., 2014) Additionally, it specifies that maximum benefit should be obtained from existing resources when addressing economic concerns and other issues. Similar to its method regarding socioeconomic rights implementation the ICESCR also approaches the responsibilities of governments in this regard. Under CRC standards states must provide their child citizens full freedom to share views about things that affect them since children's opinions matter. (Verhellen, 2015) The convention expands child protection measures that were originally determined in both declarations of children's rights. Article 32 of the agreement bestows every child the right to safeguard against financial exploitation. (Lansdown, 2022) Multiple fundamental rights get violated during exploitation rather than a single right being infringed upon. A state party to the convention must enact protective measures through legislation along with administration and education systems and social measures in parallel with setting minimum entry criteria for work based on age. The statement provides no specific details regarding work conditions and time limitations but ensures economic exploitation will not occur. The main issue identified by Jeremy Seabrook with CRC arises from its belief that Western family structures form the base for child safety. The program fails to recognize traditional joint family systems in the subcontinent and around the world as it advances a Western family structure that approaches its end. (Zutshi, 2024) Other communities including South Asian populations maintain obligations to family members although these children hold distinct rights and duties that exist in Western societies. The entire family stands affected by family interest rules because families mostly depend on a child's income. Every child's positive rights should be acknowledged before implementing any age-based restrictions that regulate their work activities. The CRC does not include any requirement for incorporation nor grant it legal standing under national law. International law impacts national legal systems in a variety of practical ways that differ among states. State legal frameworks incorporate international laws through dual systems which are known respectively as the incorporation strategy (also known as monistic view) and the transformation approach (also known as dualistic perspective). States implement the terms of agreements by transforming them into national laws through proper legislative procedures as part of the previous approach. The second approach allows covenants to merge into national law after the specified procedures are finished. State parties in the Convention on the Rights of the Child use regular submissions to the Committee on the Rights of the Child as their sole method to implement international obligations. (comment No, 2013) The CRC lacks any procedure for either state-to-state complaints or grievances from individual persons. It would have proven challenging for individual complaints to determine whether the reported breach involved immediate requirements or gradual fulfillment since the CRC contains various categories of rights including social-economic as well as political and civil rights.

International Labor Organization (ILO) Conventions

The ILO agreements follow a procedure composed of government agencies together with the participation of employers and labor organizations. The International Labor Conference established by the ILO adopts and discusses these agreements through the participation of its member states' representatives from governments and their respective employers and labor organizations. Killing members who approve international conventions need to demonstrate their implementation status periodically through reports to the ILO. All ILO member states including non-ratifying states participate in reporting procedures about their legal frameworks

and practices which pertain to the specific conventions. The ILO established two complete agreements to show opposition to banning child labor in every situation. Convention No. 138 defines that children possess fundamental freedom from work and their mere involvement in employment serves as the core reason behind child labor issues. (Borzaga, 2016) This convention serves to safeguard both children's interests and maintain labor market economic purposes and adult professional interests. The ILO maintained that because economic activities belonged only to adults they completely barred children from taking part in them. According to the Convention, all economic work is prohibited for minors except home chores with no set minimum age cutoff along with childcare tasks. (Mavunga, 2013) People are exempt from work requirements for either training at educational institutions or small family farm operations focused on local consumption. The law establishes 15 years as the minimum age for employment yet this threshold must not be lower than the age limit for school attendance. A one-year temporary reduction of minimum age is allowed in nations classified as the poorest. Children begin performing approved part-time work at age 13 unless they live in the poorest nations where the minimum age is 12. Minors younger than eighteen years old cannot work in dangerous environments but regulators enable them to work under protective measures and skillful training. (Scott & Steinberg, 2008)

The convention extends its universal standards to cover all ages down to the individual year. According to ILO Recommendation No. 146 governing bodies must provide extensive job standards for young workers who are under 18 years old which should be assessed regularly. Equal labor deserves equal pay and companies should deliver fair compensation. The labor union of Karachi Pakistan managed to retain children from their workforce through their demand for equal pay for equal effort as described previously. (Shah & Sarif, 2023) The economic context of the state stands out as the principal reason for child labor which Part I explains. The implementation of free education reaches limited success levels when based solely on economic development. Children have specific age parameters for working in particular occupations which convention clearly defines. It becomes unfeasible to implement these regulations because families rely on their children's income to survive. Due to these factors underdeveloped countries in South Asia have shown very little interest in adopting the treaty. After July 2006 Pakistan became the second South Asian nation to adopt this agreement through ratification. The opponents strongly criticize the age-restricted child work ban in recent discussions about the ILO Convention 138. They claim it takes a Western perspective toward combating child labor. (Pierik & Houwerzijl, 2006)

