



# Convention on the Rights of the Child

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Committee on the Rights of the Child

## Consideration of reports submitted by States parties under article 44 of the Convention

Fifth periodic report of States parties due in 2012

**Pakistan**\* \*\*

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\* The present document is being issued without formal editing.

\*\* Annexes can be consulted in the files of the secretariat.

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## Abbreviations

ADP	Annual Development Plan
AJK	Azad Jammu and Kashmir
ASRHR	Adolescent Sexual and Reproductive Health & Rights
ATU	Anti Trafficking Unit
ISP	Income Support Programme
CADD	Capital Administration and Development Division
CCO	Children Complaint Office
CCT	Conditional Cash Transfer
CII	Council of Islamic Ideology
CJCC	Criminal Justice Coordination Committee
CPIs	Child Protection Institutions
CPI	Community Physical Infrastructure
CPMIS	Child Protection Management Information System
CPP	Child Protection Policy
CPUs	Child Protection Units
CPWA	Child Protection and Welfare Act
CPWB	Child Protection and Welfare Bureau
CPWC	Child Protection and Welfare Commission
CRIN	Child Rights Information Network
CRM	Child Rights Movement
CSOs	Civil Society Organizations
DFID	Department for International Development
ECA	Employment of Children Act
ECE	Early Children Education
EFA	Education for All
EmONC	Emergency Obstetric and Newborn Care
EOBI	Employees' Old Age Benefit Institution
EPI	Expanded Programme on Immunization
ERRA	Earthquake Reconstruction and Rehabilitation Authority
ESR	Education Sector Reforms
EVS	Education Voucher Scheme
FAO	Food and Agriculture Organization of the United Nations
FATA	Federally Administered Tribal Areas

FCR	Frontier Crimes Regulation
FIA	Federal Investigation Agency
FLL	Fixed Local Loop
FM	Frequency Modulation
GB	Gilgit Baltistan
GDP	Gross Domestic Product
GJPP	Gender Justice and Protection Project
GoP	Government of Pakistan
GWA	Guardians and Wards Act
ICT	Islamabad Capital Territory
ILO	International Labour Organization
INGOs	International non-governmental organizations
JJS	Juvenile Justice System
JJSO	Juvenile Justice System Ordinance
JJWG	Juvenile Justice Working Group
KP	Khyber Pakhtunkhwa
LHRLA	Lawyers for Human Rights and Legal Aid
LHWs	Lady Health Workers
LJCP	Law and Justice Commission of Pakistan
MDG	Millennium Development Goals
MNCH	Maternal and Newborn and Child Health
MoHR	Ministry of Human Rights
MoSWSE	Ministry of Social Welfare and Special Education
NADRA	National Database and Registration Authority
NCCWD	National Commission for Child Welfare and Development
NCHR	National Commission for Human Rights
NCPC	National Child Protection Center
NCPP	National Child Protection Policy
NCRC	National Commission on the Rights of the Child
NCRCL	National Centres for Rehabilitation of Child Labour
NCSW	National Commission on the Status of Women
NEP	National Education Policy
NFBE	Non Formal Basic Education
NFC	National Finance Commission
NGOs	Non-Government Organizations
NJP	National Judicial Policy

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NNS	National Nutrition Survey
NPA	National Plan of Action
PBM	Pakistan Bait ul Maal
PCCWD	Provincial Commissions for Child Welfare and Development
PDNCA	Punjab Destitute and Neglected Children Act
PESRP	Punjab Education Sector Reform Programme
PFRC	Parliamentary Forum on Child Rights
PHC	Primary Health Care
PHWA	Protection against Harassment of Women at Workplace Act
PPC	Pakistan Penal Code
PSDP	Public Sector Development Programme
PTA	Parents Teachers Association
RAHA	Refugee Affected and Hosting Areas Project
RHIA	Reproductive Health Initiative for Adolescent
SACHET	Society for the Advancement of Community, Health, Education and Training
SAIEVAC	South Asia Initiative to End Violence Against Children
SCA	Sindh Children Act
SCPA	Sindh Child Protection Authority
SCPAA	Sindh Child Protection Authority Act
SDF	Special Development Fund
SJA	Sindh Judicial Academy
SMC	School Management Committee
SWD	Social Welfare Department
UNDP	United Nation Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
WHO	World Health Organization
WWF	Workers Welfare Fund

## I. Introduction

1. This is the fifth periodic report of Pakistan following submission of the initial State report (CRC/C/3/Add.13), second report (CRC/C/Q/PAK/2) and the consolidated third and fourth periodic reports (CRC/C/PAK/3-4) considered by the Committee on the Rights of the Child (the Committee). The report has been prepared in accordance with article 44 (1) (b) of the United Nations Convention on the Rights of the Child. The report covers the period from January 2008 to March 2013 and has been prepared in accordance with the revised treaty-specific guidelines regarding periodic reports, issued by the Committee in November 2010 (CRC/C/58/Rev.2 and Corr.1). A statistical annexure has also been attached as per the revised guidelines.

