

# **Bonded Child Labour in Pakistan - The State's Responsibility to Protect from an Institutional Perspective.**

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## Abstract

This thesis is concerned with the issue of bonded child labour in Pakistan and the enforcement of the right to be free from enslavement. Enshrined in the domestic law of Pakistan and international law this right constitutes *jus cogens* and imposes therefore the obligation of the state of Pakistan to protect its citizens. None the less ranks Pakistan second among those countries with bonded child labourers. Therefore the question analyzed is why Pakistan fails to enforce its laws and fulfil its obligation. The rule of law in conjunction with human rights and democratic institutions is conditional to the fulfilment of the right to be free from slavery. A serious danger arises there from corruption which undermines the control inherent to the institutional system. The analysis of the institutions of Pakistan and their approach to bonded labour reveals that their adequate action is undermined by corruption and linked to the fact that minorities constitute the bonded labour force. Political sciences tools, the cultural and rational choice approach, are discussed in order to explain corruption prevalent in the system. Finally recommendations based on the result of the analysis are proposed in order for Pakistan to be able to meet its obligation.

## **Abbreviations**

AHRC – Asian Human Rights Commission

BLLF – Bonded Labour Liberation Front

C/NIC - Computerized National Identity Card

FIR - First Information Report

GSP - General System of Preferences

GTZ- Gemeinschaft für Technische Zusammenarbeit

HRCP - Human Rights Commission of Pakistan

HRW - Human Rights Watch

ICCPR - International Covenant on Civil and Political Rights

ICESCR - International Covenant on Economic, Social and Cultural Rights

ILO – International Labour Organization

ITUC – International Trade Union Confederation

NGO – Non-Governmental Organisation

PBWU - Pakistan Bhatta Workers Union

PILER - Pakistan Institute of Labour Education and Research

PPP – Pakistan Peoples Party

SPARC - Society for the Protection of the Rights of the Child

TI - Transparency International Pakistan

TIP – Trafficking in Persons

UN – United Nations

UNDHR - Universal Declaration of Human Rights

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