After Convention No. 138 came the 1999 Worst Forms of Child Labor Convention (No. 182). Each ratifying party needs to enact right now and powerfully functioning measures for achieving the complete prohibition and elimination of dangerous child labor practices. A proper analysis indicates the convention behaves similarly to an international agreement protecting child labor practices. According to Ben White, the Covenant seems to integrate relativist principles during global standard-setting procedures which possibly resolved cultural relativism concerns. The agreement bases its introduction on two fundamental points which state poverty remains the central source of child labor while economic development must continue as the solution to eradicate child labor. Through its exclusive focus on extreme child exploitation, the ILO adopts an operable approach regarding child labor reduction which surpasses Convention 138 in developing countries. The laws prohibit any form of child slave labor or forced work as well as child prostitution and drug production jobs that put children at risk of harm to their health or morals. (Camastra, 2008)

Children need rehabilitation programs after escaping severe child labor due to the recognized necessity of education to fight child labor. Rehabilitation programs should offer employment training together with formal education as a major goal. (Duggan & Byrne, 2013) The need for rehabilitation exists because young workers show a willingness to take unregistered positions unless they receive better motivational factors. The convention works on a combined approach to eliminate hazardous child labor from work sites because it understands the risks of quick elimination. National authorities receive established international standards that they can adopt into local laws.

Child labor prevalence is evaluated in a table that demonstrates substantial differences between countries regarding their enforcement policies along with economic standings and their existing laws. The investigation of child labor prevalence between nations reveals major differences in inspection efforts along with social economic conditions and governing policies. Ethiopia demonstrates 45% child labor involvement and Burkina Faso and Cameroon follow with 42% and 39% respectively due to poverty alongside enforcement weaknesses and lack of alternatives yet Colombia exhibits 7% child labor combined with El Salvador showing 7% and Pakistan recording 11% even though unofficial labor sectors might affect these statistics. Child labor exhibits gender-based imbalances because most boys work in dangerous agriculture and construction sites yet girls mostly work in informal domestic activities which require sensitive gender-oriented solutions. Pakistan lacks effective enforcement of international conventions even though it signed these treaties because weak policies and decreasing labor inspections have been documented by SPARC throughout its reports. Child labor remains prevalent because Pakistan has the Employment of Children Act (1991) but fails to enforce it effectively in informal employment sectors. The sudden soccer ball industry shutdown at Sialkot pushed young workers into more dangerous forms of employment because no suitable economic opportunities were offered. The fight against child labor requires Pakistan to move beyond empty commitments and establish effective reforms for strict oversight improved workplace inspections and productive economic frameworks to support families whose children work as laborers.

Country	Total (%)	Male (%)	Female (%)
Afghanistan	19	20	19
Angola	19	17	20
Benin	20	20	19
Burkina Faso	42	43	40
Burundi	31	30	32
Cameroon	39	40	38
Central African Republic	27	25	29
Chad	39	39	40
Colombia	7	5	10
Comoros	9	9	10
Congo	14	13	15
Côte d'Ivoire	15	14	16
DR Congo	15	13	17
El Salvador	7	7	7
Eswatini	14	13	14

Ethiopia	45	51	39
Fiji	17	20	14
Gambia	17	17	17
Guinea	24	24	25
Guinea-Bissau	17	18	16
Haiti	36	44	26
Honduras	15	18	13
Kiribati	17	19	15
Kyrgyzstan	22	25	19
Lao PDR	28	27	29
Lesotho	14	15	13
Liberia	28	26	29
Madagascar	37	38	35
Malawi	14	14	14
Mali	23	23	23
Mauritania	14	15	13
Mongolia	15	16	13
Myanmar	10	10	10
Nepal	22	20	23
Niger	34	34	35
Nigeria	32	33	30
Pakistan***	11	13	10
Paraguay	18	20	13
Peru	15	14	15
Rwanda	19	17	21
Samoa	14	16	11
Sao Tome and Principe	11	9	12
Senegal	23	27	19
Sierra Leone	25	26	25
State of Palestine	7	10	5
Sudan	18	20	16
Togo	39	38	39
Tonga	26	33	19
Uganda	18	17	19
United Republic of Tanzania	25	26	24
Uzbekistan	21	23	18
Vanuatu	16	15	16
Yemen	16	14	18
Zambia	23	23	23
Zimbabwe	28	33	22
Note: Data from the ILO website (2015–2023) covers child labor prevalence among ages 5–17 years.			

Table 1

Implementation of International Standards in Pakistan

The Committee on the Rights of Children notes child labor to be persistently widespread in Pakistan with extremely dangerous consequences. The situation exists even though Pakistan has approved the CRC and both the ILO child labor accords and the Declaration of the Rights of the Child. Pakistan has chosen dualistic transformation as its method when applying international agreements. Pakistan needs to update its existing laws through modification or create brand-new legislation to include international standards about child labor in its legal system. Any laws in the constitution need to be followed consistently by all legal authorities. A state constitution exists to serve as a fundamental standard also known as "Grund Norm" thus every law within the state must find its basis and abide by this standard. All forms of forced labor along with human trafficking remain illegitimate under Pakistan's constitution and its rules also ban children below 14 from risky industrial work. (M. I. Khan et al., 2023)

