A Study on Existing CSR Policy/Guideline in India, China, Indonesia, Pakistan and Bangladesh

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The importance of private sector and development partners in the critical discourse on the issues of Corporate Social Responsibility (CSR) is ever increasing in today’s world of globalization. Sustainable development is significantly becoming a global concern for all stakeholders inclusive of states, businesses, development actors and the communities. States can no longer operate on their own without reaching out to the agents for change in order to achieve its national development targets and adhere to the commitments made towards achieving the MDGs. Private sector led growth requires a sound knowledge on a nations’ development perspectives undertaken by its Government. At the same time for cost effective social investments partnerships between businesses, state actors and development agencies are the need of the day. It is at this unique intersection where CSR can benefit the most for all.

Countries in Asia are gradually embarking on CSR initiatives – some through specific business strategies led by the larger companies who are in the forefront of the corporate world and accessing global markets in Europe, America and Canada. Others such as MNCs who already have CSR embedded into their global policies and business framework. Good CSR practices include those of environment and caring for climate, human rights and labour standards, good governance strategies that respect the People and the Planet.

Recently, negative incidents in various countries of the world have revealed that CSR interventions on human rights and labour standards are critical for sustainability where businesses need to engage in promoting acceptable labour standards that address the international human rights principles such as the United Nations Guiding Principles on Business and Human Rights. In the developing nations where children are subjugated to work in the large informal sectors of the economy due to poverty at the household levels the Children’s Rights and Business Principles (CRBP) introduced by the United Nations offer a strong threshold for implementation on engaging on the issues of children’s’ rights. Companies and communities need to realize that children’s rights are as important to the nation building process as is all rights and good citizenship. All children and citizens of any country should be entitled to their basic rights and it is the duty bearers who must ensure this through a multi-stakeholder engagement process.

The value of implementing programmes and projects where CSR includes not only human rights but cascades into the rights of all children in a nation is instrumental for any country’s sustainable development efforts.

Shahamin S. Zaman
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## List of Abbreviation

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<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>ASSOCHAM</td>
<td>Associated Chambers of Commerce and Industry in India</td>
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<td>BB</td>
<td>Bangladesh Bank</td>
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<tr>
<td>CSR</td>
<td>Corporate Social Responsibility</td>
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<tr>
<td>CPR</td>
<td>Contraceptive Prevalence Rate</td>
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<tr>
<td>CII</td>
<td>Confederation of Indian Industry</td>
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<tr>
<td>CPSEs</td>
<td>Central Public Sector Enterprises</td>
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<tr>
<td>CE</td>
<td>Circular Economy</td>
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<tr>
<td>CBA</td>
<td>China Banking Association</td>
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<tr>
<td>CSOEs</td>
<td>Chinese state-owned enterprises</td>
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<tr>
<td>CNTAC</td>
<td>China National Textile and Apparel Council</td>
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<tr>
<td>EC</td>
<td>European Commission</td>
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<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>FICCI</td>
<td>Federation of Indian Chamber of Commerce and Industries</td>
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<tr>
<td>GCLN</td>
<td>Global Compact Local Network</td>
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<tr>
<td>GR</td>
<td>Government Regulation</td>
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<tr>
<td>GMS</td>
<td>General Meeting of Shareholders</td>
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<td>GDP</td>
<td>Gross Domestic Product</td>
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<tr>
<td>GCNI</td>
<td>Global Compact Network India</td>
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<td>MBL</td>
<td>Mining Business License</td>
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<tr>
<td>MDG</td>
<td>Millennium Development Goal</td>
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<tr>
<td>MNCs</td>
<td>Multi-national Corporations</td>
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<tr>
<td>MCH</td>
<td>Maternal and Child Health</td>
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<td>MMR</td>
<td>Maternal Mortality Rate</td>
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<tr>
<td>PSU</td>
<td>Public Sector Undertakings</td>
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<tr>
<td>PRC</td>
<td>People’s Republic of China</td>
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<tr>
<td>PPP</td>
<td>Purchasing Power Parity</td>
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<tr>
<td>RSCA</td>
<td>Responsible Supply Chain Association</td>
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<tr>
<td>RoHR</td>
<td>Reduction of Hazardous Substances</td>
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<tr>
<td>SMBL</td>
<td>Special Mining Business License</td>
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<tr>
<td>SAARC</td>
<td>South Asian Association for Regional Cooperation</td>
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<tr>
<td>SOEs</td>
<td>State-Owned Enterprises</td>
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<td>SMEs</td>
<td>Small and Medium Enterprises</td>
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<td>UNIDO</td>
<td>United Nations International Development Organization</td>
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<td>UNGC</td>
<td>United Nations Global Compact</td>
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<td>WBCSD</td>
<td>World Business Council for Sustainable Development</td>
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<td>WEEE</td>
<td>Waste Electric and Electronic Equipment</td>
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Corporate Social Responsibility or “CSR” is a concept which has been rapidly emerging lately in the developing nations whereas the Scandinavian countries set the best examples of strategic CSR initiatives led by the Governments and implemented by the both public and private companies has proved to create sustainable growth within the economies. These CSR strategies address the long term needs of sustainable development through engaging in human rights, environment and other socio-economic issues of a nation. As the private sector plays a significant role to enhance economic growth by generating employment, promoting infrastructure development and social investment their responsibilities can contribute positively to ensure certain CSR standards which must be beyond compliance and legal framework. To promote and ensure CSR practices many Governments have formulated policies and guidelines. Increasingly businesses in the North are engaging in ethically responsible business practices or good CSR practices that create a win–win situation for all its stakeholders and bring in sustainable profits.

This Research entitled “Study on Existing CSR Policy / Guideline in India, China, Indonesia, Pakistan and Bangladesh” conducted by the CSR Centre in collaboration with Save the Children and European Union under the Ministry of Labour, Government of Bangladesh gives an overview of existing CSR policies, guidelines and standards in the identified five countries in South Asia who are in the forefront of the CSR agenda. This Study gives the background information, the status of MDGs and the level of progress achieved by each of the five countries towards meeting the MDG goals and the status of UNGC in country. It focuses on the status of CSR in each of the five countries and gives reference to CSR and Child Rights programs, policies and legal frameworks. The objective of this Research is to understand the scope and reach of CSR in South Asian context and link it to the MDGs and the status of the Child Rights issues to pave the way towards developing an inclusive National CSR Policy for Children in Bangladesh.

A comparative analysis through this Study reveals that out of the five researched countries already four countries (India, China, Indonesia, Pakistan) has taken the lead in engaging and implementing CSR programs through Government and private sector led initiatives. But in India and Pakistan Government has developed and implemented a National CSR Guideline. In India the Company’s Act 2013 stipulates that all companies with a net work of INR 500 crores per annum or more or a turnover of INR 1000 crore or more or net profit of INR 5 crore per annum must spend at least 2% of their net average profit on activities that have designated as CSR activities by the Government.

In Pakistan those companies undertaking CSR approaches must have a strategic CSR policy endorsed by the board of directors and abide by the CSR Voluntary Guidelines 2013 endorsed by the Securities and Exchange Commission of Pakistan.

In the case of China a number of Chinese Government Agencies and organizations are engaged in the promotion of CSR. Government engagement includes the passing of Chinese Laws and Regulations
such as Corporate Law initiated in 2006, Labour Contract Law 2008 and Social Insurance Law 2001 which address CSR issues. Different policies have been formulated to encourage CSR by sectors such as for textiles, SMEs, Chinese International Contractors; State owned Enterprises, Electronics and Information Industry.

In Indonesia an investors’ law includes a chapter on CSR and CSR is an obligation for any investments within the country. The Government has also included CSR in draft legislation on private enterprise addressing the obligation of private companies to put aside a certain amount of their profit for social and environmental welfare.

As Bangladesh is gradually proceeding towards a middle income country it is apparent that a national CSR drive can add substantial value to Government’s development plans. The Government through National Board of Revenue (NBR ) has incentivized companies by providing scope for tax exemption of 10% of their actual CSR expenditure in 22 growth sectors. The Bangladesh Bank as the Central Bank of the country has taken a formal approach to CSR in the banking sector by issuing a directive to the banks and financial institutions in 2008 and giving incentives to promote environment friendly practices by both the banks and their counterparts.

In the case of Child Rights all these countries have signed to the International Conventions and all these five countries have included Child Rights into their Constitutions.

In India a National Policy for Children was initiated in 2013 and a National Commission for Protection of Child Rights was formulated in 2007. Whereas in Pakistan there is a National Commission for Child Welfare and Development. As for China there is no specific policy for children’s rights but the Education Policy, Marriage Laws include children’s issues and has emphasized on the Protection of Disabled Children. The Indonesian Constitution addresses children’s needs through promotion of healthy living, quality education, special protection. Bangladesh has formulated and adapted the National Children Policy 2011 and in 2013 adapted a Comprehensive Law to protect Child Rights. The National Education Policy, National Skill Development Policy 2011, National Child Labour Elimination Policy 2010, Employment of Children Act 1938 and others specifically include children’s issues.

As the issues of CSR can be linked to the well being of the nation and to creating an enabling positive environment for children at a national level the need to formulate a” National CSR Policy for Children in Bangladesh “ has been embarked upon at the opportune moment by the Ministry of Labour, GOB. It is the first time in South Asia and SE Asia that such a CSR – children related policy is taking shape which will not only assist Bangladesh’s private sector to move forward but also sensitize other countries in the Asia Region to embark on similar initiatives.
The process of globalization has changed the way economies and nations run. As a result, the roles, relationships, demands and expectations of various stakeholders have changed. With the private sector becoming the primary driver of economies, they are beginning to hold great power to influence social development. At the same time, increased awareness and pressure from consumer groups is making demands on the corporate sector to commit to socially and ethically responsible business practices.

According to Ratner (2001) in his theory of legal responsibility, Corporate Social Responsibility (CSR) as a social obligation of corporations come from human rights violations might be caused or were caused by corporations. Corporate Social Responsibility is linked with corporate respect for human rights principles and standards and is expected to be a “bridge” to integrate and synthesize the two different interests of society and business.

CSR as is practiced today in the Asian region is in an evolutionary stage. At best it is very strategic, system oriented and interwoven in the main business strategy of the organization. At worst it is still a phenomenon which depends on the whims and fancies of either the founder or the current leadership. Even though a majority of the CSR initiatives follow more of the philanthropic approach to work, evidence of a more stakeholder oriented model of work is also witnessed.

There are many drivers of CSR in the Asian region, including powerful institutions such as government and stock exchanges which are putting in place requirements, voluntary initiatives and standards to encourage CSR. In some countries a move from voluntary approaches to CSR and the mandating of certain activities through the law is witnessed.

Across Asia, local CSR initiatives and CSR issues vary hugely. In China, much interest from the government has seen which has developed a number of guidelines and initiatives around CSR. India has developed the National Voluntary CSR Guideline on Social, Environmental and Economic Responsibilities of Business and Pakistan has also developed its National CSR Guideline for companies. In 2007, Indonesia became the first country mandating CSR by announcing Article 74 of the revised limited Liability Company Law. With the exception of Vietnam, some forms of regulations, codes, market initiatives exist in the emerging economies of Asian region.

Some stock exchanges in the region have also encouraged CSR disclosure and in some cases have added to regulatory pressure. Prominent stock exchanges are requiring disclosure of certain CSR information, while others require a degree of mandatory reporting.
Asia is dynamic and the future will be different. Countries in Asia will need to map emerging
trends, recognize growing stakeholder sophistication and align CSR with country specific
challenges. Bangladesh is still in the initial stage of developing a standardized, systematic
and widely participated CSR social movement though the country has established well-
founded and complete legal system, in which a number of laws and regulations contain CSR
elements and requirements.

A good bottom-up CSR policy will assist all stakeholders to resolve the challenges
comprehensively in terms of human rights, environmental damages accusations, anti-
corruption, Children’s rights etc. A comprehensive, country specific CSR policy is able to
guide both companies and society to stand and walk together and live in harmony.

**Objective of the Research Study**

The objective of the Research Study is to conduct an assessment of the existing CSR related
laws, policies; guidelines developed by the governments and other stakeholders in 5 Asian
countries to review the current CSR trends in these countries and to look at what is being
done in the selected 5 countries to implement ‘Child Rights’ issues across the sectors to
provide a prior base for ‘Drafting National CSR Policy for Children for Bangladesh’. The
Research Study will be based on 5 selected Asian Countries (i.e. Bangladesh, India, Pakistan,
China and Indonesia).

**Study Methodology**

The Study on ‘Review Existing CSR Policy/Guideline in India, China, Indonesia, Pakistan
and Bangladesh’ is based upon extensive web based research that includes benchmark
studies and surveys, CSR issues, policies, guidelines and cases in Bangladesh, India, China,
Indonesia and Pakistan. In addition the research also draws upon important CSR
guidelines/frameworks such as the United Nations Global Compact, United Nations Guiding
Principles on Business and Human Rights, OECD Guidelines, ISO26000 and others.

The Study was carried out from January-June, 2014 by CSR Centre in Bangladesh and used a
combination of primary and secondary data (a small amount of primary data was collected in
Bangladesh with the bulk of study drawing on secondary research), based on ethical research methods.

**What is CSR?**

While there may be no single universally accepted definition of Corporate Social Responsibility (CSR), each definition that currently exists underpins the impact that businesses have on society at large and the societal expectations of them. Although the roots of CSR lie in philanthropic activities (such as donations, charity, relief work, etc.) of corporations, globally, the concept of CSR has evolved and now encompasses all related concepts such as triple bottom line, corporate citizenship, philanthropy, strategic philanthropy, shared value, corporate sustainability and business responsibility. This is evident in some of the definitions presented below:

The **European Commission (EC)** defines CSR as “the responsibility of enterprises for their impacts on society”. To completely meet their social responsibility, enterprises “should have in place a process to integrate social, environmental, ethical human rights and consumer concerns into their business operations and core strategy in close collaboration with their stakeholders.

The **World Business Council for Sustainable Development (WBCSD)** defines CSR as “the continuing commitment by business to contribute to economic development while improving the quality of life of the workforce and their families as well as of the community and society at large.”

According to the **United Nations International Development Organization (UNIDO)**, “Corporate social responsibility is a management concept whereby companies integrate social and environmental concerns in their business operations and interactions with their stakeholders. CSR is generally understood as being the way through which a company achieves a balance of economic, environmental and social imperatives (Triple-Bottom-Line Approach), while at the same time addressing the expectations of shareholders and stakeholders. In this sense it is important to draw a distinction between CSR, which can be a strategic business management concept, and charity, sponsorships or philanthropy. Even though the latter can also make a valuable contribution to poverty reduction, will directly enhance the reputation of a company and strengthen its brand, the concept of CSR clearly goes beyond that.”
Over the last decade, corporate responsibility has become a topic of great political interest. Governments have become increasingly proactive in promoting corporate responsibility by adopting a variety of policies to promote responsible business activities. A comprehensive guidance for companies pertaining to CSR is available in the form of several globally recognized guidelines, frameworks, principles and tools. It must be noted that most of these guidelines relate to the larger concept of sustainability or business responsibility, in keeping with the fact that these concepts are closely aligned globally with the notion of CSR.

United Nations Global Compact

United Nations Global Compact (UNGC) is world’s largest corporate citizenship initiative with the objective to mainstream the adoption of sustainable and socially responsible policies by businesses around the world. The 10 principles of the UN Global Compact have been derived from various UN conventions such as the Universal Declaration of Human Rights, ILO’s Declaration on Fundamental Principles and Rights at Work, the Rio Declaration on Environment and Development, and the UN Convention against Corruption. These principles cover four broad areas:

- **Human Rights** (support and respect the protection of international human rights and ensure that business is not complicit with human rights abuse.)
- **Labour Rights** (uphold the freedom and association and effective negotiation of the right to collective bargaining, elimination of all forms of forced and compulsory labour, effective abolition of child labour and elimination of description in respect of employment and occupation.)
- **Environment** (support a precautionary approach to environmental challenges, undertake initiatives to promote greater environmental responsibility and encourage the development of environmental friendly technology.)
- **Anti-corruption** (work against corruption in all forms, including bribery and extortion.)

The UN Guiding Principles on Business and Human Rights

The UN Guiding Principles provide assistance to states and businesses to fulfill their existing obligations towards respecting and protecting human rights and fundamental freedoms and comply with the existing laws. These principles act as global standards for addressing the risk of human rights violation related to business activity. In circumstances when these laws are breached or the guidance is not adhered to, suitable remedies have also been recommended. The primary focus is on the protection of human rights by both, the state and the business enterprises, and the principles broadly outline the manner in which the framework can be implemented.
OECD Guidelines for Multinational Enterprises elaborate on the principles and standards for responsible business conduct for multinational corporations. These guidelines cover areas such as employment, human rights, environment, information disclosure, combating bribery, consumer interests, science and technology, competition and taxation. They contain defined standards for socially and environmentally responsible corporate behavior, and also provide procedures for resolving dispute between corporations and communities or individuals adversely impacted by business activities.