Policy Issues

The key principles behind the strategy involve offering free public secondary education as well as mandatory enrollment besides delivering equality in tertiary education levels while enhancing technical and professional learning opportunities. Various aforementioned British pre-partition rules that the administration implemented before partition continue to operate nationwide. Pakistan then approved the CRC through ratification which led to the passing of the Employment of Children Act 1991 to protect children from financial abuse. The Ministry of Labor and Manpower under Pakistan functions as the authority charged with enforcing labor laws. (Ahmad, 2009) The Gazette of Pakistan functions as a periodic publication of the Pakistan government which publishes all Federal Laws of Pakistan. The notification together with implementation appears in the "Labor Gazette" which the MoL issues for publication. Local districts maintain investigations through labor officers and inspectors to monitor workplace law enforcement and provincial MoLs disseminate new legislation to operating firms throughout the province. Under the Employment of Children Act of 1991, any person below their fourth year of age falls into the category of a child. Under this regulation, children cannot work in any of the mentioned workshops or industrial settings. After ILO Convention No. 182 went into effect governments restricted child labor in six professions and fourteen processes until these numbers decreased to four and thirty-four. (Post, 2018) All employment requires employees to take one-hour breaks after three hours of work but each organization must set defined limits to child labor duration.

Workers face limitations on nighttime shifts and cannot work at two different locations in one day while the maximum daily working period reaches seven hours with a scheduled interval. Children who work in establishments different from those specified in the Act are not subject to any ban under the legislation although they cannot occupy positions where hazardous chemical sprays are applied. Due to enforced regulations about working conditions in specific professions minors can still hold employment under special circumstances although the law prohibits their work in extremely dangerous jobs. All labor officers and inspectors together with police officers and any individual have the power to file complaints about Act violations at any court holding jurisdiction over the matter. (Rushin, 2016) The EoCA 1991 immediately impacted the demand for child labor because it states that businesses bear responsibility as perpetrators. The legislature appears to pay more attention to this matter compared to British factory acts during the nineteenth century (covered in section I) that shifted responsibility to parents.

Relevant Laws Against Child Labor

The enforcement of rules designed to stop underage employment creates serious opposition. The number of inspections in Punjab decreases annually due to the 2005 chief minister's mandate for

labor inspectors to avoid industry examinations according to SPARC. Throughout the nation, the situation remains alarming and law enforcement struggles to address child labor due to inadequate labor inspectors. Province governments execute child labor law enforcement through provincial inspection systems which operate alongside provincial child labor resource centers. (Prawira & Yulistio, 2024) The (Pukhtunkhwa) provincial administrations face challenges in managing urgent issues ranging from law enforcement controls to other problems. Using their limited budget for resource management which will allow them to better control inspections at local industries represents a pressing concern. The monitoring process relies on local agreements made with independent sectors which include Child Labor Independent Monitoring Sector for Child Labor (IMAC) among others. (O'Driscoll, 2017) The Ministry of Labor will collaborate with the Asian Development Bank to develop this policy at the federal level because no such policy exists currently. The Ministry of Work and Manpower establishes targets for abolishing child labor which will happen by 2005. A lack of motivation appears when people reach goals despite having no established policy. Although the government mentions the objective there exists no established policy to fulfill it. The website indicates the Ministry of Labor and Manpower in Pakistan retains until 2005 to gradually eliminate child labor though three years have elapsed and targets for the years leading to 2005 remain. The absence of dedication to child work support is evident when all tasks related to child development are carried out by international organizations NGOs and donor agencies. Children's labor termination stands as the primary mission of Save the Children UK alongside the International Labor Organization (ILO) while they establish various programs across different parts of the country through educational approaches. The lack of essential actions by Pakistan constitutes a failure to implement the worst form of child labor treaty. (Ali et al., 2017) Any workplace must inspect child workers who perform dangerous tasks extensively. The widespread existence of child labor requires this industry to maintain perfect governance standards. The Committee on the Rights of the Child proposed the institution of an all-encompassing monitoring system that would receive support from NGOs, community-based organizations, and IPEC. A nationwide and international initiative to eliminate child labor in specific industries can be illustrated through Sialkot. The primary sports activity produced by Sialkot Enterprises consists of hand-stitched soccer balls that represent 60–80% of all soccer balls found around the world. (Iqbal, 2023) News viewers watched children sewing soccer balls in unclean factory conditions during a CBS documentary about Sialkot soccer ball manufacturing that aired on April 6, 1995. Following the CBS documentation, other US and international mass media outlets adopted the information leading to the founding of the Foul Ball Campaign on June 28, 1996, to force the soccer ball industry into corrective action.

Compatibility with International Laws

The Atlanta Agreement served as a signed partnership document called the Partners Agreement to Eliminate Child Labor in the Football Industry in Pakistan. The document was signed in Atlanta, Georgia, on February 14, 1997, by the Sialkot Chamber for Commerce and Industry (SCCI) alongside the ILO and UNICEF. Multiple non-governmental bodies that participated in the initiative were Save the Children, along with Pakistan Bait-ul-Mal and the Bunyad Literacy Community Council. The ILO established an unannounced inspection method through their paid and trained inspectors who checked villages with stitching activities. Save the Children made their agreement to participate while maintaining the security of children's interests throughout every phase of the operation. The department of the mobile medical unit of UNICEF reached out to families as well as children while staffing local NGOs to establish training programs for

displaced child students and lend microcredit to families. Local football production almost disappeared following the creation of stitching centers when product sales decreased. The ILO supervisor ensures that no children work at stitching centers, and existing reports confirm this evaluation is accurate. How did the children who made the footballs develop in their lives after manufacturing? The response concerning child labor raises concern among child rights advocates since it indicates that young workers either shifted their activities toward different industrial areas or spent their time roaming the local streets without purpose. (Nasaw, 2012)

Nike chose to halt its football acquisition from Sialkot companies due to their use of juveniles during production. The pressure from international sources was responsible for triggering this change. The practice of child football sewing persists in Sialkot because children continue to work even though their previous efforts were prohibited. Saga Sports identifies up to 20,000 local families who face job loss because they employ 70% of their market area in Sialkot. (Saboor & Watto, 2023) The head of the Independent Monitoring Association for Child Labor (IMAC) Nasir Dogar explained that Saga made mistakes during his oversight of the 3,000 soccer-ball stitching centers in Sialkot. Does their exit align with the wrongs Nike performed? Khawaja Zakaaddin, who leads the anti-child labor division of the Sialkot Chamber of Commerce and Industry, expressed, "They could have found some other way with Saga." Leaving is not the most suitable option. The community will face massive joblessness when Nike chooses to depart from this particular area. (Shaw, 2023) The whole existence of 20,000 families would be endangered by a potential boycott of footballs potentially made by children. The children whose safety matters are currently compelled to take on high-risk daily routines. The children must obtain their daily income through dangerous underground work, including prostitution, along with spreading the streets begging or labor from unstable sectors. Bangladesh serves as a perfect demonstration of the poor conditions faced by working children. The right to sew footballs, according to Save the Children (UK), gives children a better chance at finding safer employment than allowing them to drop this activity without alternative work.

Child Rights Convention grants children their voices full recognition. Therefore, we assume children have lost their voice through the Sialkot initiative organized by the government and NGOs. The children were deprived of their ability to work even though they wanted to work for family support. One can perform football stitching while doing part-time work. Part-time employment opportunities along with convenient educational opportunities could have become available to children. Unrestricted production activities will experience significant value losses when children are completely banned from stitching footballs, while the economic decline of the district must follow complete football boycotts from Sialkot manufacturers. The decline in household income stems from economic deterioration, which in turn creates additional child labor situations. The CRC emphasizes how understanding the needs of children will help reawaken their purpose of living. Working children face dangers in their jobs and unwholesome work settings, thus becoming vulnerable to physical and moral abuse such as child sexual assault. Media organizations choose not to focus on these child cases because the children do not participate in well-known sports such as football. Society needs to focus its attention on shackled children as well as those who experience excessive danger in their work environments over children who maintain positive moods.

Institutional and Legal Mechanisms for Child Protection in Pakistan

Government Agencies and Institutions

The government continues its nationwide effort to terminate child labor through mutual work

with outside collaborators. Various local groups alongside initiatives have been established to prevent children from working. People receive enumerated rights by local and international laws, which have been outlined in regulations.

The Child Support Program

Pakistan established a child aid program aimed at education to meet its targets for Sustainable Development Goals (SDG) 2015. The poor parents receive Rs. three hundred monthly benefits when their children between the ages of five and sixteen attend school. Internal evaluation determines who receives benefits as part of the Benazir Income Support Program (BISP). The program managed to enroll 85,000 children into school successfully throughout one year. (Zulfiqar et al., 2024)

National Policy and Plan of Action on Child Labor

The International Labor Organization, through its survey in 1996, discovered that 3.3 million children between the ages of 5 to 14 perform hazardous labor in Pakistan. The Pakistan Bait-ul-Mal School for Rehabilitation of Child Labor has operated across the entire nation to address dangerous child labor since 1995 because of its commitment to the National Policy and Plan of Action on Child Labor. All children enrolled in the program benefit from educational access combined with complimentary outfits and footwear and receive financial payments. As part of their support for the avoidance of illiteracy, the program gives parents Rs. 300 whenever their children aged 5 to 14 years are enrolled in school. Primary education at these institutions reportedly results in notable growth among 17871 male and female students. (Arshad, 2024)

Pakistan Bait ul Mal's National Centre for Rehabilitation of Child Laborers

The Pakistan Bait ul Mal established the National Centre for Rehabilitation of Child Laborers (NCRCL) centers spread across the country with management from those who advocated for child rights since their inception. The centers strive to give parents the necessary financial support needed for basic family needs. The majority of the facilities operated by the National Centre for Rehabilitation of Child Laborers (NCRCL) remain in Punjab, yet they run across all regions throughout Pakistan. (Detho, 2023)

Child Labor Monitoring

National independent organizations have established numerous initiatives to monitor child labor while reporting on child labor abuse reduction efforts. The Independent Monitoring Association for Child Labor has established its presence in the Sialkot football stitching industry. The employment of many child labor inspectors serves to ensure proper implementation of the EMPLOYMENT OF CHILDREN ACT (ECA) 1991. The government overworked the inspectors, leading to decreased efficiency as former police officers received more responsibilities in their role.