ISO 26000: Social Responsibility

This is a guidance tool provided by ISO which enables organizations to understand the meaning and significance of social responsibility. It is important to note that this is not a certification but only a guiding tool. Hence organizations which comply with these standards are self certified. It covers six core areas of social responsibility, including (i) human rights (ii) labour practices (iii) environment (iv) fair operating practices (v) consumer issues (vi) community involvement and development. This ensures a holistic approach to the concept of social responsibility and sustainable development.

ILO’s tripartite declaration of principles on multinational enterprises and social

This is another voluntary declaration whose adoption by governments, employers and multinational organizations is encouraged, with the intention of further ensuring labour and social standards. This is particularly for organizations that operate across multiple countries. Focus is on core labour standards such as (i)freedom of association and the right to collective bargaining (prohibition of discrimination, bonded and forced labor) (ii) industrial relations (no trade union restrictions, regular discussions between management and labour, and the provision of a forum to lodge complaints in case of labour standard violation) (iii) employment opportunities (creation of job security, improved living and working conditions and ensuring that wages are on par with those of other enterprises in the same country.)

Children’s Rights and Business Principles

The Children’s Rights and Business Principles identify a range of actions that all business should take to respect children’s rights to prevent and address any adverse impact on Children’s Human Rights, as well as measures all business is encouraged to take to help support and advance children’s rights. It recognizes the tremendous positive power of businesses large and small, and seeks to promote the best business practices. The principles call on the entire business community around the world to evaluate their impact on the rights of children; and to take action to make a difference for children.
Overview of
Existing CSR Related Laws, Policies and Standards
&
The Child Rights Policies and Guidelines in India, China, Indonesia, Pakistan and Bangladesh
India is one of the oldest civilizations in the world with a variety and rich cultural heritage. It has achieved all-round socio-economic progress during the last 67 years of its Independence. India is the second-most populous country with over 1.2 billion people, and the most populous democracy in the world. India has become self-sufficient in agricultural production and is now one of the top industrialized countries in the world. It covers an area of 3,287,590 sq. km (1,269,346 sq mi), extending from the snow-covered Himalayan heights to the tropical rain forests of the south. As the 7th largest country in the world, India stands apart from the rest of Asia, marked off as it is by mountains and the sea, which give the country a distinct geographical entity.

The Indian economy is the world's eleventh-largest by nominal GDP and third-largest by purchasing power parity (PPP). Following market-based economic reforms in 1991, India became one of the fastest-growing major economies. India is a federal constitutional republic governed under a parliamentary system consisting of 28 states and 7 union territories.

India's diverse economy encompasses traditional village farming, modern agriculture, handicrafts, a wide range of modern industries, and a multitude of services. Slightly less than half of the work force is in agriculture, but, services are the major source of economic growth, accounting for nearly two-thirds of India's output with less than one-third of its labor force.

The outlook for India's long-term growth is moderately positive due to a young population and corresponding low dependency ratio, healthy savings and investment rates, and increasing integration into the global economy. However, India has many challenges that it has yet to fully address, including poverty, corruption, violence and discrimination against women and girls, an inefficient power generation and distribution system, ineffective, inadequate transport and agricultural infrastructure, limited non-agricultural employment opportunities, high spending and poorly-targeted subsidies, inadequate availability of quality basic and higher education, accommodating rural-to-urban migration etc.

In India, major environmental issues include forest and agricultural degradation of land; depletion of resources such as water, minerals, forest, sand, and rocks; environmental degradation; public health issues; loss of biodiversity; loss of resilience in ecosystems; and livelihood security for the poor.
In India, considerable progress has been made in the field of basic universal education, gender equality in education, and global economic growth. However there is slow progress in the improvement of health indicators related to mortality, morbidity, and various environmental factors contributing to poor health conditions. Even though the government has implemented a wide array of programs, policies, and various schemes to combat these health challenges, further intensification of efforts and redesigning of outreach strategies is needed to give momentum to the progress toward achievement of the MDGs.

### MDGs and Targets - Overview of progress achieved by India

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<td><strong>ERADICATE EXTREME POVERTY AND HUNGER</strong>&lt;br&gt;- As per the poverty estimates of 2011-12, the Poverty Head Count Ratio (PHCR) is 21.9% thus India has already achieved the target against the target of 23.9%.&lt;br&gt;- All-India trend of the proportion of underweight (severe and moderate) children below 3 years of age shows India is going slow in eliminating the effect of malnourishment.</td>
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<td>2</td>
<td><strong>ACHIEVE UNIVERSAL PRIMARY EDUCATION</strong>&lt;br&gt;- Universal primary education has already been achieved. According to the trend exhibited during 1991 -2001 (1991: 61.9% and 2001: 76.4 %), India is likely to attain 100% Youth literacy (Literacy rate of 15-24 year olds) by 2015.</td>
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<td>3</td>
<td><strong>PROMOTE GENDER EQUALITY AND EMPOWER WOMEN</strong>&lt;br&gt;- Gender parity has already achieved in primary education and the disparity in secondary education is set to disappear shortly.&lt;br&gt;- The percentage share of females in wage employment in the non- agricultural sector, stood at 18.6% in 2009-10. The share of women in wage employment can at best reach a level of about 23.1% by 2015 which is much below target of 50%.</td>
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- Given to reduce under 5 mortality rate to 42 per thousand live births by 2015, India tends to reach 50 by 2015, missing the target by 8 percentage points.
- India is likely to fall short of universal immunization by about 11 percentage points.

- India tends to reach maternal mortality rate of 139 per 100,000 live births by 2015, against the target of 109.
- With the existing rate of increase in deliveries by skilled personnel, the achievement for 2015 is likely to be 62% only, which is far short of the targeted universal coverage.

- The incidence of HIV/AIDS has come down, but what is alarming is that HIV/AIDS incidence is increasing in states where it was until now low.
- Sustaining the reversing trends in prevalence of Malaria and TB is needed.

- The target of halving the proportion of households without access to safe drinking water has already been attained by 2007-08, much before the target timeline.
- India may achieve to reduce the Proportion of households without any sanitation to about 43% by 2015 missing the target by about 5 percentage points.

- Overall teledensity (Number of telephones per 100 populations) shows a slight dip recently, after the substantial progress made in the past.

United Nations Global Compact (UNGC) Status

In taking forward this agenda of the UNGC in the Indian context, the Indian local partner of the UNGC, the Global Compact Society was launched in December 2000 with the participation of leading Indian organizations. And, on 24th Nov 2003 in New Delhi, it was registered as a legal entity and was named as Global Compact Network India – the Indian arm of UNGC. Global Compact Network India (GCNI) is a platform, for businesses, private sector organizations, civil society organizations, public sector and institutions. As a network, GCNI enables aligning of various stakeholders’ practices towards the Ten Universally Accepted Principles of UNGC in the areas of Human Rights, Labour, Environment and Anti-corruption.
The Global Compact Network India works towards mainstreaming the ten universally acceptable principles in business activities around the world, catalyzing action in support of broader UN goals, such as the Millennium Development Goals (MDGs) and setting the tone for the post 2015 development agenda within the Indian context.

At present, the India network ranks among the top 3, out of the 102 local networks in the world, and has emerged as the largest corporate citizenship and social responsibility organization in the country with a pan Indian membership. With a membership of 170 renowned organizations as GCNI pivotal signatories, the local India network in the last 9 years of its functioning has created a strong niche for itself. GCNI members represent pertinent sectors of the country such as civil society, private, and public sector organizations, which with time have strengthened their commitment to the UN’s Global Compact principles. The Global Compact Network India is supported by a Secretariat headed by an Executive Director.

The members of the local network have over the years showcased increasing commitment towards the UNGC principles and have voluntarily set milestone to achieve them within their businesses. GCNI currently has its local chapters in 5 major Indian cities, which include Mumbai, Hyderabad, Chennai, Kolkata and Bangalore, and thus has facilitated its own expansion amongst local and regional counterparts widely operating within the country.

Existing CSR Laws, Policies, Guidelines in India

The Indian government favors a voluntary approach to CSR and encourages companies to adopt best practices by providing a set of voluntary guidelines which incorporate all ten principles on the United Nations Global Compact.

The corporate governance code (2007) mandates public sector companies to disclose environmental and social information in the director’s report or the Management Discussion and analysis section of the annual report. Profit making centrally owned Public Sector Undertakings (PSU) are required to contribute 2% of their net profits towards CSR initiatives.

The Confederation of Indian Industry (CII) has established the CII-ITC Centre of Excellence for Sustainable Development, as well as a Centre on Sustainable Reporting that assists companies on their environmental and social reporting.

**National Voluntary Guidelines on Social, Environmental & Economic Responsibilities of Business**

In order to assist the businesses to adopt responsible governance practices, the Ministry of Corporate Affairs has prepared a set of voluntary guidelines titled ‘National Voluntary Guidelines on Social, Environmental & Economic Responsibilities of Business’ which indicate some of the core elements that businesses need to focus on while conducting their affairs.
These guidelines have been prepared after taking into account the governance challenges faced in the country as well as the expectations of the society. The Guidelines are not prescriptive in nature, but are based on practices and precepts that take into account the realities of Indian business and society as well as global trends and best practices adapted to the Indian context. It urges businesses to embrace the “triple bottom-line” approach whereby its financial performance can be harmonized with the expectations of society, the environment and the many stakeholders it interfaces with in a sustainable manner.

The Guidelines are designed to be used by all businesses irrespective of size, sector or location and therefore touch on the fundamental aspects – the 'spirit' - of an enterprise. It is expected that all businesses in India, including multi-national companies that operate in the country, would consciously work towards following the Guidelines. The Guidelines also provide a framework for responsible business action for Indian MNCs planning to invest or already operating in other parts of the world. Businesses are encouraged to move beyond the recommended minimum provisions articulated in the document.

Though ‘voluntary’ the recently issued National Voluntary Guidelines on Social, Environmental & Economic Responsible Business are likely to place Corporate Social Responsibility in India on a firmer footing. Three important issues (Social, Environmental & Economic Responsibilities of Business) included in the Guidelines, if taken up with the seriousness they deserve, will make CSR in India more meaningful and wholesome. Most companies in India, even the much awarded and widely recognized ‘responsible’ units, have been concentrating on one or two aspects of CSR while ignoring other issues. The Guidelines has said “all Principles are equally important and non-divisible.” They are to be adopted comprehensively. It lays down that Business aspiring to be responsible will “have to adopt each of the nine Principles in their entirety rather than pick and choose what might suit them.”

The Guidelines have set out a separate chapter for SMEs in the Guidelines. It points out that SMEs “impact the environment and society in its own way, despite the small number of employees.”

To protect the customers the Guidelines asks companies to raise consumer awareness of their rights through product labeling, helpful marketing communications and customer education. Business will have to promote safe usage and disposal of its products or services. They will also be responsible to promote sustainable consumption, including the recycling of...

**The Company Act, 2013**

The new Companies Act of 2013 stipulates that all companies with a net worth of Rs 500 crore or more, or a turnover of Rs 1,000 crore or more, or a net profit of Rs 5 crore or more in any financial year will have to spend at least two per cent of their net average profit of the last three years on activities that have been designated as CSR activities by the government.
The government has identified 10 areas in which such expenditures will be eligible to be considered as CSR spending. These include eradicating hunger, poverty, malnutrition and promoting preventive health care, promoting sanitation and availability of safe drinking water, promoting education, promoting gender equality, ensuring environmental sustainability and protection of national heritage. The new rules, which will be applicable from the fiscal year 2014-15 onwards, also require companies to set-up a CSR committee consisting of their board members, including at least one independent director.

The Companies Act, 2013 has introduced the idea of CSR to the forefront and through its disclose-or-explain mandate, is promoting greater transparency and disclosure. Schedule VII of the Act, which lists out the CSR activities, suggests communities to be the focal point. On the other hand, by discussing a company’s relationship to its stakeholders and integrating CSR into its core operations, it suggests that CSR needs to go beyond communities and beyond the concept of philanthropy.

Some of the highlights of the Companies Act, 2013 are as follows:

- Surplus arising out of CSR activities will have to be reinvested into CSR initiatives, and this will be over and above the 2% figure
- The company can implement its CSR activities through the following methods:
  - Directly on its own
  - Through its own non-profit foundation set-up so as to facilitate this initiative
  - Through independently registered non-profit organizations that have a record of at least three years in similar such related activities
  - Collaborating or pooling their resources with other companies
- Only CSR activities undertaken in India will be taken into consideration
- Activities meant exclusively for employees and their families will not qualify
- A format for the board report on CSR has been provided which includes amongst others, activity-wise, reasons for spends under 2% of the average net profits of the previous three years and a responsibility statement that the CSR policy, implementation and monitoring process is in compliance with the CSR objectives, in letter and in spirit. This has to be signed by either the CEO, or the MD or a director of the company.
The Department of Public Enterprises, Ministry of Heavy Industries and Public Enterprises have issued in April 2010, comprehensive “Guidelines on Corporate Social Responsibility for Central Public Sector Enterprises (CPSEs)”. The new guidelines lay stress on the link of Corporate Social Responsibility with sustainable development and define Corporate Social Responsibility (CSR) as a philosophy wherein organizations serve the interest of society by taking responsibility for the impact of their activities on customers, employees, shareholders, communities and the environment in all aspects of their operations. Under these guidelines, the long-term CSR Plan should match with the long-term Business Plan of the organization. The activities under CSR are to be selected in such a manner that the benefits reach the smallest unit i.e., village, panchayat, block or district depending upon the operations and resource capability of the company. Under these guidelines the CPSEs are required to move from an ad-hoc approach to the project mode with specified time frames and periodic milestones. The activities undertaken under CSR should also be in consonance and consultation with State Governments, district administration, local administration as well as Central Government Departments/Agencies, Self-Help Groups, etc., to avoid duplication.

As per these Guidelines, the CPSEs may undertake projects or activities in the periphery where company carries out its commercial activities, as far as possible. Where this is not possible or applicable, the company may choose to locate CSR projects anywhere in the country. The CSR budget has to be mandatorily allocated through a Board Resolution as a percentage of Net Profit (previous year).

**Employment Policy India**

A Draft National Employment Policy with an objective to accelerate employment growth, particularly in the organized sector and improve the quality of jobs in terms of productivity, average earnings and protection of workers, especially in the unorganized sector has been prepared by the Ministry Labour and Employment.

**National Policy on Skill Development**

The Government of India has set a target of skilling 500 million people by 2022. To be able to deliver this target, a structured approach involving all stakeholders is imperative. To this end, the Ministry of Labour & Employment has formulated a National Policy on Skill Development in 2009. The objective of this policy is to empower all individuals through improved skills, knowledge, nationally and internationally recognized qualifications to gain access to decent employment and ensure India’s competitiveness in the global market.
The strategic paper looks at the employment challenges faced by India within the framework of “ten core elements” identified by the Global Employment Agenda of the ILO. These elements relate to trade and investment, technological change, sustainable livelihoods, macro policy, entrepreneurship development, skills development, active labour market policies, social protection, conditions of work and poverty reduction.

CSR Trends in India

CSR in India has traditionally been seen as a philanthropic activity. And in keeping with the Indian tradition, it was an activity that was performed but not deliberated. The rise of CSR can be attributed to the process of globalization and to the increase in the reach of Multi National Corporations (MNCs).

With the challenges of globalization, liberalization, privatization and the emerging trend towards a free market economy facing India, the role of CSR is becoming prominent. The last decade of the 20th Century witnessed a swing away from charity and traditional philanthropy towards more direct engagement of business in mainstream of development and concern for disadvantaged groups in the society. This has been driven both internally by corporate will and externally by increased governmental and public expectations. The Working Document of EU India CSR (2001) highlights that there are over 200,000 private sector trusts in India, a large number of which are set up by Indian businesses, which have been contributing to social causes through their trusts, foundations or societies.

Over the years, the focus of CSR has changed from initial philanthropic idea to responsibility to enterprises to society at large. Both domestic as well as global forces encourage a broader understanding of corporate social responsibility to develop in India. Chambers of Commerce and Industry Associations like ASSOCHAM, CII, FICCI, PHD Chamber of Commerce, regional chambers of commerce, are actively engaged in promoting and sensitizing their member companies to be socially responsive. Presently, large number of corporate houses and enterprises in India are doing tremendous work in CSR, including corporate philanthropy. Activities include in the area of education, healthcare services, rural infrastructure development, community welfare, environment protection, relief and emergency assistance, preserving art, heritage, culture, religious and lot of other issues.
Constitution of India

The Constitution of India guarantees Fundamental Rights to all children in the country and empowers the State to make special provisions for children. The Directive Principles of State Policy specifically guide the State in securing the tender age of children from abuse and ensuring that children are given opportunities and facilities to develop in a healthy manner in conditions of freedom and dignity. The State is responsible for ensuring that childhood is protected from exploitation and moral and material abandonment.

Constitutional Guarantees that are meant specifically for children include:

- Right to free and compulsory elementary education for all children in the 6-14 year age group (Article 21 A)
- Right to be protected from any hazardous employment till the age of 14 years (Article 24)
- Right to be protected from being abused and forced by economic necessity to enter occupations unsuited to their age or strength (Article 39(e))
- Right to equal opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and guaranteed protection of childhood and youth against exploitation and against moral and material abandonment (Article 39 (f))
- Right to early childhood care and education to all children until they complete the age of six years (Article 45)

Besides, Children also have rights as equal citizens of India, just as any other adult male or female:

- Right to equality (Article 14)
- Right against discrimination (Article 15)
- Right to personal liberty and due process of law (Article 21)
- Right to being protected from being trafficked and forced into bonded labour (Article 23)
- Right of minorities for protection of their interests (Article 29)
- Right of weaker sections of the people to be protected from social injustice and all forms of exploitation (Article 46)
- Right to nutrition and standard of living and improved public health (Article 47)
National Policy for Children

On April 18th, 2013 the Union Cabinet approved the National Policy for Children to help in the implementation of programmes and schemes for children all over the country. The policy gives utmost priority to right to life, health and nutrition and also gives importance to development, education, protection and participation.

Through this policy the State is committed to take affirmative measures – legislative, policy or otherwise – to promote and safeguard the right of all children to live and grow with equity, dignity, security and freedom, to ensure that all children have equal opportunities; and that no custom, tradition, cultural or religious practice is allowed to violate or restrict or prevent children from enjoying their rights.

Key priorities in the Policy

1) Survival, Health and Nutrition

The Policy ensures equitable access to comprehensive, and essential, preventive, curative and rehabilitative health care, of the highest standard, for all children before, during and after birth, and throughout the period of their growth and development. Every child has a right to adequate nutrition and to be safeguarded against hunger, deprivation and malnutrition. The State commits to securing this right for all children through access, provision and promotion of required services and supports for holistic nurturing and wellbeing, keeping in view their individual needs at different stages of their life. The Policy highlights preventing HIV infections at birth and ensuring infected children receive medical treatment, adequate nutrition and after-care, and are not discriminated against in accessing their rights.

2) Education and Development

Every child has equal right to learning, knowledge and education. The State recognizes its responsibility to secure this right for every child, with due regard for special needs, through access, provision and promotion of required environment, information, infrastructure, services and supports, towards the development of the child’s fullest potential.

3) Protection

The State shall create a caring, protective and safe environment for all children, to reduce their vulnerability in all situations and to keep them safe at all places, especially public spaces. A safe, secure and protective environment is a precondition
for the realization of all other rights of children. The State shall protect all children from all forms of violence and abuse, harm, neglect, stigma, discrimination, deprivation or any other activity that takes undue advantage of them, harms their personhood or affects their development. To secure the rights of children temporarily or permanently deprived of parental care, the State shall endeavor to ensure family and community-based care arrangements guaranteeing quality standards of care and protection.

The State commits to taking special protection measures to secure the rights and entitlements of children in need of special protection, characterized by their specific social, economic and geo-political situations, including their need for rehabilitation and reintegration. The State shall also promote child friendly jurisprudence, enact progressive legislation, build a preventive and responsive child protection system and promote effective enforcement of punitive legislative and administrative measures against all forms of child abuse and neglect.

4) **Participation**

The State has the primary responsibility to ensure that children are made aware of their rights, and provided with an enabling environment, opportunities and support to develop skills, to form aspirations and express their views in accordance with their age, level of maturity and evolving capacities, so as to enable them to be actively involved in their own development and in all matters concerning and affecting them. The State shall promote and strengthen respect for the views of the child, especially those of the girl child, children with disabilities and of children from minority groups or marginalized communities, within the family; community; schools and institutions; different levels of governance; as well as in judicial and administrative proceedings that concern them. The State shall engage all stakeholders in developing mechanisms for children to share their grievances without fear in all settings; monitor effective implementation of children’s participation through monitorable indicators; develop different models of child participation; and undertake research and documentation of best practices.

5) **Advocacy and Partnerships**

The policy affirms that the State shall encourage the active involvement and collective action of individuals, families, local communities, non-governmental and civil society organisations, media and private sector including government in securing the rights of the child. The State shall also make planned, coordinated and concerted efforts to raise public awareness on child rights and entitlements among the masses. Along with this all stakeholders are to promote the use of rights-based and equity-
focused tools to generate awareness on child rights. This Policy will ensure that children’s best interests and rights are accorded the highest priority in areas of policy, planning, resource allocation, governance, monitoring and evaluation, and children’s voices and views are heard in all matters and actions which impact their lives. The State shall also ensure that service delivery and justice delivery mechanisms and structures are participatory, responsive and child-sensitive, thereby enhancing transparency and ensuring public accountability.

6) **Coordination, Action and Monitoring**

Addressing the rights and needs of children requires programming across different sectors and integrating their impact on the child in a synergistic way. Community and local governance play a significant role in ensuring the child’s optimum development and social integration. The National Policy states that the Ministry of Women and Child Development (MWCD) will be the nodal Ministry for overseeing and coordinating the implementation of this Policy. A National Coordination and Action Group (NCAG) for Children under the Minister in charge of the Ministry of Women and Child Development will monitor the progress with other concerned Ministries as its members. Similar Coordination and Actions Groups will be formed at the State and District level.

The National Commission for Protection of Child Rights and State Commissions for Protection of Child Rights will ensure that the principles of this Policy are respected in all sectors at all levels in formulating laws, policies and programmes affecting children.

7) **Research, Documentation and Capacity Building**

The implementation of this Policy will be supported by a comprehensive and reliable knowledge base on all aspects of the status and condition of children. Establishing such a knowledge base would be enabled through child focused research and documentation, both quantitative as well as qualitative. A continuous process of indicator-based child impact assessment and evaluation will be developed, and assessment and evaluation will be carried out on the situation of children in the country, which will inform policies and programmes for children. Professional and technical competence and capability in all aspects of programming, managing, working and caring for children at all levels in all sectors will be ensured through appropriate selection and well planned capacity development initiatives. All duty bearers working with children will be sensitized and oriented on child rights and held accountable for their acts of omission and commission.
8) **Resource Allocation**

To implement this policy efficiently the State has committed to allocate the required financial, material and human resources, and their efficient and effective use, with transparency and accountability.

**National Commission for Protection of Child Rights**

The National Commission for Protection of Child Rights (NCPCR) was set up in 2007 under the Commission for Protection of Child Rights Act, 2005, an ACT of Parliament (December 2005). The Commission’s Mandate is to ensure that all Laws, Policies, Programs and Administrative Mechanisms are in consonance with the Child Rights perspective as enshrined in the Constitution of India and also the UN Convention on the Rights of the Child. The Child is defined as a person in the 0 to 18 years age group.

The Commission visualizes a right-based perspective flowing into National Policies and Programs, along with nuanced responses at the State, District and Block levels, taking care of specificities and strengths of each region. In order to touch every child, it seeks a deeper penetration to communities and households and expects that the ground experiences gathered at the field are taken into consideration by all the authorities at the higher level. Thus the commission sees an indispensable role for the state, sound institution-building processes, respect for decentralization at the local bodies and community level and larger societal concern for children and their well-being.

**The National Policy on Education 1986**

The National Policy on Education is an extensive document that covers all aspects of education from elementary to university level and even adult education.

In an attempt to remove inequalities in the education system, the policy emphasizes the importance of special programmes for marginalized groups as such women, schedule tribes (STs), schedule castes (SCs), handicapped, etc.

Recognizing the impact of early years to the development of a child the policy makes room for early childhood care and education through the Integrated Child Development Services programme. With regard to elementary education the policy makes three very important commitments: 1. Universal access and enrolment. 2. Universal retention of children up to age 14. 3. A much needed improvement in the quality of education that allows for children to achieve a certain level of learning.
Education will adopt a child-centred approach, hence catering on an individual level to the needs of the child. Corporal punishment is to be firmly excluded from the teaching system. As per Operation Blackboard there should be one teacher per class, and all necessary equipment and teaching materials should be provided for by the programme.

According to the Policy the highest priority is placed on solving the problem of dropouts, and ensuring retention at the school level. The policy states "it shall be ensured that free and compulsory education of satisfactory quality is provided to all children up to 14 years of age before we enter the twenty-first century".

In order to make the education system work the policy outlines four necessary steps: 1. giving the teachers a better deal and more accountability. 2. Improved student services and adherence to certain norms of behavior. 3. Better facilities for instruction. 4. Setting standards for performance evaluation at the national and state level.

**Conclusion**

Child rights and protection are guaranteed in the Constitution of India. Articles 14, 15, 19(1)(a), 21, and 23 include children in their rights to equality, protection from discrimination, freedom of speech and expression, protection of life and liberty, and prohibition of trafficking and forced labour respectively. Some sections of the Constitution also target children specifically. Article 21A calls for free and compulsory education for all children between the ages of 6 and 14. Article 24 prohibits employment of children in hazardous occupations. Finally, Article 39 mandates that state policy aim to prevent citizens from being “forced by economic necessity to enter vocations unsuited to their age or strength” and to protect their health and strength from abuse. It further stipulates that state policy should ensure “that children are given opportunities and facilities to develop in a health manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.” Indeed, the Constitution of India commits the government to the well being, development and protection of all children.

In 1992, India became signatory to the United Nations Convention on the Rights of the Child (CRC), thereby committing to the international definition of child rights and to the realization of those rights for all children in India. As outlined by the CRC, the rights of the child are guided by the principles of non-discrimination and “adherence to the best interest of the child”.

India created legislation, policies, and schemes to ensure the CRC’s list of rights for all children in India. India has made some significant commitments towards ensuring the basic rights of children. There has been progress in overall indicators: infant mortality rates are down, child survival is up, literacy rates have improved and school dropout rates have fallen. But the issue of Child Rights in India is still caught between legal and policy commitments to children.
China, officially the People’s Republic of China (PRC), is a sovereign state located in East Asia. It is the world’s most populous country, with a population of over 1.35 billion. The PRC is a single-party state governed by the Communist Party. China exercises jurisdiction over 22 provinces, 5 autonomous regions, 4 direct-controlled municipalities (Beijing, Tianjin, Shanghai and Chongqing), and two mostly self-governing special administrative region (Hong Kong and Macau). China is a regional power within Asia and has been characterized as a potential superpower by a number of commentators.

China’s population makes up around 19.3% of the world’s population. As a result of the current population of China, it remains the most populous country in the entire world. The population density of China in 2014 is estimated to be about 145 people per square kilometer or 375 people per square mile.

China has introduced economic reforms in 1978; China has become one of the world’s fastest growing major economies. GDP growth averaging about 10% a year has lifted more than 500 million people out of poverty. As of 2013, it is the world’s second-largest economy by both nominal total GDP and purchasing power parity (PPP), and is also the world’s largest exporter and importer of goods.

Yet China remains a developing country (its per capita income is still a fraction of that in advanced countries) and its market reforms are incomplete. With the second largest number of poor in the world after India, poverty reduction remains a fundamental challenge.

Rapid economic ascendance has brought on many challenges as well, including high inequality; rapid urbanization; challenges to environmental sustainability; and external imbalances. China also faces demographic pressures related to an aging population and the internal migration of labor.

Millennium Development Goals (MDG) Status:

Since September 2000, the Government of China has remained committed in its pledge to support the Millennium Development Goals. The MDGs are integrated into China’s development planning; all Millennium Development Goals have been reached or are within reach. Yet in China – as in many other countries – challenges remain despite of sustained
efforts. China still faces challenges in areas such as promoting equal employment, reversing the spread of HIV/AIDS and stopping the loss of environmental resources and biodiversity.

### MDGs and Targets - Overview of progress achieved by China

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<th>GOAL</th>
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| 1    | - China is the first developing country that had achieved the target of halving the poor population ahead of schedule.  
- In the past decade, over 100 million new jobs were created in urban areas. In recent years, an average of more than 11 million new jobs created annually, and the registered unemployment rate in urban areas remained below 4.3 percent. |
| 2    | - By the end of 2000, China had achieved the goals of popularizing nine-year compulsory education and eliminating illiteracy among young people. In 2011, the net enrolment rate of primary-school-age children reached 99.8 percent, accomplishing universal access to primary education ahead of the 2015 deadline. |
| 3    | - China has achieved the target of promoting gender equality and women empowerment by improving women’s educational level and narrowing education gap between men and women.  
- China has notably improved women's health and further lengthened their life expectancy. China has made the basic national policy of gender equality, further improved the social environment for women’s development, and promoted the harmonious development of men and women. |
| 4    | - China has met this target by establishing a basic medical and health care system covering urban and rural women and children, improve the maternal and child health (MCH) services system, ensure equal access of women and children to basic healthcare services, and constantly improve the health of women and children. |
| 5    | - China is likely to achieve this goal by 2015. The maternal mortality rate fell from 1,500 per 100,000 in 1950s to 24.5 per 100,000 in 2012, and the infant mortality rate from 200 per 1,000 to 10.3 per 1,000 during the same period. |
| 6    | - China has moderately achieved this goal and is likely to meet the target by 2015 despite many challenges ahead. |

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2 [http://www.cn.undp.org/content/dam/china/docs/Publications/UNDP-CH-MDGs2013_english.pdf](http://www.cn.undp.org/content/dam/china/docs/Publications/UNDP-CH-MDGs2013_english.pdf)
The Chinese Government has always attached great importance to environmental protection. The country has partially achieved this goal and is likely to meet all the targets by 2015.

As a developing country, China is not bound by the obligation (prescribed by Goal 8) of assisting other developing countries. Nevertheless, China has always regarded strengthening cooperation with other developing countries as a cornerstone of its foreign policy. Since 2000, while being dedicated to achieving the MDGs domestically, China has striven to provide assistance to more than 120 developing countries within the South-South Cooperation framework, so as to help them improve their capacity for independent development to achieve the MDGs.

United Nations Global Compact (UNGC) Status

The United Nations Global Compact was formally introduced to China in 2001. Since its launch, the Global Compact Local Network China has made continuous efforts to develop and advanced its principles. In 2004, China Enterprise Confederation established an office to promote the Global Compact. In 2009, with the introduction of a new policy on network agreement, the Global Compact Office signed an MOU with Beijing Rongzhi CSR Institute to serve as its China network for 2009 and 2010.

In 2011, Global Compact Network China was re-constituted to establish a governance board to better serve all participants in China with a more structured management system. The secretariat of the China network is located at China Enterprise Confederation.

For the last decade, Chinese companies have been engaged in the Global Compact actively and have deepened their participation on many issue areas. In recent years, a large number of both state-owned and private companies have joined the initiative, bringing the total number of Chinese participants to over 300.

Existing CSR Laws, Policies, Guidelines in China

A number of Chinese government agencies and organizations are engaged in the promotion of CSR and work to create and support a positive environment to help enterprises integrate CSR into their own business operations. Government engagement includes the passing of
Chinese Laws and Regulations such as the Corporate Law (effective Jan 2, 2006), which states that an enterprise should take up social responsibility, as well as the Labour Contract Law (2008), the Social Insurance Law (2001), and even the Circular Economic Promotion Law (2009) with its many provisions on the efficient use of resources and environmental production and sustainable development. The following government bodies influence the field of CSR or actively contribute and promote CSR in China:

- Ministry of Commerce (MofCom)
- State-owned Assets Supervision and Administration Commission on the State Council (SASAC)
- Ministry of Industry and Information Technology (MIIT)
- Ministry of Human Resource and Social Security (MoHRSS)
- Ministry of Civil Affairs (MCA)
- Ministry of Environmental Protection (MEP)
- Ministry of Science and Technology (MoST)
- General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ)
- China National Cleaner Production Center (CNCPC)
- Development Research Center of the State Council
- Ministry of Health
- National Development and Reform Commission (NDRC)
- Standardization Administration of China (SAC)
- State Administration of Work Safety (SAWS)

In addition to general activities, government bodies and influential industry associations have developed CSR standards and guidelines, such as:

**Circular Economy (CE) Policy**

As China’s economy has developed rapidly over the past several decades, the country has struggled to figure out how to maintain a healthy environment. The rapid industrialization has engendered serious problems of depletion of natural resources, degradation of major ecosystems and pollution extending far beyond its borders.

The Chinese central government initiated the CE policy as an official development strategy in 2002 (Yuan et al., 2006). Its aims are to relieve environmental degradation and resource scarcity issues due to poor industrial practices. The CE promotion law was officially enacted as legislation and has been in effect since January, 2009. CE is meant to promote continuous economic development without generating significant environmental and resource
challenges. This approach enhances opportunities for organizations to practice CSR so that social (environmental) and economic dimensions will benefit.

The Circular Economy Promotion Law is an extremely broad and potentially far-reaching attempt to direct and shape China's economic development in ways that conserve energy, water and materials, and that protect the environment.

The law is, relatively brief—seven chapters and 58 articles—and leaves many details to be addressed in enabling rules and regulations.