Role of Law Enforcement and Judicial System

Courts function as law protectors throughout the states of every nation. The judicial system holds responsibility for interpreting and executing laws in manners that achieve both the technical and intended goals of the lawmaking bodies. The Employment of Children Act has undergone judicial hearings in Pakistani courts. The legislation's execution depends primarily on the number of inspections, while objectivity stands as its secondary factor. Inspector stations in factories and child working areas are essential for carrying out fair inspections, but missing

inspectors results in declined inspection quality. The number of prosecutions alongside inspections of acts decreases steadily. The inspection numbers in 2002 reached 106,848, with 1,361 resulting cases and 707 successful prosecutions. (D. A. Khan, 2011) The number of inspections in 2005 reached 19472 while prosecution cases numbered 170 and resulted in only 45 convictions. Court proceedings about child workplace exploitation become impossible to hold without external third-party inspection services. Economic progress represents the only method that effectively resolves the main cause of child labor that stems from poverty. Economic rights can be enforced through tremendous courtroom authority. The CRC prompts states to implement poverty reduction measures while instructing their governments to thoroughly utilize available public resources for poverty reduction work. Parts of the Pakistani constitution recognize socio-economic rights, according to previous research. Judges across various jurisdictions, such as South Africa and India routinely interpret constitutional texts to sustain the economic rights of their citizens. According to the Indian Constitution, all people possess the right to sustain existence. In *Olga Tellis v Bombay Municipal Corporation*. (A. Kumar, 2023) In their interpretation of the right to life, the Supreme Court integrated the right to subsistence. Several slum dwellers from Bombay filed a writ suit against the municipal corporation, complaining about forceful building removal without reasonable housing alternatives. The authorities sought to eliminate their financial income through a vague scheme. The court needed to decide whether stripping people of their vital sources of survival violates the right. The court issued a substantial ruling about this case because the right to life had wider applications here, thus, denying subsistence rights equivalently nullified life itself. Under the perspective of Directive Principles of State Policy, the court operated. Individuals were given freedom through a constitutional declaration to interpret life rights beyond basic definitions according to Article 20 Section 3. The government acknowledges the need to create new legislation because its residents require adequate living standards. (Mousmouti & Crispi, 2015) During fundamental rights interpretation, the court must examine these Directive Principles according to the Constitution. The court demonstrated the power to enforce socio-economic rights through the decision, even though these rights do not specifically appear in other laws or the Constitution. The judicial system has proven to make decisions that bypass an examination of state authority in certain legal proceedings. In the legal proceedings known as *Paschim Banga Khet Mazdoor Samity and Others v. State of West Bengal*, the court examined. *State of West Bengal*. (Das, 2022) *Soobramoney v Minister of Health (Kwazulu-Natal)* (Madala & Sachs, 2017) *Government of South Africa v Grootboom* (English, 2017) *Treatment Action Campaign v Minister of Health* (Bailey, 2006) The courts defended individual rights while avoiding confrontations against government authority in all these cases. The courts provide illustrations about reversing rulings made by other courts that oppose governmental power. In the *State of Himachal Pradesh v. Parent of a Medical College, Simla*, for example, through a reversal of the high court order, the Supreme Court stopped the government from creating a specific proposed law. The Indian Supreme Court established a reminder that judicial bodies cannot abuse their power to intervene with acts of legislation. The struggle to protect Pakistan's judiciary independence seems to have produced unfavorable results because the nation's leading justice and other essential dismissed jurists continue their fight for reinstatement. (Rafiq, 2022) Civil society, together with legal professionals, conducted this prolonged protest to create a final destination where court independence stands as the purpose. A protected judicial system that safeguards people's rights can function through Pakistan's constitution to help the people achieve their socioeconomic needs. Economic stability in the country is essential for safeguarding socioeconomic rights since it will liberate children from work even when they eventually choose to work. The protection of

socio-economic rights by an effective judiciary would enable Pakistan to develop into an economically powerful nation despite its past unstable and corrupt governing systems. Working children who will go to school affect the parents who sustain their family independently and children who need to work for financial support. Courts need to perform their duty by enforcing workplace restrictions for underage workers while ensuring the protection of socio-economic rights. The courts need to differentiate between child labor and child work when the economic instability makes a total abolition of child labor impossible. Employers remain responsible for ensuring their children are free from workplace risks when they do not establish proper occupational safety measures and permit dangerous job assignments. Other employers who might consider hazardous working conditions for minors will no longer follow this practice.

Challenges in Child Protection: Gaps in Laws and Policies

The KPCPW Act 2010 stands as a detailed legal framework that aims to protect children in Khyber Pakhtunkhwa. Several major issues with the KPCPW Act 2010 include the lack of specific child protection standards, inadequate poverty solutions, and challenges of operating in philanthropic environments alongside inadequate treatment of child trafficking and prostitution cases. The Act reveals major concerns about specialized knowledge along with timeliness when implementing efficient judicial actions. The Sindh Child Protection Authority Act of 2011 highlights multiple implementation difficulties because it contains legal loopholes and specifies an unclear division of responsibilities between the new Authority and the Social Welfare Department while facing delays in law implementation. The document stresses that Pakistan must build better child protection systems that abide by international guidelines. The Child Protection and Welfare Bureau (CPWB) by Punjab Pakistan was created specifically to protect and serve underprivileged neglected children. The CPWB faces accessibility problems and needs police collaboration to function effectively. The Act generates concerns about its inadequate scope because it focuses on crimes affecting only homeless and disadvantaged children. The main aspect of child care support in Pakistan rests with family members under the Balochistan Child Welfare and Protection Bill 2014 (BCWP Bill 2014). Different obstacles affect family support programs in Pakistan, including limited cultural sensitivity and insufficient training of welfare workers as well as exclusions and bureaucratic hurdles. Successful BCWP Bill 2014 execution in Pakistan's Balochistan province together with other areas will require enhancing training measures while enhancing administrative effectiveness and cultural sensitivity as well as resolving identified missing elements.

Challenges in Provincial Child Protection Laws

The main provinces of Pakistan, namely Khyber Pakhtunkhwa, Sindh, Punjab, and Balochistan, present different situations regarding child protection policies and procedures. Exploring comprehensive institutional frameworks together with adherence to the UNCRC standards represents an excellent international standards commitment. Significant obstacles occur because of built-in structural deficiencies. Several incomplete definitions in law along with structural issues such as poverty together with insufficient attention to topics like child prostitution create systemwide conceptual issues and operational challenges. Programmatic child protection activities face system performance issues because of unclear administrative language together with delayed implementation procedures and insufficient local participation. Society features particular gender-based customs that demand precise problem-solving approaches. Continuous modifications emphasize why it is essential to harmonize these frameworks with international benchmarks by adopting rights-orientated community-driven methods to enhance child

protection programs across Pakistan's multiple regions. Both international and Pakistani laws have similar challenges regarding their lack of effective enforcement capabilities. National laws create diverse circumstances because the individuals who suffer from their improper execution differ from one another. The employment issues in Pakistan primarily emerge because authorities cannot define the specific types of work and areas where children perform labor. Rural work areas and numerous other parts of the employment market give workers identity cards instead of formal contracts to prove their factory employment status. The lack of clarity regarding which jobs children may perform in the labor market complicates local law enforcement officials and street-level bureaucrats from carrying out proper regulation enforcement while children work. The textile along clothing industries follow these types of employment and regulation standards the most among manufacturing sectors.

Case Study: Khaadi and Labor Rights Violations

These artistic treasures have occasionally shown themselves to the public yet mostly for flawed purposes that happen every time these occurrences happen. (Lenain, 2012) This section contains an illustrative example of Khaadi. In 2017 Khaadi textile workers protested outside their factory to promote Pakistani textile conditions but management dismissed them including seven underage staff members. The workers presented concerns about their poor payment that fell below minimum wage standards and age requirements as well as unclean workplaces and extended working hours and the unjust termination of particular staff members. The traditional employment customs of Pakistan together with local and foreign business exploitation practices explain this situation. The hardworking children perform jobs because they are both young and illiterate despite their situations. Working children fill positions that adults would be unable to perform competently or afford at the same cost as these children do. (Kalleberg, 2008) Factories commonly recruit child laborers who are under 13 years old because these workers help them evade minimum wage and overtime payments.

Human Rights Watch conducted interviews with 19 young employees who worked in clothing manufacturing companies. The workers confirmed making products intended for domestic consumption although every one of them worked without written agreements constraining their employer selection. The businesses can employ children since most children do not possess a National Identity Card (NIC) for the reason they are under 18 years old so businesses can avoid paying salaries. Women and children comprise the majority of individuals who need escort services when they want to work or shop in the town. Multiple obstacles impede the Pakistani government from executing its legal mandates both currently and in the present day. The government fails to obtain precise statistics that properly depict the state of non-compliance with existing laws because of its statistical challenges. The government needs to grasp the nature and sources of child labor issues to establish practical solutions for these problems.