**General Principles**

The stated purposes of the Circular Economy Promotion Law are: to promote development of the "circular economy"; to promote the more efficient use of resources; to protect and improve the environment; and to realize sustainable development. The law uses the term "circular economy" to refer to "reducing, reusing and recycling activities conducted in the process of production, circulation and consumption." This definition has prompted reference to the "three R's": reduce (consumption), reuse (products or components) and recycle (raw materials).

**Reduction, Reuse and Recycling**

- The law's mandates for reduction, reuse and recycling are extremely broad, and encompass virtually every aspect of the Chinese economy. The Circular Economy Promotion Law touches, in principle, upon building demolition, water use in the hotel industry, the use of tap water for road cleaning and planting, the planning of industrial parks, and myriad other topics.
- Specific industries mentioned in the law include architecture and construction; product and packaging design; mining; agriculture; engine and motor vehicle manufacturing; energy production; forestry; and many others.
- In accordance with the Circular Economy Promotion Law, businesses that produce products or packages which are listed in a yet-unpublished catalogue will be required to recycle or reuse specified products or materials.
- The law identifies "key enterprises" in industries (such as steel and coal) that use large amounts of energy or water, saying they are subject to special supervision and administration.
- The law also mandates regular publication of a catalogue listing techniques, materials, equipment and products that are "encouraged," "restricted" and "eliminated." Enterprises are supposed to "give preference" to materials that are recyclable, biodegradable or otherwise environmentally friendly.
- Conservation of water is broadly mandated, as are desalination and the use of seawater in coastal regions. Energy conservation, too, is broadly encouraged, and in some cases (for example, motor vehicle manufacturing) mandated.
The Circular Economy Promotion Law directs governments and government agencies at every level to "take the lead in using energy-saving, water-saving, land-saving, material-saving and environment-friendly" products, equipment and facilities.

**Incentives**

As an incentive to foster development of China's sustainable economy, the Circular Economy Promotion Law directs provincial and municipal governments to establish funds to support development of the circular economy, including funds for research and development of new technology and information products.

- Tax preferences will be given to industries and activities that promote the conservation of energy, water and materials.
- Financial institutions, the law says, shall give priority to loans and businesses promoting the policies outlined in the Circular Economy Promotion Law.
- The state is further directed to establish pricing policies that encourage conservation and the "reasonable" use of resources.
- Other economic incentives include fees for waste disposal and deposits for recycling.
- In procurement and other programs that disburse government money, preference is supposed to be given to products that reflect the priorities contained within the Circular Economy Promotion Law.

**Legal Liability**

- The Circular Economy Promotion Law holds governments and government agencies accountable for enforcement of the law, with higher levels of government being authorized to punish individuals.
- Enterprises that produce or sell prohibited equipment or products can likewise be punished. Enterprises can be assessed fines of RMB 50,000 to RMB 200,000. In the case of "serious" violations, businesses can be shut down.
- Businesses that import prohibited materials or equipment may be fined as much as RMB 1 million, with a minimum fine of RMB 100,000.
- The law also provides for a variety of other fines and the possible revocation of business licenses.
- Where "a crime is constituted," the Circular Economy Promotion Law provides for criminal punishment.

*(China Social Compliance for Textile & Apparel Industry)*

CSC9000T (China Social Compliance 9000 for Textile & Apparel Industry) is a Social Responsibility Management System based on China’s laws and regulations, international conventions and standards, and China’s particular situations.
The CSC9000T system introduced in May 2005 is the first CSR management system developed and maintained by the Chinese industrial sector. The system was developed by the Responsible Supply Chain Association (RSCA) of the China National Textile and Apparel Council (CNTAC) and is the pioneer in the codification and systemization of CSR norms in China.

CSC9000T Social Responsibility Management System covers key elements for business enterprises to effectively manage their social responsibility. The CSC9000T includes both specific requirements and management system requirements on social responsibility. The CSC9000T can be integrated into other management systems to meet the enterprises’ social responsibility and financial objectives, reduce operational risks, and achieve continual improvement. This CSC9000T, like other management system, will not increase or change an enterprise’s legal obligations.

CSC9000T Principles, as the collective Code of Conduct for China textile and apparel industry, include overall requirements for social responsibility management system and enable a business enterprise to establish its social responsibility objectives and targets. The CSC9000T Guidelines, which specify the detailed requirements of the Principles, help a business enterprise establish its Social Responsibility Management System, to meet the commitment to the Code of Conduct. This will improve the business enterprise’s social responsibility management, protect the legal rights and interests of all employees, motivate employees’ development, and consequently enhance the business enterprise’s human resources.

**Guidelines for Chinese SME CSR**

China Center for SME Cooperation Development & Promotion and National SME Council publicized the Guidelines for Chinese SME CSR in Beijing. The Guidelines guided by the relevant bureaus and departments of the Ministry of Industry and Information Technology and coordinated by the China Federation of Industrial Economics.

According to the Guidelines, the efforts of SMEs to perform CSR and build the harmonious and interactive relations with stakeholders are effective ways to improve the brand image, competitiveness and potential for growth. SME’s are the solid cornerstone for China to accelerate the shift of economic development pattern, build the socialist society of harmony and push forward ecological development.

The Guidelines provides four basic strategic ideas about how SMEs should take their advantages and fulfill CSR. However, these ideas are not compulsory and can be selected and applied by SMEs based on their own needs and strong points. At the same time, they are applicable independently or simultaneously with other CSR standards, principles or advocates.
The Guidelines provides a “CSR Self-evaluating Form of Fundamentals of SMEs”, which includes 120 self-evaluating questions (or indicators). The form can be used as the basic reference for SMEs to identify CSR related major risks and challenges and to confirm on tasks in short term.

Since 2014, China Center for SME Cooperation Development & Promotion and National SME Council will, guided and coordinated by China Federation of Industrial Economics, promote and implement the Guidelines in SMEs in China, including the fundamental and special CSR training, compilation and release of CSR report and management and consultancy of CSR.

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CBA Guidelines for Corporate Social Responsibility

The China Banking Association (CBA) issued guidelines on Corporate Social Responsibility (CSR) for Banking Financial Institutions in China in 2009.

The guidelines were formulated in accordance with the People’s Republic of China Company Law, the People’s Republic of China Commercial Banking Law, the People’s Republic of China Banking Supervision Law, and the Article of Associations of the China Banking Association.

Key Elements of the Guidelines

The guidelines elaborate on the fulfillment of corporate social responsibility by the banking financial institutions from three perspectives namely, economic responsibility, social responsibility and environmental responsibility. In addition, the guidelines also make recommendations for management control mechanisms and systems in relation to implementing CSR in financial institutions.

The guidelines are applicable to all banking financial institutions with a corporate status in China. This includes commercial banks, urban credit cooperatives, rural credit cooperatives, and others which are legally established within the People’s Republic of China to take public deposits, as well as policy banks, financial asset management companies, and micro-credit companies. Therefore, this will also include all foreign banks that are incorporated locally.

Besides having strategies to address the various aspects of CSR, all banking financial institutions are encouraged to submit their annual CSR report to the CBA by June of each year. They are also encouraged to have an independent third party assurance, and publicly disclose the status of their CSR implementation through various channels like the media and the internet.
**Guide on Social Responsibility for Chinese International Contractors**

On December 2010, the China International Contractors Association released the first voluntary standard for the overseas social responsibilities of Chinese enterprises – the “Guide on Social Responsibility for Chinese International Contractors”. This Guide aims to establish the framework of social responsibility development for Chinese international contractors and to motivate Chinese enterprises to establish the concept of global responsibility and engage in international project contracting operations in a more responsible manner.

Contents of the Guide include Scope of Application, Definition and Basic Principles of Social Responsibility, Social Responsibility Management and Core Topics of Social Responsibility etc. The Core Topics cover Project Quality and Safety, Employee Rights and Career Development, Client (Owner) Rights, Supply Chain Management, Fair Competition, Environmental Protection, Community Involvement and Development etc. Drawing from the merits of international consensuses such as the United Nations Global Compact and the ISO 26000 International Standard for Social Responsibility, the Guide summarized and adopted the best practices in social responsibility formed in the industry over recent years and identified the common understanding for the social responsibilities of the international project contracting industry. The Guide can be used to guide Chinese international contractors in the establishment of their social responsibility systems, promote social responsibility management, disclose social responsibility information and sustain social responsibility performances.

**CSR Guidelines to the State-owned Enterprise**

Guidelines to the State-owned Enterprises are directly under the Central Government on Fulfilling Corporate Social Responsibilities. These Guidelines are proposed to comprehensively implement the spirit of the 17th CPC National Congress and the Scientific Outlook on Development, and give the impetus to State-Owned Enterprises (SOEs) directly under the central government (referred to as CSOEs hereafter) to earnestly fulfill corporate social responsibilities (CSR), so as to realize coordinated and sustainable development of enterprises, society and environment in all respects.
**Principles**

**Chinese State-Owned Enterprises (CSOEs)** should integrate CSR with their own reform and development, and regard the implementation of CSR as an important content of setting up modern enterprise system and enhancing their competitiveness. By transforming the pattern of growth and achieving sound and rapid development, they should implement CSR according to the practical situation of the country and the circumstances of themselves, highlight key issues and make out concrete plan, so as to strive for a substantial effect in implementing their CSR. In addition, CSOEs ought to give top priority to ensuring work safety, safeguarding the legal interests of employees, promoting career development of employees. These, as measures to build a harmonious relation between the enterprise and its employees, aims to contribute to the China’s undergoing program of building a harmonious society.

**Main Content**

- **Insisting on a legal and honest way in business operation.** The CSOEs are asked to comply with regulations and laws, public ethnics and commercial conventions, and trade rules. They should also fulfill their tax obligations, undertake the interests of investors and creditors, protect intellectual property rights, keep business creditability, oppose improper competition and eradicate corruption in commercial activities.

- **Constantly improving ability of making sustainable profits.** They should improve corporate governance, and advocate scientific and democratic decision-making. They should optimize their development strategy, focus on and strengthen their core businesses, reduce management layers and distribute resources in a reasonable way. Business administration and capability of control and supervision are enforced, such as minimizing operational costs, strengthening risk precaution, increasing investment profit ratio, and enforcing market competitiveness as well.

- **Improve product quality and service.** CSOEs should try to ensure the safety of products and quality of services, update product performance and service system aiming at providing well-qualified products and service to consumers. They should protect consumer interests, properly handle consumer complaints and suggestions and try their best to meet the demand of consumers.

- **Strengthening resource conservation and environment protection.** The large State-own enterprises should take their responsibilities and lead in energy saving and emission reduction. So the enterprises have to upgrade their technology and equipment, and engage in the recycling economy, so as to develop energy-conserving products and improve resource utilization efficiency. They should invest more to
environment protection, rationalize production procedures, try to decrease the pollutant emission with target lower energy consumption and less pollution but higher production efficiency and output.

- **Promoting independent innovation and technological advancement.** CSOEs are required to complete mechanisms of technological innovation, increase investment in research and development so as to enforce independent innovation capability. They should accelerate the development of high and new technologies, especially making new breakthroughs in key technologies of the industry and fundamental research, and the readjustment of traditional industries. They also need to attach more attention to intellectual property rights, and by implementing IP strategy to promote technical innovation, to achieve some core technologies and brands, and foster industry upgrading and restructure.

- **Ensuring production safety.** Responsibility System for Safe Production should be established and more investment in production safety. Serious safety accidents ought be strictly prevented and forbidden. CSOEs should also complete their emergency management system; continuously improve the emergency management and emergency handling capacity. Safe and healthy working conditions and living environment are necessary to ensure the health of employees, prevent any harm of occupational and other diseases to employees.

- **Protecting legal rights of employees.** Employment contract with employees should be signed and respected, adhere to the principle equal pay for equal work, build up the mechanism of salary increasing, and buy social insurance regulated by the government. All employees ought to be respected and treated equally. Any discrimination of gender, nationality, religion and age is prohibited. In addition, enterprises should provide on-duty education and training, as well as equal opportunities of personal development. CSOEs should further their efforts to implement the employee representatives’ convention system, to publicize corporate affairs, and to advance democratic management. Employees’ livelihood should be fully considered, especially to those having difficulties and anxieties.

- **Participating in social public welfare programs.** CSOEs ought to encourage their employees to volunteer for social services, and actively participate in community and social welfare program, such as charity, donations, and giving support to schools, cultural or hygiene activities. Upon the occurrence of major natural disasters and emergency accidents, CSOEs also need to provide financial, material and manpower support.
**Guidance on Social Responsibility for Electronics and Information Industry in China**

The **Guidance on Social Responsibility for Electronics and Information Industry** is formulated to promote the comprehensive, coordinated and sustainable development of the electronics and information industry in China, improve industrial competitiveness and lead electronics and information technology enterprises as well as other relevant organizations to scientifically, continuously and systematically fulfill their responsibilities towards employees, the environment and society.

The Guidance encourages enterprises and relevant organizations to respect human rights; improve people’s livelihood; protect the environment; maintain the market order; establish a fair and reasonable supply chain; improve the internal competitiveness of enterprises and organizations and the international competitiveness of the whole industry; and promote the sustainable development of the industry and society. For this purpose, this guidance document clearly states the major issues and key recommendations to enterprises and relevant organizations in the electronics and information technology industry when fulfilling their social responsibilities in different areas, such as responsibility governance, technological innovation and application, employees’ rights and interests, health and safety, environmental protection, fair operating practices, supply chain management, customer relationships, and community engagement and development.

**Scope of Application**

- This guidance document is a joint understanding and action framework for social responsibility in the electronics and information industry and can be applied by companies, public institutions, social groups and their suppliers and subcontractors.
- Based on Chinese laws and regulations as well as international conventions ratified, signed or acceded to by China, this guidance document also contains certain social responsibility codes of conduct, without adding or changing the legal obligations and responsibilities of the users of this guidance document. The organizations should meet the local applicable laws and regulations under all circumstances. In case of contradiction between the laws and regulations on the one side and this guidance document on the other side, the stricter standards shall prevail.
- This guidance document might not include all aspects related to social responsibility. In addition to these, organizations should apply stricter or more comprehensive social responsibility standards that fit their own capacities and development needs.”
**Taida Environmental Index**

**Taida Environmental Index** is China’s first corporate responsibility index focused on the environment. The Taida Environmental Index has been compiled by 40 listed companies from 10 environment-related industries. Taida Environmental Index is mainly aimed at evaluating listed companies' social responsibilities, which usually means that companies need to give up some short-term benefits and see slow increase of their performance and stock price. However, in the long run, companies with strong social responsibility focuses will be heralded by government and consumers and are likely to gain more opportunities for sustainable development.

**CSR Trends in China**

CSR activities in China involve greater government involvement than similar initiatives in western countries, where CSR strategies are driven mostly by private sector or non-government organizations. In China, state-owned corporations usually have the more comprehensive programs. CSR initiatives include laws and regulations, governmental instructions and guidelines, non-governmental standards and organizations.

Since 2004, CSR has become a prominent issue in Chinese academic and policy forums. Numerous public and private CSR initiatives have emerged in China, and studies show that Chinese firms are increasingly implementing CSR practices and reporting. Between 2004 and 2008, the number of CSR reports released by Chinese companies increased from four to approximately 1302.

International regulatory policy and governments also play a role in Chinese organizations’ adoption of environmentally oriented CSR practices. In 2003, the European Union (EU) adopted two legislative directives, WEEE (waste electric and electronic equipment) and RoHS (Reduction of Hazardous Substances). Any organization with commerce in, or export to, Europe is required to meet the regulatory stipulation set forth by these directives. Supply chain activities require organizations to comply with them as well. Compliance with these regulations helps diffuse environmentally sound practices that are adopted by Chinese suppliers for their products, whether or not the products they are shipping are to be consumed in China or in non-EU countries.
**Education Policy of China**

In China, primary and secondary education takes 12 years to complete, divided into primary, junior secondary and senior secondary stages. Primary education lasts either five or six years with the former accounting for 35 percent of the total enrollment and the latter 65 percent of the total enrollment. At junior secondary stage, most have three years schooling with a tiny part of four years. Almost 98 percent of students are enrolled in the former schools. The nine-year schooling in primary and junior secondary schools pertains to compulsory education. General senior secondary education lasts three years.

**Nine-year compulsory education**

Since the promulgation of the "Compulsory Education Law of the People's Republic of China" in 1986, the nine-year compulsory education has been implemented by governments at various levels and made significant progress.

Chinese government attaches great importance to the universalization of compulsory education in rural, poor and minority areas. In 1987, the former State Education Commission (now the Ministry of Education) and the Ministry of Finance jointly issued the "Opinion on Some Issues Concerning the Reform of Administration of Basic Education in Rural Areas." At present, basic education is provided by the governments at the county, township and administrative villages’ levels with the administrative power assumed by county and township governments and with major decision made by the county governments. Efforts are made to integrate the development of education and the upgrading of quality of labor force with the development of the local economy and the advancement of culture and ethical and living standard of the people. As a result, the development of rural education and local economy has been promoted.

**The Marriage Law**

China has signed and ratified the UN Convention on Rights of the Child, the Optional Protocol to the Convention on Rights of Child on the Sale of Children, Child Prostitution, and
Child Pornography, the Convention on the Elimination of All Forms of Discrimination Against Women, Worst Forms of Child Labor Convention, and the Hague Convention on the Protection of Children and Cooperation in Respect of Inter-country Adoption. However, understanding effective change and legal reform in this area can be difficult, as when it comes to child marriage, abduction, and trafficking, China “continues to conflate trafficking with child abduction for adoption, rendering the full extent of the government's anti-trafficking efforts unclear.”

Current Marriage Law of the People’s Republic of China indicates that complete willingness of both man and woman is the base of marriage, and the couple must go to the civil affairs administration by themselves for registration. The minimum age of marriage is twenty-two for a male and twenty for a female; the Chinese Communist Party enacted the “New Marriage Law” in 1950, which set marriage ages, prohibited forced or compensated matchmaking, and allowed for divorces if one or both parties are willing, after a party mediation session. Marriage Law of the PRC has provisions concerning child custody, domestic abuse, pre-marital cohabitation, and property management.

**Protection of Disabled Children**

China has all along attached great importance to protecting disabled children, making great efforts to create favorable conditions for their survival and development.

**Protection of Disabled Children's Rights and Interests**

The Chinese Government has devoted much attention to guaranteeing the rights and interests of disabled children. Among children aged 14 and under, there are over 9 million disabled, accounting for 2.66 percent of children of the same age group in China. The Chinese Constitution and relevant laws contain clear statements regarding the rights and interests of the disabled, including disabled children. The Law on the Protection of Disabled Persons contains all-inclusive, systematic provisions guaranteeing the legitimate rights and interests of the disabled. It states clearly that the disabled enjoy equal rights with other citizens in all spheres: political, economic, cultural, social and family life; that discrimination, insult and harassment against the disabled are prohibited; that the state should develop disability prevention programs; and that the rights of the disabled to rehabilitation, education, labor, entertainment and welfare should be protected. While all these provisions also apply to disabled children, the law includes specific statements on special protection of disabled children.
In order to protect rights and interests of the disabled and promote their cause, the China Disabled Persons' Federation (CDPF), an organization that represents the disabled, serves their interests and administers the work concerning the disabled, has been established with the approval of the Chinese Government. One of its principal tasks is to protect the lawful rights and interests of disabled children. Also, local disabled persons' federations at the provincial (autonomous regional and municipal), prefectural and county levels have been established to serve the disabled, including disabled children in the region, and administrate their affairs.

**Disability Prevention and Rehabilitation**

Following the policy of putting prevention first, the Chinese Government has adopted a series of measures to prevent children's congenital disability.

China has expended great efforts in strengthening the immunization program and in planned, large-scale replenishment of iodine for children. The Marriage Law, the Law on Health Protection of Mothers and Infants and relevant regulations for preventing congenital disability have been strictly implemented by governments and medical and health institutions at all levels. In order to curb harmful heredity and improve prenatal, birthing and postnatal education and administration, services like premarital check-ups and education, prenatal examinations, heredity consultancy, birthing-process care, mother-baby care and early education have been strengthened.

The Chinese Government has expended great efforts and attained remarkable achievements in helping disabled children recover maximum health and in enhancing their abilities to participate in social life.

Community rehabilitation service systems for disabled children also have been set up. China has fully used the urban-rural three-level network of health services to develop community rehabilitation, helping most disabled children in grassroots areas enjoy basic rehabilitation services. Moreover, under the leadership of local governments at different levels, community rehabilitation leading groups have been founded, consisting of public health departments, civil administration departments, disabled persons' federations and other relevant departments, which coordinate and cooperate with each other to mutually formulate community rehabilitation plans and manage their implementation.

**Education for Disabled Children**

Regarding disabled children's education, the Education Law, the Compulsory Education Law, the Law on the Protection of Disabled Persons and the Regulations for Disabled Persons'
Education clearly and completely state the duties, characteristics, guiding principles of development, channels for running schools and methods of instruction, etc. According to relevant laws and regulations, the education of disabled children is compulsory. After years of efforts, China has formed a compulsory education set-up for disabled children, which takes special-education schools as the backbone and special-education classes attached to, and attendance of individual disabled students in, ordinary schools as the main body. By the end of 1995, China had set up 1,379 special-education schools for the disabled, an increase of 400 percent over 1980; there were also 6,510 special-education classes attached to ordinary schools with 296,000 disabled students (including those attending regular schools), an increase of 800 percent over 1980. In 1995 the national average school enrollment rate of blind, deaf and mentally retarded children reached 60 percent; in the economically developed areas enrollment reached 80 percent.

Social Environment

The Chinese Government has done a great deal of work to mobilize various circles in society to care for, in various manners, the development of disabled children, to greatly encourage the spirit of unceasing self-improvement among disabled children and to advocate the social virtues of unity, friendship and mutual aid. The Chinese media actively reports on the life conditions of disabled children and the work concerning the disabled. Since 1991, the Chinese Government has legally established National Helping-the-Disabled Day on the third Sunday in May every year. Children actively take part in Young Pioneers Helping the Disabled activities while young people enthusiastically participate in Volunteers Helping the Disabled activities. Meantime, the broad masses of people all over the country also widely participate in various activities to help the disabled.

Conclusion

For many years, China has striven to protect children's legitimate rights and interests through legislation, endeavoring to place such protection on a legal and normal footing. In accordance with the actual conditions in China and by reference to relative legislation in other countries, especially to the laws and international documents on the protection of children's rights and interests, China has worked out a series of laws concerning children's survival, protection and development. With the Constitution of the People's Republic of China as the core, these provisions include the Criminal Law, the General Principles of Civil Law, the Marriage Law, the Education Law, the Compulsory Education Law, the Law on the Protection of Disabled Persons, the Law on the Protection of Juveniles, the Law on the Protection of Women's Rights and Interests, the Law on Health Protection of Mothers and
Infants, the Law on the Prevention and Control of Infectious Diseases, and the Law on Adoption, in addition to a great number of other relevant regulations and measures. Hence a fairly complete legal system for the protection of children's rights and interests has been formed.

The Constitution of China specifies: "the state promotes the all-round moral, intellectual and physical development of children and young people," "... child are protected by the state," and "maltreatment of ... children is prohibited." Formulated according to the Constitution, China's relevant laws include comprehensive and systematic provisions on children's right to life, survival and development, as well as basic health and health care. Provisions also address children's family environment and substitution care, education, free time and cultural activities and the special protection of disabled children. It is specified that criminal acts, such as maltreating, abandoning and deliberately killing children, as well as stealing, abducting and trafficking, kidnapping, selling and buying in children, should be severely punished. In addition, China's Constitution, laws and relevant administrative legislation also include comparatively complete provisions on the government's functions, the society's participation, work principles and corresponding legal responsibilities in the protection of children's rights and interests. From these it can be clearly seen that China's legal framework for the protection of children's rights and interests and its social guarantee mechanisms are effective in practice.
Indonesia, officially the Republic of Indonesia is a sovereign state in Southeast Asia and Oceania. Indonesia is an archipelago comprising 13,466 islands. It encompasses 33 provinces and 1 Special Administrative Region with over 238 million people, making it the world’s fourth most populous country.

Indonesia has a mixed economy in which both the private sector and government play significant roles. The country is the largest economy in Southeast Asia and a member of the G-20 major economies. The countries economy is the world’s 16th largest by nominal GDP.

The industry sector is the economy’s largest and accounts for 46.4% of GDP (2012), this is followed by services (38.6%) and agriculture (14.4%). However, since 2012, the service sector has employed more people than other sectors, accounting for 48.9% of the total labor force; this has been followed by agriculture (38.6%) and industry (22.2%). Agriculture, however, had been the country's largest employer for centuries.

According to World Trade Organization data, Indonesia was the 27th biggest exporting country in the world in 2010. The country has extensive natural resources, including crude oil, natural gas, tin, copper, and gold. Indonesia's major imports include machinery and equipment, chemicals, fuels, and foodstuffs. And the country's major export commodities include oil and gas, electrical appliances, plywood, rubber, and textiles.

**Millennium Development Goals (MDG) Status:**

The government of Indonesia coordinated by the Ministry of National Development Planning and the special envoy for the achievement of the MDGs has taken a whole of government approach to coordinate resources and delegate authority to achieve the MDG targets by 2015. The MDGs guided the 2010-2014 National Development plan and the actions of the responsible ministries such as the health, education and environment.

Under the process, Indonesia set multiple national level goals and addresses each of the MDGs and it has made steady progress on most, achieving several of the targets.
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<th>GOAL</th>
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| **1** | - Indonesia has surpassed the goal of having the percentage of the population living on less than $1 per day.  
- Indonesia is on track to meet the targets for reducing the prevalence of underweight children below 5 years of age. |
| **2** | - The net enrollment rates for primary education are on track to achieve the target of 100 percent by 2015. According to Ministry of education and Culture statistics, primary school completion has improved from approximately 62% in 1990 to 94% in 2008. |
| **3** | - Indonesia is on track to achieve its MDG 3 targets for gender equality and empowerment of women. |
| **4** | - Indonesia has made significant progress for MDG 4. The mortality rate of under-five children went down from 97 (1991) to 44 per thousand live births (2007); the infant mortality rate went down from 68 to 34 per thousand births; and the neonatal mortality rate went down from 32 to 19 per thousand births. The proportion of under-1 children that received measles immunization went up from 44.5 percent (1991) to 87.30 percent (2011). |
| **5** | - Indonesia is off track on reducing the maternal mortality rate from 390 maternal deaths per 100,000 live births in 1991 to its goal of 102 by 2015.  
- The proportion of delivery aided by trained health workers has been successfully increased from 40.7 percent (1992) to 81.25 percent (2011). |
| **6** | - Indonesia has have mixed results in meeting MDG 6. No significant progress has been made towards reducing the spread of HIV/AIDS, but it has significantly reduced the incidence of malaria, and reduced the death rate from tuberculosis by more than half since 1990. |

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Achieving a majority of MDG 7 targets for ensuring environmental preservation still require a great deal of work.

- The ratio of actual forest cover to total land area dropped from 59.97 percent in 1990 to 52.52 percent in 2010, while CO2 emission increased from 1.377.983 Gg CO2e (2000) to 1,791,372 GgCO2e (2005). Moreover, the proportion of household with sustainable access to safe drinking water went up from 37.73 percent (1993) to 42.76 percent (2011), while those with proper sanitation increased from 24.81 percent (1993) to 55.60 percent (2011).

Indonesia’s financial and trading systems have become more transparent, regulations-based, predictable, and non-discriminatory. This can be measured from economic transparency indicators which indicate an increase in the export and import ratios to the GDP from 41.6 percent in 1990 to 45 percent in 2011.

- The proportion of people with cellular telephones went up from 14.79 percent in 2004 to 103.90 percent in 2010.

- The proportion of households with Internet access reached only 26.21 percent in 2011 while the proportion of households with personal computers was only 12.30 percent in 2011.

United Nations Global Compact (UNGC) Status

The Global Compact Local Network (GCLN) Indonesia was launched in 2006 in Jakarta. The GCLN Indonesia has more than 160+ signatories comprised of MNCs, National Corporations, SMEs, Universities and CSR/CSO’s.

GCLN Indonesia's vision is “To be a respectable agent of change in accelerating country transformation towards the achievement of human rights, competitive labour, sustainable environment, and ethical business practices.” Its mission is to “Promote, facilitate and implement the UN Global Compact principles in Indonesia”.

GCLN Indonesia performs increasingly important roles in rooting the Global Compact within the country, recruiting new participants through co-organized briefings, seminars, conferences and one-to-one calls. GCLN Indonesia offers opportunities for business networking, promotes the undertaking of collaborative projects, and encourages the sharing of good practice related to corporate responsibility.
CSR in Indonesia is formally recognized by state-owned companies since 1989 when the first time Ministry of Finance of Republic of Indonesia released a policy for state-owned companies to support financially co-operatives, small and medium enterprises in their business operation area. The policy makes a significant change within the state-owned companies’ management because they must allocate particular budget of their profits to be given and distributed to co-operative institutions, small and medium enterprises throughout Indonesia.

The Indonesian Biodiversity Foundation KEHATI offers a mutual fund investment concept, called the Green Fund, to leverage financial support from the business community for ecologically and financially sustainable conservations programmes. In 2009, together with Indonesian Stock Exchange IDX it launched the first South East Asian Country SRI Index to track the performance of Indonesian Corporate Champions in socially and environmentally sustainable business.

Following are the major CSR guidelines and standards in Indonesia:

**Company Liability Act Number 40/2007**

The Act contains a very crucial and critical article particularly **clause 74** regulated CSR as a mandatory for natural resources-based companies. The norm of mandatory CSR in the Act is based on the basis of the Indonesia economic principle which is known as the economy owned by the people. And it was one of the government’s strategies to involve corporate participation on local economic empowerment programs.

The law provides that a company that operates in any business field related to natural resources is required to institute social and environmental responsibility programs, and that sanctions will be imposed on non-compliant firms. The article not only affects natural resource-based companies, such as mining, oil and gas, and plantation firms, as the commentary accompanying the legislation states that other firms that do not exploit natural resources but affect the environment must also conduct CSR programs.

This means that all businesses outside the financial sector may be required to conduct CSR programs.’ In summary, Indonesian company law states that companies with an impact on natural resources must implement CSR which is to be budgeted for as a cost.
After almost five years since the enactment of Law No 40 of 2007 concerning Limited Liability Companies (‘Law 40/2007’), the Indonesian Government has finally enacted the implementing regulation derived from Article 74 of Law 40/2007 which states that companies that manage or utilize natural resources, or that impact natural resources, are required to fulfill social and environmental responsibilities. As an implementing regulation, Government Regulation (GR) No 47 of 2012 concerning Social and Environmental Responsibility of Limited Liability Companies (‘GR 47/2012’) specifically addresses the relevant issues of Corporate Social Responsibility, as generally applicable to Indonesian companies.

Principle Provisions of GR No. 47/2012

Under the GR No. 47/2012, social and environmental responsibility is the obligation of the company that conducts its business activities in the field of and/or related to natural resources, where the obligation is performed within or outside the company. Social and environmental responsibility is carried out by the Board of Directors of the company’s annual work plan after receiving approval from the Board of Commissioners or the General Meeting of Shareholders (“GMS”) in accordance with the articles of association of the company, unless otherwise stipulated in the prevailing laws and regulations. The company’s annual work plan is a plan that includes activities and budget which is required in the implementation of social and environmental responsibility.

The company that is conducting its business activities in the field and/or relating to natural resources, must consider the appropriateness and reasonableness in preparing and setting action plans and budgets referred to in Article 4 paragraph (2) GR No. 47/2012. Budget for the implementation of social and environmental responsibility is carried out by the company and it is calculated as the cost of the company. The implementation of social and environmental responsibilities shall be contained in the Company’s annual report and will be held accountable to the GMS.

The company that is not carrying out social and environmental responsibilities as stipulated in Article 3 GR No. 47/2012 will be penalized in accordance with the provisions of the legislation.

Regulation Number 23 of 2010 for Mining Industry

Under Government Regulation Number 23 of 2010 concerning the implementation of
mineral and coal mining business activity, the concept of CSR is stipulated in Chapter XII about society development and empowerment around the mining license area and the special mining license area. Accordingly, the holder of a mining business license (‘MBL’) and a special mining business license (‘SMBL’) is required to have a development and empowerment program which is funded by the MBL and SMBL budget every year. However, there is no further explanation and/or requirement regarding the budget amount. The holder of a MBL and SMBL is also required to report the plan and estimate the cost of the program implementation annually as well as reporting the realization every six months.

**Upstream Oil and Gas Industry**

The oil and gas industry, especially in the upstream business activity, is required to stipulate the implementation of CSR in the contract. The obligation to implement a CSR program is based on Article 26 of Government Regulation Number 35 of 2004 as amended several times into Government Regulation Number 55 of 2009 concerning upstream business activity in the oil and gas industry which stated that the minimum provision in the contract, which is required to have several points, regards the impact and development of the society and the rights of indigenous societies. Moreover, the company is required to allocate part of its annual budget to develop the environment and society.

**Downstream Oil and Gas Industry**

Under the Ministry of Energy and Natural Resources Regulation Number 0007 of 2005 concerning terms and guidelines of the business license implementation in downstream business activity in the oil and gas industry, every company which engages in the processing, transporting, storage and/or general commerce of downstream business activity is required to ensure health and safety, environmental management and development of society. However, it is still unclear what the requirements are for the company in terms of developing the society. In addition, the amount the company is expected to put aside in its budget to assist with developing the society is not stipulated.

**CSR Trends in Indonesia**

CSR is now on the corporate and political agenda in Indonesia. Though the concept of CSR is not new in the global community, it has only recently emerged as a
popular topic in Indonesia. The government of Indonesia has been proactive in pushing forward the CSR agenda. For example, the Investment Law in Indonesia includes a chapter that stipulates CSR as an obligation for any investors operating in the country. The government has also included CSR in draft legislation on private enterprise, addressing the obligation of private companies to put aside a certain amount of their profit for social and environmental welfare. The draft bill also includes a sanction for companies who do not comply with this requirement.