The US State Department's 2020 report on trafficking in Pakistan considers bonded labor as one of the key issues within this trafficking domain. (Kashif et al., 2025) Pagoda is widely considered a contemporary slavery form of human trafficking that impacts both young and old and both female and male workers. Pakistan mainly uses labor bondage in its brick kiln and mining activities. The expanding brick sector in Pakistan utilizes the work of 20,000 brick kilns as well as 4.5 million workers. Average earnings for manufacturing 1000 bricks total PKR 960 or less than one rupee per unit. (M. R. Kumar & Sharma, 2021) The initial payment given to employees amounts to half of their promised wage but the owner maintains ownership of the remaining sum which will be paid at a later date. The money received from underpaid work remains below the

government-established official wage rate so it cannot support an entire household. Employees become trapped when they perform work to pay back debts their owners never paid to them in the first place Pakistan takes the eighth position among the 167 countries listed on the global slavery index thus demonstrating the significant scale of the slavery problem in the nation. Most individuals working in brick kilns belong to groups who face discrimination and they primarily come from the Christine community. Children begin working at brick kilns once they learn how to walk while being trapped in a cycle of debt that influences subsequent generations. The mining industry holds a substantial number of workers who are currently limited in their activity. The mining sector of Pakistan remains primarily manual operation as it maintains a limited size. The total GDP generation from this sector reached PKR 309,823 million in 2020. The business must address a variety of labor issues that involve both bonded workers and children under employment laws. Workers receive payment through the excavation of tonnage. People become modern-day slaves because their sophisticated payment system and very low wages force them to work while obtaining debt. The initial money employees receive before work commencement is referred to as "Push." The excavation rate per ton consistently falls within the range of PKR 100–200 and PKR 400–500 as per an ILO-commissioned mining sector evaluation. The need to care for large families constitutes the chief reason why child slavery occurs. The practice came to an end in 1992 after Pakistan adopted the Bonded Labor System (Abolition) Act (BLSAA). Since the Bonded Labor System (Abolition) Act came into force the courts have freed about 1871 persons who were in bondage. Despite the implementation of the BLSAA law nobody has been convicted for using bonded labor practices. Sind stands as the most affected province by both poverty and child labor among the four provincial governments although three of them have yet to adopt the follow-up procedures. The Punjab government stands as the lone authority to deploy this law at the provincial authority level.

Conclusion

Pakistan's commitment to international child protection obligations, notably through its ratification of the Convention on the Rights of the Child (CRC) and relevant International Labor Organization (ILO) conventions, demonstrates a formal willingness to safeguard children's rights. However, this study has revealed that significant disparities exist between Pakistan's international commitments and the realities of domestic implementation. The prevalence of child labor, high rates of school dropouts, and inadequate enforcement mechanisms reflect enduring socio-economic, cultural, and institutional barriers that hinder effective child protection. A comprehensive analysis of Pakistan's legal framework highlights critical gaps, including fragmented legislation, weak administrative coordination, and insufficient judicial enforcement. The study further illustrates that political instability, limited financial resources, and deeply rooted cultural practices contribute to the ineffective application of child protection standards, undermining Pakistan's efforts to fulfill its international obligations. This research underscores the urgent need for targeted legal reforms, capacity-building measures for enforcement agencies, and the development of integrated child protection systems. Moreover, addressing socio-cultural attitudes towards child labor and education, alongside economic support programs for vulnerable families, is essential to reduce the structural causes of child rights violations. While international conventions provide a foundational framework, the success of child protection initiatives in Pakistan ultimately depends on bridging the gap between legal commitments and practical enforcement. By implementing the proposed legal and policy recommendations, Pakistan can make substantive progress in safeguarding children's rights, improving welfare outcomes, and strengthening its compliance with international child protection standards.

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References

- Ahmad, I. (2009). Labour and Employment Law: A Profile on Pakistan. ILO Memo Available on https://Wageindicator.Org/Documents/Labour_and_Employment_Law-A_Profile_on_Pakistan.Pdf.
- Ali, M. A., Ali, M. V. & Abbas, F. (2017). Hidden hazardous child labor as a complex human rights phenomenon: A case study of child labor in Pakistan's brick-making industry. *Cogent Social Sciences*, 3(1), 1369486.
- Arshad, S. (2024). The evolution of educational access, quality, and gender inequalities in the public education sector in Punjab, Pakistan: A school-level panel data analysis. University of Bristol.
- Assembly, U. N. G. (1989). Convention on the Rights of the Child. United Nations, Treaty Series, 1577(3), 1–23.
- Bailey, K. (2006). Treatment Action Campaign v Minister of Health.
- Borzaga, M. (2016). Limiting the Minimum Age: Convention 138 and the Origin of the ILO's Action in the Field of Child Labour. In *Child labour in a Globalized World* (pp. 39–64). Routledge.
- Brown, C. M. (2021). The contribution of the European Union to the rule of law in the field of international investment law through the creation of a Multilateral Investment Court. *European Law Journal*, 27(1–3), 96–108.
- Camastra, E. (2008). Hazardous Child Labor as a Crime against Humanity: An Investigation into the Potential Role of the International Criminal Court in Prosecuting Hazardous Child Labor as Slavery. *Geo. J. on Poverty L. & Pol'y*, 15, 335.
- comment No, G. (2013). Convention on the Rights of the Child.
- Das, J. K. (2022). Human rights law and practice. PHI Learning Pvt. Ltd.
- Detho, I. A. (2023). Domestic child labour in Pakistan. Friedrich Ebert Stiftung.
- Duggan, C. & Byrne, M. (2013). What Works in the Provision of Higher, Further and Continuing Education, Training and Rehabilitation for Adults with Disabilities. A Review of the Literature. Trim, IRL: National Council for Special Education.
- English, R. (2017). Child Abuse Tort Claims against Public Bodies in South Africa. In *Child Abuse Tort Claims Against Public Bodies* (pp. 71–86). Routledge.
- Heymann, J., McNeill, K. & Raub, A. (2014). Assessing compliance with the CRC: Indicators of law and policy in 191 countries. *The International Journal of Children's Rights*, 22(3), 425–445.
- Iqbal, N. (2023). The Impact of Adapting Fair Trade on Organisational Performance in Sialkot Sports Balls Industry, Pakistan. University of Wales Trinity Saint David (United Kingdom).
- Jabeen, T. (2016). Child protection legislation in Pakistan: Bringing international child rights obligations and local values together. *Pakistan Journal of Criminology*, 8(3), 16–33.
- Kalleberg, A. L. (2008). The mismatched worker: When people don't fit their jobs. *Academy of Management Perspectives*, 22(1), 24–40.
- Kashif, M., Shah, S. Z. A. & Ahmad, M. (2025). Impact of transnational criminal organizations on political, economic and social perspectives of Pakistan. *Bulletin of Business and Economics (BBE)*, 14(1), 30–38.