While government mandates force companies to implement certain CSR practices, this does not mean that companies themselves are not addressing the issue outside of government pressure. Typically, multinational companies (MNC) in Indonesia are largely guided by their respective headquarters when implementing CSR programs. However, their local programs usually consider local needs and context. MNCs are usually geared toward making a real impact on their target beneficiaries, while adopting international methods such as the Global Reporting Initiative (GRI), the Dow Jones Sustainability Index, and SA8000.

Unfortunately, the implementation and understanding of CSR in Indonesia is not maximal. As the result, the application of industry couldn’t reach the bottom of the whole society. Some of CSR practices in Indonesia are not represents the objectives of CSR it’s self. For example, the corporations do as their CSR is only giving money for society to build infrastructure. All they do is giving donation and contribution.

But there are also some corporations which has excellent style of CSR. As their CSR, some corporations often work together with local NGO or stakeholder in environmental conservation project, building society empowerment project in small village, and sometimes conduct scholarship program for poor students.

**Protection of Children’s Rights through Legislation**

Promotion of healthy living

The government guarantees the rights of every child to obtain adequate health care and social security, according to the physical and spiritual needs as guaranteed by the 1945 Constitution and Law No. 39 of 1999 regarding Human Rights. These health services are provided across the country through establishment of health service standards according to a child’s stage of development (baby, infant, school age and teenage); facilitating a child’s development monitoring with the use of “Mother and Child Health book” and “Kartu Menuju Sehat” (Health Record Card); provision of comprehensive child healthcare in
community health centres and referral hospitals; Health Insurance Program for Poor Family specifically for children from poor families; and mobile health services to areas beyond regular health service coverage especially in remote areas.

In term of reducing infant and child mortality, efforts have been done by the government, among which: advocacy and dissemination of health services program; upgrading the knowledge and skills of health workers; community empowerment; cooperation across relevant sectors, professional organizations, and non-governmental organizations; and pregnant Women and Baby Health, Maintenance Program from Pre Natal to Ante Natal care. The government is also actively engaged in reducing child malnutrition by promoting breastfeeding, supplemental food and monitoring children’s growth.

Realizing that clean environment is a necessity to reduce the child mortality rate from dengue fever and avian flu, the government has also developed a public campaign to create awareness to the people on the importance of maintaining a healthy, save and clean environment particularly for children.

There are, however, regional disparity in the percentage shown above, which reflects the different access to health services, particularly in the poor and remote areas. Future priority of the government in this issue is to strengthen the health service system and increase access to health services in poor and remote communities in particular.

**Quality Education**

The Government guarantees the rights of everyone, including children, to their personal development by fulfilling basic needs, getting education and obtaining benefits from science and technology, arts and culture, for the sake of improving living standards and the welfare of humanity as stated in Article 28C (1), of the 1945 Constitution, Article 9 (1) of Law No. 23 of 2002 regarding Child Protection and Article 3 of Law No. 20 of 2003 regarding National Education System and taking into account the National Action Plan for Education for All 2015. The provisions in these Laws concerning the national education system are in line with the Convention on the Rights of the Child, The Dakar Framework for Action: Education for All, Millennium Development Goals, and A World Fit for Children. The National Education System is elaborated in the education program to include early childhood education, primary education, literacy programs, gender equality in education, and education quality improvement.

To ensure the fulfillment of children’s right to education, the Government has set a target of 75 percent of children receiving Early Childhood Education service (PAUD) by 2015 among
others through: kindergarten; raudhatul atfhal (Islamic Kindergarten); playgroups; daycare centers; and other similar early childhood education units (Education for family with under-five year child or BKB, Integrated Health Post (Posyandu), Posyandu PAUD, Al-Qur’an Education Center for Children).

To increase the rate of participation in the early childhood education, emphasis is put in expanding access of early childhood services to all children; improving early childhood education quality by formulating and developing standards for personnel, facilities, infrastructure, curricula and other matters; and developing good governance and accountability in early childhood education provision.

Considering that poverty is the main obstacle for children to obtain basic education, the government also allocated special fund for School Operational Assistance (Bantuan Operasional Sekolah/BOS) and scholarship program. While BOS was designed to reduce and eventually diminish the cost for public/private school, the scholarship was intended to help students from poor family to finish their compulsory basic education.

With regard to eradicating illiteracy, the Government sets a target of a 50 percent reduction of illiteracy among children in the group of 15-year old and under, by 2015 by the issuance of a Joint Ministerial Decree of the Minister of National Education, Minister of Home Affairs, and State Minister for Women’s Empowerment. Challenges in achieving the literacy target are the lack of facilities and infrastructure to reach children without access to education. Therefore, to achieve the literacy target the Government is focusing in expanding services of literacy program and increasing the quality of literacy program through various programs, among which: increasing the capacity and services of core trainers; encouraging universities, the private sector, the public and non-governmental organizations to support literacy programs; and enhancing access to libraries.

To improve the quality of education, the Government has established the National Education Standard based on Article 35 of Law No. 20 of 2003. Thus, the Government is focusing on: improving a standard for and monitoring of education quality through surveys and studies; capacity building of education institutions and organizations; quality improvement of education and teaching process; increasing accredited schools and certified educators; and development and expansion of school libraries and its service system.

Special Protection

The Government guarantees the right of all children to obtain special protection in situations of emergency, among which: economic exploitation and any worst forms of exploitation, including child labor, Children in conflict with law situation, conflict situation and violence. In
term of economic and other forms of exploitation, which include child labor, the government guarantees the right of all children from any exploitation that can endanger the child, disrupt his/her education, his/her physical and moral well-being, his/her social and mental spiritual life. This guarantee is stipulated in Article 64 of Law No. 39 of 1999 regarding Human Rights.

In this regard, the government has prepared a number of programs, which include providing children with good education (formal, non-formal and vocational), provision of health services and counseling for children involved in the worst forms of work; and improving condition of workplace which involved children.

Furthermore, The Government has taken steps to implement the National Action Plan for Eliminating Worst Forms of Child Labor by providing technical guidance, conducting workshops and seminars, as well as planning future research in other provinces and regencies/municipalities.

The government protects children from sexual exploitation through article 59 of Law No. 23 of 2002 regarding Child Protection. And, to this end, the government has launched a National Action Plan for the Eradication of Commercial Sexual Exploitation of Children (RAN-PESKA) to expedite the implementation of Child Protection Law through various steps, namely: protection; prevention; recovery, rehabilitation and reintegration; child participation; and coordination and cooperation.

Law no. 21 of the Eradication of Trafficking in Persons, passed in 2007, and the Presidential Regulation 69 on the Task Force for the Prevention and Handling of Trafficking in Persons are just two of the most recent examples. In particular, the government protects children from sale, trafficking and abduction as stipulated in article 83 of Law no.23/2002 regarding Child Protection.

Regarding children in conflict with law, The Government guarantees the rights of every person to legal recognition, guarantee, protection, and certainty and fair and equal treatment. This guarantee is stipulated in Article 28D (1) of the 1945 Constitution and article 18 and 59 of Law No. 23 of 2002 regarding Child Protection and Law No. 3 of 1997 regarding Juvenile Justice.

In term of children in conflict situation, Indonesia guarantees the rights of children not to be involved in wars, armed conflicts, social unrest, and other events involving violence. This state’s guarantee is stipulated in Law No. 39 of 1999 regarding Human Rights and Article 63 and 87 of Law No. 23 of 2002 regarding Child Protection.

For children in disaster-affected areas, the government, in partnership with some non-governmental organizations, has established a system for registering and tracing separated
children or those seeking to find their families (Family Tracing and Reunification). The system was initially developed in response to the tsunami disaster in Aceh, when the government formed the Family Tracing and Reunification Network.

Concerning violence against children, the government guarantees the right of every child to be protected from violence, discrimination, harassment, and mistreatment under Law No. 39 of 1999 regarding Human Rights, Law No. 23 of 2002 regarding Child Protection and Law No. 23 of 2004 regarding Elimination of Domestic Violence.

Conclusion

Children in Indonesia - as elsewhere around the world - experience violence at home, on the streets, at school and among fellow children. But much of this violence is hidden, or unreported due to the prevailing view that it is part of disciplining the children. It is added with the fact that the rights of children are new norms unknown to public in general that need to be campaigned and socialized continuously. With so many Indonesian children in vulnerable situations, the promotion of welfare and protection of children in Indonesia is a key challenge for the national initiatives.

There are several progresses and achievements of the government of Indonesia in addressing the need to ensure the welfare and protection of children. In global level, the government of Indonesia ratified the UN Convention of the Rights of Children through a Presidential Decree in 1990. As State Party of this Convention as well as part of international community, Indonesia is also committed in developing a “World Fit for Children”. The Ratification itself has inspired the amendment of Article 28B paragraph (2) of the Indonesian Constitution in 2000. This Constitutional Mandate was operationally translated into Law No. 23 of 2002 regarding Child Protection.

In regional level, Indonesia is also actively participated in the promotion and protection of human rights within ASEAN through AICHR (ASEAN Intergovernmental Commission on Human Rights) and ACWC (ASEAN Commission for the Promotion and Protection of the Rights of Women and Children) in particular.

To achieve “A World Fit for Children”, the Government has launched a National Program for Indonesian Children 2015. This program serves as reference for all stakeholders in Indonesia’s child welfare and protection. There are four focus areas in the National Program for Indonesian Children: 1) promotion of healthy living; 2) quality education; 3) special protection; and 4) prevention of HIV/AIDS.
Pakistan is situated in the western part of the Indian subcontinent, with Afghanistan and Iran on the west, India on the east, and the Arabian Sea on the south. Pakistan, officially the Islamic Republic of Pakistan, is a sovereign country with a population exceeding 180 million people. Pakistan is the sixth most populous country and with an area covering 796,095 km (307,374 sq mi), it is the 36th largest country in the world in terms of area. Its 2.03% population growth rate is the highest among the SAARC countries and gives an annual increase of 3.6 million.

Pakistan is a federal parliamentary republic consisting of four provinces and four federal territories. It is an ethnically and linguistically diverse country, with a similar variation in its geography and wildlife. Pakistan has the fourth largest standing armed forces in the world and is also a nuclear power as well as a declared nuclear-weapons state, being the only nation in the Muslim world and the second in South-Asia, to have that status.

Pakistan’s economy is made up of the service sector (50 per cent), industry/manufacturing (25 per cent), and agriculture (25 per cent). Agriculture is the basis of the economy, accounting for up to 24 per cent of total gross domestic product (GDP) and 57 per cent of export earnings, with 44 per cent of the country’s population depending directly or indirectly on agriculture for their livelihood. Pakistan is one of the largest producers of natural commodities, and its labour market is the 10th largest in the world.

Pakistan’s economy is the 26th largest in the world in terms of purchasing power and 45th largest in terms of nominal GDP and is also characterized among the emerging and growth-leading economies of the world.

Millennium Development Goal Status

Pakistan has adopted 16 targets and 41 indicators against which progress towards achieving the Eight Goals of the MDG’s is measured. Time series data available for 33 of these indicators reveal that Pakistan is on track to achieve the targets on 9 indicators, whereas its progress on 24 indicators is off track.
Accelerating Progress in human development remains the key underpinning for sustained economic gains. The Net Enrollment Rates in education have been increasing in Pakistan but still lag behind other South Asian countries. Infant and under five mortality rates represent a similar story. Gender disparities persist in education, health and all economic sectors. Pakistan has one of the lowest female labour force participation rates in the region. Nutrition also remains a significant cross-cutting challenge, as 44% of children under five are stunted. Despite the worrying state of education and health, especially amongst the poor, the resource allocation as a percentage of the GDP remained low. Pakistan is ranked as one of the lowest spenders on education and health in the region (at about 2% of GDP). At the current rate of progress it will be difficult for Pakistan to meet the MDG targets by 2015.

### MDGs and Targets - Overview of progress achieved by Pakistan

<table>
<thead>
<tr>
<th>GOAL</th>
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<tbody>
<tr>
<td>1</td>
<td>ERADICATE EXTREME POVERTY AND HUNGER</td>
</tr>
<tr>
<td>-</td>
<td>Progress on all indicators is lagging. The head count poverty (caloric plus basic needs) in Pakistan, though decreasing from 34% in 2000-01 to 22.3% in 2005-06, is lagging behind the target of 13%.</td>
</tr>
</tbody>
</table>

| 2 | ACHIEVE UNIVERSAL PRIMARY EDUCATION |
| - | Pakistan’s progress has been severely lagging in achieving universal primary education as it is off track in achieving the targets set for 2015 in all three indicators. |

| 3 | PROMOTE GENDER EQUALITY AND EMPOWER WOMEN |
| - | In the MDG area of promoting gender equality and empowering women (MDG 3), Pakistan has achieved one of the highest ratios of women parliamentarians in the South Asia Region. The proportion of women in the national parliament (National Assembly and Senate) stands at 22.2%.
- However, three out of the four indicators related to MDG 3, progress is lagging. These three indicators include the Gender Parity Index (GPI) for youth literacy, secondary and primary education. |

| 4 | REDUCE CHILD MORTALITY |
| - | Pakistan has achieved its target for the proportion of children under five who suffered from diarrhea and is on track to meet its target for the Lady Health Workers’ coverage of target population in 2015.
- Currently, Pakistan stands among the worst performers in child and infant mortality. The number of deaths of children under 1 year of age per 1000 live births is 69 against the target of 40. |

Pakistan will not be able to achieve the Millennium Development Goal (MDG) 5, maternal health, by the targeted year of 2015. The maternal mortality rate (MMR) is 276 per 100,000 live births in the country which needs to be reduced to 140 by 2015. Similarly, contraceptive prevalence rate (CPR) is 30% which needs to be increased to 55% by 2015, while total fertility rate (TFR) is 4.1 live births per woman which need to be reduced to 2.1.

Pakistan has surpassed the target for reducing HIV prevalence among 15-24 year old pregnant women and vulnerable groups. Progress in the proportion of TB cases detected and cured with ORS, an indicator for MDG 6 is on track with Pakistan expected to achieve its target for 2015.

Pakistan has achieved the target of access to improved water resources. Pakistan is on track to meet the target for land protection for the conservation of wildlife as a percentage of total land area, an indicator for MDG 7. There is a lag in equity based indicators of forest cover, proportion of population with access to sanitation and energy efficiency. Attitudes and a lack of awareness about environmental issues as well as gross violation of government regulations pose serious challenges in overcoming this lag.

Targets relating to connectivity have shown remarkable improvement as teledensity of cellular phones reached to 68% while total teledensity, at 72% by March 2013. The total number of broadband subscribers has touched the 2.5 million mark. Total number of telephone subscribers (both fixed line and cellular) was 128.1 million, including 122.1 million subscribing to cellular phones.

**United Nations Global Compact Status**

The Global Compact Pakistan Local Network is an employer-led initiative and was formed in 2005. Through the Local Network, voluntary signatories to the Global Compact interact with each other to enhance their capability to respond to the business challenges arising out of their commitment to embrace the principle of Global Compact.

The Management & Control of the Affairs of the Network rests with the Steering Committee comprising of 25 members as under:
- President
- Two Vice Presidents
- Secretary
- One member from general members
- One member from academia membership
- One representative to be nominated by Co-opted and from FPCCI
- One representative to be nominated by Women Chamber/Trade Bodies
- One representative to be nominated from Pakistan Workers Federation
- One representative to be nominated by Civil Society/Stakeholders

Existing CSR Laws, Policies and Guidelines in Pakistan

There is a low understanding of CSR in Pakistan. The Islamabad based Pakistan Centre for Philanthropy states ‘40% of companies in Pakistan think CSR means paying taxes, 30% believe CSR is contributing to community welfare or donating to organizations for social development purposes, 15% think CSR equates employee welfare, and 10% think CSR means working in areas where the companies interest lie. Only 5% understand CSR means directly implementing social development activities and projects.

**Corporate Social Responsibility Voluntary Guideline**

In order to promote responsible business conduct that supports community growth for public interest, eliminates adverse practices impacting the public sphere and ensures corporate accountability, the Securities and Exchange Commission of Pakistan has issued the Guidelines for Corporate Social Responsibility Voluntary Guidelines, 2013. The Guidelines notified as “CSR Voluntary Guidelines, 2013” after consultation with external stakeholders and general public. The CSR Guidelines are a significant step towards streamlining reporting requirements and corporate accountability of the CSR activities by corporate entities. The Guidelines are being issued in exercise of powers under section 506B of the Companies Ordinance, 1984.

These Guidelines are voluntary in nature and businesses are encouraged to move beyond the recommended minimum provisions articulated in this document. The Guidelines are being published for all companies that have initiated or intend to initiate corporate social responsibility (CSR) activities.

The Guidelines are being published for all companies that have initiated or intend to initiate corporate social responsibility (“CSR”) activities. Further, it is expected that all companies may endeavor to adopt working models that complement the recommended guidelines with a focus on fair, transparent and responsible business practices.
**CSR Governance**

Companies are encouraged to have a CSR policy endorsed by the board of directors of the company, reflecting their understanding and commitment to CSR, thereby ensuring that:

a) CSR policy is incorporated into the vision, code of ethics and business plan/strategy of the company.

b) CSR commitment statement is agreed through meetings/session by Board of Directors CSR definition, business value of CSR, vision and commitment (resources, time, personnel).

c) Output of the CSR commitment is integrated into a board level CSR policy.

d) CSR mandate is executed either through a pre-existing committee or by forming a new CSR committee.

e) Hold education/orientation sessions to ensure that board members have adequate understanding and expertise of CSR for making informed decisions.

f) Include CSR activities as part of agenda of the board meetings and incorporate CSR as part of annual board evaluation.

g) Periodically review operations of the board to identify and implement measures to align the board operations with CSR strategy of the company.

h) Ensure that CSR goals, objectives and targets are incorporated into business plans/strategy.

i) Board members determine CSR risks, opportunities and impact prior to any major business decisions (acquisition, mergers, product variation, capital expenditures).

j) Review and approve CSR related communications to internal and external stakeholders ensuring compliance with relevant reporting framework.

**Consultative Committee**

The Company is expected to adopt a focused approach towards CSR through formation of a CSR Consultative Committee ideally led by a CSR expert. The committee members are expected to have an understanding and experience of implementing CSR activities/projects. The committee may be entrusted to ensure transparent, specialized supervision of CSR activities and periodic reporting to Board of Directors in adoption of CSR policy and reporting its progress.
**Areas of Interest**

CSR policy is expected to clearly determine the priority areas wherein the CSR projects are currently being managed (ongoing projects) and are planned to be initiated (upcoming projects). The areas may broadly cover:

a) Community investment (skill development, livelihood, health, education, infrastructure, social enterprise development, safe drinking water, poverty alleviation, youth development and environment conservation)

b) Governance (human rights, transparency, anti-corruption, business practices, stakeholder relations, responsible marketing)

c) Product responsibility

d) Work life balance

e) Safety (risk management, disaster management)

f) Climate Change

**Allocation of Resources**

The company is expected to earmark specified resources (quantifiable), specific criteria (for e.g. hours of service at partnering agency) or a proportion of their profit (preferably 1-2%) for selected CSR initiatives. The method of allocation of resources or identified criteria must ideally be predetermined, duly endorsed by the board and form part of CSR Policy.

**Disclosure and Reporting**

- Companies are expected to report concise and material information regarding their CSR policy and activities that may be consolidated and reported in the form of a separate CSR Report.
- CSR report may prominently disclose the CSR objectives, working model, implementation status, impact/achievements, risks, opportunities, challenges and working partners. This may also include comparison drawn from previous year.
- CSR reporting is expected to state the goals that the board has planned to set forth for the next year. This may be descriptive narration of the areas of concentration or any specific projects along with brief overview of source of generation of funds for said goals.
- Companies are expected to prominently disclose CSR report (summarized or detailed format). The said reports may be disseminated on its website (if any), annual reports, separate report and other communication media.
Notwithstanding the preparation of CSR Report, the company shall provide descriptive as well as monetary disclosures of the CSR activities undertaken by it during each financial year in line with the requirements of Companies (Corporate Social Responsibility) Order, 2009. This may also include disclosure to the effect of compliance by companies with relevant industry/regulator guidelines or standards.

**CSR Trends in Pakistan**

State of CSR in Pakistan is still in its infancy. Only few companies have an existing CSR strategy and mostly they are the multinationals who follow their own CSR policies and standards. Unfortunately, the local industry is either unaware of the benefits brought by CSR or they feel that even if they do not adopt such policies, they are not in any state of danger. The apathy of the local business sector was highlighted in the 1996 by the breakdown of the local carpet industry and the threat of damage to Sialkot’s sports industry. Labour exploitation, child labour, inadequate employee benefits and unsuitable working environment were few areas pinpointed by the international eye. Though taking the reactive measures, the joint effort of the industrialists saved the greater damage foreseen, but not much has been done to take more proactive measures.

In Pakistan CSR is frequently equated with corporate philanthropy, the terms being often mistakenly used synonymously. Some consider CSR to be a simple compliance with law. This creates a difficulty because top management is still uncertain about the true meanings of CSR. This indicates the need for a mass awareness campaign supported by the government, targeting businessmen, entrepreneurs and customers so that they are able to appreciate CSR and also the general threats of non-compliance in today’s environment. Frequent and open discussion defining and understanding CSR, detailing its nature and promoting and developing methodologies on how local businesses adopt and manage their CSR obligations would be a useful first step.

**Protection of Children’s Rights through Legislation**

- Pakistan ratified the Convention on the Rights of the Child (hereinafter the Convention) on 12 November 1990, making a reservation on interpreting its provisions following the principles of Islamic laws and values. In 1997 Pakistan decided to withdraw its reservation. OMCT warmly welcomes this decision since it marks the intention to unconditionally implement Children’s rights in Pakistan.

- Pakistan is a party to three other international instruments aiming at directly or indirectly improving the rights of the child: the Convention for the Elimination of All


• The Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011 has strengthened protections for women against discrimination and harmful traditional practices. It criminalizes forced marriages, child marriages and other customary practices that are discriminatory towards women. Forced marriage is now punishable with imprisonment of up to 10 years and a fine of PKR 500,000. The law also bans depriving women from inheriting property through any deceitful or illegal means and is punishable with an imprisonment for 5-10 years and fine up to PKR one million. The practice of so-called “Marriage to the Quran” in order to deprive them of their right to inheritance has also been criminalized and carries a sentence of 3 to 7 years.

• The literacy rate in Pakistan is 58 percent. It is higher in urban areas than in rural areas. There is also a disparity between men and women and between the provinces. Efforts are being made to remove this disparity and to increase emphasis on education. With the passage of the 18th Amendment to the Constitution, right to free and compulsory education is now recognized as a fundamental right. In July 2012, the Parliament passed a bill to provide free and compulsory education to all children, aged between five and 16 years, in Islamabad. The aim of this is to start a national tradition for providing free education to all children. “Every child regardless of sex, nationality or race shall have the fundamental right to free and compulsory education in a neighborhood school.” It provides that both boys and girls of migrants, including non-Pakistani families should benefit from attending schools.

• Trafficking in women and children is an issue of serious concern to the Government of Pakistan. The framework for protection of persons from trafficking is provided by the Prevention and Control of Human Trafficking Ordinance (PACHTO) 2002. The Ordinance prohibits all forms of transnational trafficking in persons and prescribes imprisonment ranging from 7 to 14 years for those responsible. Federal Investigation Agency (FIA) has established anti-trafficking units to protect potential or actual
victims of trafficking and investigate and prosecute suspected human trafficking crimes. The law enforcement agencies coordinate with civil society organizations, lawyers, prosecutors, community leaders and the media to raise general awareness on the laws relating to trafficking in human beings, in providing relief to victims of trafficking and in establishing shelters for them.

- A National Commission for Child Welfare and Development (NCCWD) is tasked with assessment and promotion of child rights in Pakistan. It oversees, monitors and facilitates implementation of the Convention of the Rights of the Child and other international and regional legal instruments on child rights. It works closely with provinces, which have the prime responsibility to legislate and take measures for child protection.

- In 2010, Khyber-Pakhtunkhwa passed the Child Protection and Welfare Act 2010. Under this Act, a Child Protection and Welfare Commission has been set-up. The Commission reviews provincial laws and regulations affecting the status and rights of children and proposes new laws; implements policies for protection, rehabilitation and reintegration of children at risk; monitors implementation and violation of laws relating to child protection including prevention of child labour, sexual abuse and exploitation, prostitution, pornography and trafficking. The law also provides for Child Protection Courts to address cases of child welfare.

In addition to the recent legislative measures, a number of administrative steps have been taken for protection of child rights:

- The federal and the provincial governments have developed a Child Protection Management Information System (CPMIS). CPMIS is a national monitoring system to collect district-level data on five areas of child protection, namely juvenile justice, child trafficking, sexual exploitation, violence against children and family environment/alternative care. The objective is to assess the situation of child rights in the country and make informed policy decisions.

- A National Child Protection Centre (NCPC), set-up in 2007, provides temporary shelters to child victims of violence and homeless, street and runaway children. It also provides psychological counseling and social legal and medical assistance and helps in rehabilitation, reunification and reintegration of these children. It has a National Child Protection Helpline & National Child Protection Network with stakeholders throughout the country.

- Children Complaints Offices have been established in the secretariats of Federal and Provincial Ombudspersons to address the concerns and complaints regarding child protection in schools, residential institutions and public services.
In March 2011, Punjab established a Child Protection and Welfare Bureau to protect and rehabilitate destitute and neglected children by providing them opportunities for education and personal development.
Bangladesh, officially the People’s Republic of Bangladesh is a country in South Asia, located on the fertile Bengal delta. The border of modern Bangladesh took shape during the partition of Bengal and British India in 1947, when the region became the eastern wing of the newly formed state of Pakistan.

Due to political exclusion, ethnic and linguistic discrimination and economic neglect by the political dominant western wing, a combination of popular agitation, nationalism and civil disobedience led to the Bangladesh Liberation War in 1971 which resulted in the separation and Independence of the region from Pakistan and the formation of an independent Bangladesh. After independence, the new state proclaimed a secular multiparty democracy.

Bangladesh is a parliamentary republic with an elected parliament called the Jatiyo Sangshad. With a population of more than 160 million people in a territory of 56,977 sq mi, Bangladesh is the world’s eighth most populous country.

According to the United Nations in 2010, the country is making major strides in human development, including significant progress in the areas of gender equity, universal primary education, and women empowerment, reducing population growth, food production, health and renewable energy. The poverty rate has declined considerably since independence and per capita income has doubled from 1975 levels.

The economy of Bangladesh is a rapidly developing market-based economy. Its per capita income in 2012 was estimated to be US$2,100. According to the International Monetary Fund, Bangladesh ranked as the 44th largest economy in the world in 2012 in PPP terms and 57th largest in nominal terms, among the Next Eleven or N-11 of Goldman Sachs and D-8 economies, with a gross domestic product of US$306 billion in PPP terms and US$153.6 billion in nominal terms. The economy has grown at the rate of 6-7% per annum over the past few years. The economy comprises of a number of Small and Medium Enterprises that make up for 25% of the nation’s Gross Domestic Product (GDP). The Country’s GDP divided into Agriculture 18.7%, Industry 28.7% and Services 52.6%. The garment industry of the country remains the strongest root of its economy, with 76% contribution in its foreign exchange. Bangladesh is a pioneer and founding member of SAARC. It is the world’s largest contributor to United Nations peacekeeping operations.
Bangladesh has already met several targets of MDGs like reducing poverty gap ratio, attaining gender parity at primary and secondary education, under-five mortality rate reduction, containing HIV infection with access to antiretroviral drugs, children under five sleeping under insecticide treated bed nets, detection and cure rate of TB under DOTs and others.

### MDGs and Targets - Overview of progress achieved by Bangladesh

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<tr>
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<tbody>
<tr>
<td>1</td>
<td><strong>ERADICATE EXTREME POVERTY AND HUNGER</strong></td>
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<tr>
<td>-</td>
<td>MDG target of halving the population living below the poverty line (from 56.7 percent to 29.0 percent) has already been achieved in 2012</td>
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<tr>
<td>-</td>
<td>The incidence of poverty has declined at an annual rate of 2.47 percent in Bangladesh during 1992-2010 against the MDG target of 2.12 percent.</td>
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<tr>
<td>2</td>
<td><strong>ACHIEVE UNIVERSAL PRIMARY EDUCATION</strong></td>
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<td>-</td>
<td>Significant progress has been made in increasing equitable access in education.</td>
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<tr>
<td>-</td>
<td>Bangladesh has already achieved gender parity in primary and secondary enrolment</td>
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<td>-</td>
<td>Initiatives have been taken to introduce pre-school education to prepare the children for formal schooling.</td>
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<tr>
<td>3</td>
<td><strong>PROMOTE GENDER EQUALITY AND EMPOWER WOMEN</strong></td>
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<tr>
<td>-</td>
<td>Bangladesh has already achieved the target of eliminating gender disparity in primary and secondary education.</td>
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<tr>
<td>-</td>
<td>There has been steady improvement in the social and political empowerment scenario of women in Bangladesh.</td>
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<tr>
<td>4</td>
<td><strong>REDUCE CHILD MORTALITY</strong></td>
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<tr>
<td>-</td>
<td>Bangladesh has already met the target of reducing under-five mortality rate: against the target of achieving 48 per 1,000 live births in 2015, it has already achieved 44 per 1,000 live births in 2011.</td>
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<tr>
<td>-</td>
<td>The target of reducing the infant mortality rate is also on track. The successful programs for immunization, control of diseases and Vitamin A supplementation are considered to be the most significant contributors to the decline in child and infant deaths.</td>
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<tr>
<td>5</td>
<td><strong>IMPROVE MATERNAL HEALTH</strong></td>
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<tr>
<td>-</td>
<td>There has been a steady decline in the maternal mortality ratio in Bangladesh. According to Bangladesh Maternal Mortality Survey (BMMS), maternal mortality declined from 322 in 2001 to 194 in 2010, a 40 percent decline in nine years.</td>
</tr>
</tbody>
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5 [http://www.bd.undp.org/content/bangladesh/en/home/library/mdg/publication_1/](http://www.bd.undp.org/content/bangladesh/en/home/library/mdg/publication_1/)
- Bangladesh has performed well in halting communicable diseases. Data shows that the prevalence of HIV/AIDS in Bangladesh currently is less than 0.1 percent and thus is still below an epidemic level.
- There has been a significant improvement in the reduction of malarial deaths.
- Bangladesh has already achieved the MDG targets of tuberculosis case detection and cure rates.

- Data shows that 98.2 percent of the population of Bangladesh is using improved drinking water source; 63.6 percent of population is using improved sanitation in 2011. However, access to safe water for all is a challenge, as arsenic and salinity intrusion as a consequence of climate change fall out will exacerbate availability of safe water especially for the poor.

- ICT has expanded considerably and a sizable amount of the population uses cell phones and has access to the internet.
- Youth employment rate is low given the economic progress in the last decade.

### United Nations global Compact Status

The Global Compact Local Network was launched in Bangladesh in January 2009. Since its launch the Global Compact Network Bangladesh has been working to build awareness on Global Compact Principles and the issues of Corporate Social Responsibility (CSR) not only among the signatories but also among the leading business houses and companies doing business in Bangladesh. At present, CSR Centre is the principal promoters of the UNGC and its principles among the Bangladeshi signatories. There are 50 members active now in UNGCLN and the number is growing. These organizations are committed to follow the UNGC principles in the business agenda.

### Existing Laws, Policies and Guidelines in Bangladesh

Concepts of Corporate Social Responsibility (CSR) and its practice in Bangladesh have a long history of philanthropic activities. Most businesses in Bangladesh are family owned and first generation ones. They are involved in community development work in the form of charity without having any definite policy regarding the expenses.
Moreover, most of the small and medium enterprises fall under the informal sector having low management structure and resources to address the social and environmental issues. These limitations drive the top management of local companies to think only about profit maximization rather than doing responsible business.

There were no explicit policies on CSR in Bangladesh prior to 2008. In 2008, Bangladesh Bank (BB) took initiatives for formalizing CSR in the banking sector of Bangladesh and issued a detailed directive for Banks and Financial Institutions in Bangladesh.

**Mainstreaming Corporate Social Responsibility (CSR) in Banks and Financial Institutions in Bangladesh**

Bangladesh Bank has taken initiatives in respect of formalizing CSR in the banking sector of Bangladesh and issued a directive to the banks and, financial institutions on June 01, 2008. The directive states the strategic objective for CSR engagement, priority areas to promote CSR in client businesses, and the first-ever CSR program indicating some likely action plans.

The priority areas as indicated by BB in the field of CSR include self-employment, financial inclusion, and SME credits designed to create productive new 0n-farm/off-farm employment, financing of biomass processing plants, solar panels, waste recycling plants, effluent treatment plants, relief and credit programs to the people affected in natural calamities, credit programs for diversified production of crops, financing programs to promote domestic tourism and markets in cultural products/events.

All the commercial banks are asked to formulate their own CSR Policy with the annual outlay for CSR programs and include the CSR programs in their mainstream banking activities instead of short-term social works like providing grants, aids and donations. And in a recent circular BB asked all the banks to spend at least 30% of their CSR expenditure for education.