- Khan, D. A. (2011). Implementing Laws Against Child Labor: A Case Study of Pakistan. Available at SSRN 1904268.
- Khan, M. I., Meer, H. & Usman, M. (2023). EXAMINING THE LEGAL FRAMEWORK: TRAFFICKING OF WOMEN UNDER INTERNATIONAL AND PAKISTANI LAWS. PAKISTAN ISLAMICUS (An International Journal of Islamic & Social Sciences), 3(2), 361–381.
- Kumar, A. (2023). The Role of Public Interest Litigation in Enforcing Social Rights and State Obligations. Issue 4 Int'l JL Mgmt. & Human., 6, 958.
- Kumar, M. R. & Sharma, A. (2021). An Analytical Study on Production Cost of Brick Industry with Considering Social Cost and Benefits: With special reference to Western Uttar Pradesh (India).
- Lansdown, G. (2022). Article 32: The Right to Protection from Economic Exploitation and Hazardous Activities. Monitoring State Compliance with the UN Convention on the Rights of the Child, 327.
- Lenain, T. (2012). Art forgery: The history of a modern obsession. Reaktion Books.
- Madala, J. & Sachs, J. (2017). Soobramoney v Minister of Health Kwazulu-Natal.
- Mavunga, R. A. (2013). A critical assessment of the minimum age convention 138 of 1973 and the worst forms of child labour convention 182 of 1999. Potchefstroom Electronic Law Journal/Potchefstroomse Elektroniese Regsblad, 16(5), 121–168.
- Mousmouti, M. & Crispi, G. (2015). Good legislation as a means of ensuring voice, accountability, and the delivery of results in urban development. World Bank Legal Rev., 6, 257.
- Nasaw, D. (2012). Children of the city: at work and at play. Anchor.
- O'Driscoll, D. (2017). Overview of child labour in the artisanal and small-scale mining sector in Asia and Africa.
- Pierik, R. & Houwerzijl, M. (2006). Western policies on child labor abroad. Ethics & International Affairs, 20(2), 193–218.
- Post, D. (2018). Children's work, schooling, and welfare in Latin America. Routledge.
- Prawira, M. R. Y. & Yulistio, M. R. (2024). The Role of Labour Inspector in Preventing and Overcoming Child Labour Exploitation: A Critical Review. Veteran Law Review, 7(1), 87–102.
- Rafiq, A. (2022). Changing course: understanding judicial independence in Pakistan. University of Oxford.
- Rushin, S. (2016). Police union contracts. Duke LJ, 66, 1191.
- Saboor, A. & Watto, H. (2023). Socio-Economic Impacts of Sporting Goods Industry; A Case Study of Sialkot. Journal of Culture and Heritage Studies (Jchs), 1(01), 12–25.
- Scott, E. S. & Steinberg, L. (2008). Rethinking juvenile justice. Harvard University Press.
- Shah, S. Q. & Sarif, S. M. (2023). Navigating Labor Protection: A Comprehensive Study of Employment Laws in Pakistan. International Journal of Public Administration, Management and Economic Development, 8(2).
- Shaw, R. (2023). Reclaiming America: Nike, clean air, and the new national activism. Univ of California Press.
- Verhellen, E. (2015). The Convention on the Rights of the Child: Reflections from a historical, social policy and educational perspective. In Routledge international handbook of children's rights studies (pp. 43–59). Routledge.
- Zulfiqar, H., Jabeen, F., Bukhtawar, N. & Syed, Y. A. (2024). Role of Benazir Income Support Program in Reducing Gender Disparity in Education: An Exploratory Study. Pakistan Journal of Social Sciences, 44(1), 103–113.
- Zutshi, A. (2024). Navigating The Dynamics Of Joint Family System In Modern India: A Sociological Study. Educational Administration: Theory and Practice, 30 (5), 7869–7873.