BB has been providing various incentives encouraging environment-friendly practices by both the banks and their counter parties. BB offers different refinance facilities at bank rate against loans for agriculture, SME (small and medium enterprises), renewable energy and effluent treatment projects. BB offered Tk 2.0 billion (200 crores) refinance line in FY 2010 against bank loans for investments in solar energy, biogas plants, ETP, and energy efficient kilns. BB introduced another new refinance facility of Tk 5.0 billion (500 crores) through the state-owned banks to capacitate jute sector with an expectation that this sector would revive and act as a substitute to polythene. Besides, CSR practicing banks will enjoy some incentives in the form of preferential treatments like giving points to compliant banks on management component while deciding on its CAMELS (capital, asset, management, earning, liquidity and sensitivity) rating; naming top ten banks for their overall performances.
in CSR; and taking CSR activities into account in giving permission to open new branches. The incentives offered by the Government of Bangladesh to stimulate CSR activities include: 10 per cent tax exemption for business firms on their actual CSR expenditure in 22 sectors; tax exemption for poor farmers on income from deposit balance up to Tk 100 thousand (one lakh) on their '10 Taka Farmer Account'; providing 6 per cent interest subsidy for banks against their concessional lending to pulse/spice growers, corn/ oil seed harvesters, salt cultivators, etc through BB.

**CSR Trends in Bangladesh**

CSR is still emerging as a way of doing business in Bangladesh. Many companies still view CSR as philanthropy. Others are investing in the community in sustainable ways but view it as natural extension of the traditional practice of giving back to local communities rather than the new ways of doing business. The global CSR movement is influencing change within the private sector in Bangladesh. Companies are beginning to integrate responsible business practices into their core operations and strategies, focusing on sustainable projects and measuring performance against the triple bottom line: People, Profit and Planet.

Philanthropy remains the most common way in which CSR is practiced in Bangladesh. For companies practicing Responsible Business in Bangladesh, CSR is about meeting the needs of the community by creating opportunities for employment and education, improving standards of living and providing healthcare services.

Although CSR means different things to different companies, the common perception that CSR means philanthropy in Bangladesh is slowly changing.

**Protection of Children’s Rights through Legislation**

*National Children Policy 2011*

The Government of Bangladesh has undertaken different action plan and programs to ensure facilities and amenities like alleviation of poverty, nutrition, health care services, safe shelter and sewerage for the larger segment of the children. Different programs are in operation to ensure the rehabilitation of the hardcore poor and uprooted children, mitigation of the child labour in phases, prohibition of exploitation children in political purposes, and appropriate opportunities of education and recreation for physical and mental development of the children.
In 2006 the UN Charter concerning the rights of the disabled has ensured the enjoyment of fundamental and human rights of the disabled children equally with other children. The Government of Bangladesh has signed and ratified this charter. The charter has laid emphasis on the protection of the interests of the disabled children vis-à-vis those of all other children in the Charter. One of the objectives of this charter has been to eliminate child abuse and in particular all forms of discrimination and abuse of girl child and ensuring their safety.

The global changes taking place, new and often arising needs and, in view of the recommendations of the UNCRC committee the government of Bangladesh has developed a modern and timely National Children Policy by updating the National Children Policy adopted in 1994.

**Major Elements of the National Children Policy 2011**

- Ensuring child rights in the light of the constitution of Bangladesh, Children Act and International Charters/Conventions.
- Poverty alleviation of the children
- Elimination of all forms of child abuse and discrimination
- Elimination of all forms of abuse and discrimination of girl child.
- Participation of the children and accepting their views into consideration in overall protection and in the best interest of the children.
- Specific planning and undertaking programs for implementing child rights.

**Comprehensive Law to Protect Child Rights**

In 2013, the cabinet has approved the draft of the Child Bill, Keeping provisions of various measures to uphold children’s rights. The law has been proposed to ensure development and flourishing of children, establishing and preserving their rights and striking their welfare.

The proposed legal instrument aims to develop policies and programmes with regard to child protection, their poverty and social exclusion and discrimination against them. It defines ‘child’ as of up to 18 years of age and violence against children will be punishable with five years' jail term or Tk 100,000 fine. The same penalty is proposed for forcing children into begging and leading them to go astray. Maximum three years' jail or Tk 100,000 lakh fine has been proposed for supplying arms or drugs to children. Under the proposed law, Child Welfare Boards will be constituted both at national and local levels and there will be 'child desks' at every police station under the supervision of a sub-inspector. Besides, separate child courts will be constituted in district and metropolitan areas. The law, having as many as 100 clauses, befits the UN Convention on the Rights of Children (CRC) and has been prepared aiming at ensuring their development, health, and their rights and welfare.
A new National Education Policy was announced by the government of Bangladesh in June 2010. It had the potential of initiating a process of much needed reform in the educational system of the country. The distinctive features of this education policy are as follows:

- The policy seeks to bring all students of the country, irrespective of their religions, genders, and physical limitations, socio-economic and geographic locations under one system.
- One-year pre-primary education for children over five years old would be introduced.
- Compulsory primary education extended up to class-VIII from class-V and secondary education to class-XII with uniform curriculum and syllabus will be followed in general, madrasa and vocational levels.
- Free education up to class-VIII from the previous class-V in phases at government and government-funded institutions.
- The policy is non-communal but there will be compulsory subjects on religion and ethics for students up to class-VIII. The policy dropped the word “secular” from its draft to make it acceptable to all segments of the society.
- Information and Communication Technology (ICT) and Bangladesh Studies have been introduced to primary and secondary levels.
- At the higher-level studies, duration of all degree courses has been made four years instead of the previous three years.
- The policy says technical education institutions would be established in every upazila and the number of educational institutions on polytechnic, textile and leather will be increased.
- Teachers will be given more facilities alongside more and modern training, the policy said. Steps would be taken to frame an integrated education law and form a permanent education commission.
- Every School will have a mandatory library equipped with necessary books
- More scholarships for the poor
- No physical punishments
- Provision for of lunch for the students of primary level of the schools located in rural area and backward areas as strategy to hold back drop out problem.
- Facilities for the disabled
The National Skills Development Policy in Bangladesh aims to guide skill development strategies and facilitate improved coordination of all elements of skills training and the parties involved. The policy provides the vision and direction for skills development as its sets out the major commitments and key reforms that government will implement in partnership with industry, workers and civil society.

The policy addresses a number of issues including: provision of demand-driven, flexible and responsive training provision; nationally recognized qualifications; competency based training; quality assurance; accurate skills and labour market data; and competent TVET instructors and managers. Other elements in the policy are strengthened apprenticeships; recognition of prior learning; improved access for under-privileged groups; private training provision; industry training; TVET financing; and skills development for overseas employment.

The policy articulates recommendation for giving the entire responsibility of supervising every issues concerning child labour to the Ministry of Labour and Employment as a focal

Different laws of the country have given the definition of child differently but till now a clear definition of the terms ‘child labour’ or ‘child labourers’ is not found anywhere. In these circumstances, the age based definitions of child and adolescents as given in the Bangladesh Labour Act, 2006 are followed in every discussion relating to child labour. According to the definition, work performed by a child will be considered as child labour but the term ‘child labourer’ should not be used here rather he/she may be termed as a child engaged in labour.

The policy advocates a friendly world for the children engaged in work and provides a standard framework concerning education, health, working environment, specific working conditions, recreation, treatment, and security, social awareness building for managing and reducing risks of child abuse by employers.
Ministry. A Child Labour Unit is also suggested to be made for co-ordinating all the activities that are mentioned in the Policy of 2010. Furthermore, the policy points out that a National Child Labour Welfare Council can also be created by the experts in child labour studies whose duty will be to observe the circumstances of child labour at national and international level with a view of suggesting to the government.

*Bangladesh Labour Act, 2006:*

The most remarkable legislation in the country for regulating child labour is the Bangladesh Labour Act, 2006, which includes a chapter on child labour. In the earlier laws, the term “child” was used to mean a person who had not completed 16 years of age and the term “young person” was used to mean and include both the child and adolescent. Under the earlier law, even a child could have obtained a fitness certificate to get a job in a factory. But here, child means a person who has completed his or her fourteen years of age and adolescent means the person who has completed sixteen years and has not completed eighteen years of age. The present law specifically prohibits employment of children and makes a provision for fitness certificates for the adolescent only. But a child, who has completed twelve years of age, may be employed in such light work as not to endanger his health and development or interfere with his education. Provided that the hours of work of such child, where he is school going, shall be so arranged that they do not interfere with his school attendance (as per section 44). However, the Act of 2006 does not provide a strong enforcement mechanism for the child labour provisions. Additionally, the vast majority of children work in the informal sector which makes enforcement of the relevant legislation challenging.

*Bangladesh Labor Law (Amendment) 2013*

Bangladesh government approved the new labour law with considerable amendments to boost worker rights, including the freedom to form trade unions, and improving occupational health and safety condition at the industries. The legislation puts in place provisions including a central fund to improve living standards of workers, a requirement for 5 percent of annual profits to be deposited in employee welfare funds and an assurance that union members will not be transferred to another factory of the same owner after labour unrest. The bill was passed keeping the provisions of allowing trade unionism in factories, ensuring safety measures for workers at their workplace, introducing compulsory group insurance and stopping children to be involved in hazardous works. To make the law time-befitting, a total of 87 sections of the 2006 labour law, first of its kind in the country, have been amended.
**Child Act 2013**

The Child Bill 2013, passed on June 16, 2013 by the National Parliament, was published through a gazette notification on June 20. The new act is harmonized with the United Nations Convention on the Rights of the Child (CRC) and has referred to the CRC in the preamble and replaced the Child Act 1974. The act has a provision for child victims and witnesses cementing legal instruments for their protection, including compensation for victims. It also includes the provision for Child Help Desks in the police stations and a designated skilled child-friendly officer.

**The Children (Pledging of Labour) Act, 1933:**

Under this Act, a person under the age of 15 years is treated as a child. This Act prohibits the making of an agreement to pledge the labour of children in return of consideration and if the conditions under which the agreement is made are such as to be detrimental to the child, the Act makes the agreement void. But this Act is ambiguous with regard to children who are employed without such agreements. In fact, this Act forbids parents or any person from compelling children to work.

**The Employment of Children Act, 1938:**

This Act applies only to those occupations that relate to transport of passengers, handling of goods and processing work. A child is defined in this Act as a person under the age of 15 years and this Act prevents them from working in the transport of passengers and handling of goods by road, railway or any sea port. This Act makes concessions with regard to children up to the age of 17 years employing in the aforesaid activities but in this case one condition is that the periods of work have to be fixed in such a way as to allow intervals for rest of at least 12 consecutive hours including at least seven consecutive hours between 7 pm and 7 am. Again this Act astonishingly permits children below the age of 12 years to engage in processing activities and for this purpose identifies the workshops where children of this age group may work. Furthermore, children over the age of 15 years and under the age of 18 years are allowed to work under the fixed working hours which the Act specifies.

**The Mines Act, 1923:**

The Act restricts the employment of children in a mine or any part thereof which is underground. A child is defined in this Act as a person who has not completed his fifteenth
year. But a person of 17 years or above may be employed in a mine provided that they are granted a certificate attesting to their fitness. Besides, the hours of work for such persons must be so fixed as to allow an interval of rest of at least 12 consecutive hours including at least seven consecutive hours between 7 pm and 7 am.

**Bangladesh National Labor Policy 2012**

An outline of bringing coordination among the government, owners and workers and ensuring financial rights, dignity welfare and health of laborers has been made through the policy. The policy aims at ensuring just wages, welfare, healthcare, social security and share in productivity and profit for the workers, provide assistance to expatriate workers, maintaining information database on labour markets and dispute resolution.

**National Occupational Safety and Health Policy, 2013**

The Government of Bangladesh adopted of a National Occupational Safety and Health Policy in November 2013 as part of its response to the commitments made in the National Action Plan on Fire and Building Safety in July 2013. This is a Pro-Active step by the Government of Bangladesh to spread awareness and vigilance at the factory level to ensure safety and reduce risk of fatal and costly accidents.

**Conclusion**

Different policies of the country have defined children differently according to the different labour sectors, though the National Child Labour Elimination Policy 2010 has made the age of child labour specific. In fact, the above provisions of different Acts do not prohibit child labour rather inserts provisions for the employment of children. The reason behind this may be that if child labour is absolutely forbidden, that will severely affect children and their families who depend on the income of children and children may be involved with more exploitative informal activities (which do not come under the purview of the above Acts) than now. So child labour cannot be eliminated from the society totally just now. That’s why steps should be taken at first to decrease it gradually. In this case the laws regarding child labour should be more child-friendly.
In today’s dynamic world with global information and knowledge sharing communication systems the realm of social responsibility whether in private sector, public sector or within development stakeholders in any nation of the world is crucial for enhancing the need for sustainable development. More than ever before CSR or what is known as “Corporate Social Responsibility” is the path towards responsible business practices which emphasize on the three “Ps” — People, Planet and Profit. CSR is linked to the core business strategy of any company taking into account economic, social and environmental norms by “achieving good by doing good”. By implementing good CSR practices businesses can avert risk and create a “win-win” situation for all its stakeholders. The United Nations (UN) through the UN Global Compact which is the largest CSR platform globally has introduced the Child Rights and Business Principles (CRBP) to specifically promote child rights across the globe.

It may be asked why a National CSR Policy for Children is needed in Bangladesh? In a developing country like Bangladesh of over 57 million children, about 26 million children live below the national poverty line and have hardly any access to most of the basic needs services of nutrition, education, health, clean water, shelter, etc. Although it is a well known fact that many NGOs and INGOs are working in partnership with one another to tackle the situation at both district level and national level with the help of relevant ministries yet the private sector which contributes to the nation’s wealth and resources generating massive employment opportunities has been left out from the equation. In recent years more and more companies prefer to engage in long term strategic development partnerships which before were more ad hoc and religiously motivated. As the CSR agenda spreads both internationally and nationally companies are realizing the benefits from implementing proper CSR initiatives — those which are linked to its core business to develop clientele and customer base and develop a positive branding of its products and services so as to derive public acceptability and appreciation. It is pertinent that the various stakeholders including private sector come forward to address and resolve the challenges faced by the most vulnerable and disadvantaged children who are the future leaders of Bangladesh.

In light of this the need for a National CSR Policy for Children in Bangladesh will create an opportunity for both private sector and development partners to engage in a comprehensive strategy to promote children’s’ basic needs and safeguard them from harm induced through human rights violations. A National CSR Policy for Children can guide business to support initiatives in health, education and creating an enabling environment for the next generation by eliminating child labour, providing capacity building opportunities to youth through training and apprenticeships for learning the trade and gaining technical knowledge. It will provide a comprehensive framework for business in supporting children’s rights and proactively safeguarding children’s interest so they may enjoy the benefits of whether these children are from the formal or informal sectors and place significant emphasis on those children who are disadvantaged and vulnerable due to poverty, specially challenged or ethnicity. Development partners can team up with relevant companies to create

**Recommendations**

In today’s dynamic world with global information and knowledge sharing communication systems the realm of social responsibility whether in private sector, public sector or within development stakeholders in any nation of the world is crucial for enhancing the need for sustainable development. More than ever before CSR or what is known as “Corporate Social Responsibility” is the path towards responsible business practices which emphasize on the three “Ps” — People, Planet and Profit. CSR is linked to the core business strategy of any company taking into account economic, social and environmental norms by “achieving good by doing good”. By implementing good CSR practices businesses can avert risk and create a “win-win” situation for all its stakeholders. The United Nations (UN) through the UN Global Compact which is the largest CSR platform globally has introduced the Child Rights and Business Principles (CRBP) to specifically promote child rights across the globe.

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sustainable impact through joint collaboration. Such a Policy will promote ways to safeguard children’s rights in Bangladesh and build a brighter future!
Conclusion

The five Asian countries included in this research study – basically China, Indonesia, India, Pakistan and Bangladesh have shown that CSR is slowly becoming a critical agenda for businesses and the governments.

Although some nations are ahead of the game than others each of these nations are trying to engage and implement on a national CSR plan of action. In this region China is moving far ahead than others as the country has a large export-oriented market. Its export to countries in the North have attributed to the growing need for CSR to be incorporated into its national strategies for both public and private sector investments and growth initiatives.

Countries such as Indonesia and India have realized the role CSR can play in complementing and enhancing socio-economic growth by businesses explicating engaging in social investments and community led growth patterns whereas these are linked to their core business strategies of companies and brings forth a “win-win” approach for all concerned stakeholders and leads to sustainable and accountable profits for the companies concerned.

In the case of Pakistan although CSR in its right sense is not widespread as yet, the state has developed its latest voluntary guideline at a national level which requires a period of time to see proper implementation.

In Bangladesh already the need for CSR is seen positively by the majority of stakeholders but there still needs to be more sensitization on the “correct CSR driven approaches“ as many still believe philanthropic intentions synonymous to CSR.

In most of these five countries very little information or action has been taken on the CSR and children’s rights issues. There is a space of opportunity to link CSR to those issues which are vital for children’s well-being in the society or community. Private sector can be tapped on to augment the positioning and situation of children in all sectors of a nation.

With the state actors realizing that without proper CSR policies or guidelines the country will not be able to gain outreach to global markets and create a positive sustainable development plan which will contribute positively to the needs and welfare of all citizens of a country inclusive of children.

It is imperative that a CSR National Guideline is the need of today.
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