2. The information contained in this report has been gathered through different participatory methods including feedback from the National Steering Committee (NSC) of the National Commission for Child Welfare and Development (NCCWD), and a series of consultations at national and provincial levels with concerned government officials, members of civil society organizations, and United Nations and other international agencies. Special consultations were also held with children forums and parents. The report also relies upon desk reviews of laws, policies, research reports, assessments, annual reports, and surveys.

3. As specified in article 44 (3) of the Convention, the present report does not include basic information provided earlier, rather it focuses on the information and updates on progress and challenges in administrative, legal and institutional spheres since the previous report. It includes various initiatives taken by the Government in collaboration with the United Nations agencies and civil society organizations (CSOs). Since the ratification of the Convention in 1990, the Government of Pakistan (GoP) has been persistently implementing a range of measures to improve the situation of children in Pakistan that includes, but is not limited to, amendment to existing legislation, introduction of new laws, allocation of additional funds, establishment of institutions and support to pro-child systems and mechanisms.

4. As per the projection for 2011, there are an estimated 177.1 million people in Pakistan. Of the total, around 91.59 million are male and 85.51 million are female.<sup>1</sup> The population of children and adolescents, ages 0 to 19, is estimated to be around 82.05 million, which is projected to increase to 84 million in 2015, and 86 million in 2020. From 1998 to 2010, an additional 28 million children and adolescents have been added to the total existing population. These projections highlight the strain which will be put on the country's resources. Therefore, GoP is making utmost efforts to pursue population stabilization strategies with a view to overcoming resource constraints.<sup>2</sup>

5. In order to assess Pakistan's legislative compliance with the Convention, reviews have taken place from time to time. The most recent review was conducted by the Children Complaint Office (CCO) in 2012, which revealed that Pakistan needs to introduce more legislative reforms. In the light of these reviews, the GoP is in the process of introducing more reforms, which are given in the report.

6. The most significant development in respect to law making since the last periodic report has been the passage of the 18th Constitutional Amendment to the Constitution of Pakistan in 2010. Consequent to the 18th Amendment, the subject of the child in terms of legislative and administrative competence as well as financial authority has been devolved

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<sup>1</sup> Pakistan Bureau of Statistics.

<sup>2</sup> Pakistan Economic Survey 2010–2011: Government of Pakistan.

to the provinces. The Federal Government therefore can now legislate on child related issues only in relation to Federal territories and those areas not forming part of a province. However, under Article 142 of the Constitution, legislative competence in relation to criminal law, procedure and evidence, still lies concurrently with the Federal Parliament and Provincial Assemblies. Legislation affecting the child and child rights in these areas, therefore can and is still being made through Federal law. Owing to this significant change, this report has also been structured to reflect Federal as well as Provincial measures (where appropriate), under each cluster.

7. The 18th Amendment brought many challenges for the Government, especially in the provinces, to understand their roles and responsibilities in this changed scenario. It took time for provinces to understand their newly assigned roles and responsibilities. However, provinces soon realized the mechanics and implications of the 18th Amendment and as a result a number of legislative and administrative measures have been taken by the provincial assemblies and provincial governments such as the Khyber Pakhtunkhwa (KP) Child Protection and Welfare Act (CPWA), 2010, establishment of the KP Child Protection and Welfare Commission (CPWC), the Sindh Child Protection Authority Act (SCPAA) 2011, and the Punjab Employment of Children Act (ECA) to name a few. The federal government has also adopted legislation in the area of education and protection of the child such as the Islamabad Capital Territory (ICT) Free and Compulsory Education Act 2012, amendment to the Frontier Crimes Regulation (FCR) 2011, the Acid Control and Acid Crime Prevention Act 2012, the Protection against Harassment at the Workplace Act (PHWA) 2010 and the National Commission for Human Rights Act, 2012.

8. In addition, in the last five years Pakistan has ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2011), the International Covenant on Economic, Social and Cultural Rights (2008), the International Covenant on Civil and Political Rights (2010), the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (2010), and the Convention on the Rights of Persons with Disabilities (2011). In the light of Pakistan's international obligations, the ongoing legislation shall provide a more conducive environment for the protection of rights of children in the country.

9. The National Education Policy (NEP) 2009, National Judicial Policy (NJP) 2009, National Plan of Action (NPA) to Combat Human Trafficking and National Plan of Action for Children 2006 are also some of the initiatives in the recent past that have helped bring child rights into the mainstream.

10. One of the most significant initiatives to help ensure the rights of the children by addressing extreme poverty is the Income Support Programme (ISP). The program is helping and providing cash assistance, among other programs, to children and their parents. Through ISP, financial support is being provided to families for vocational trainings, small enterprises and education of children. BISP has identified over 7 million recipient families across Pakistan living in extreme poverty and has disbursed more than Rs. 130 billion to its recipients up until May 2012.

11. In addition to the 18th Amendment to the Constitution, the list of challenges also includes international economic recession and resultant fuel and food crisis; Pakistan's participation and role in the war against terrorism badly affected budgetary allocations and implementation of development programs in the affected areas; recurring natural disasters (2008, 2010, 2011 and 2012) and the ongoing energy crisis. As a result, persistent low economic growth has squeezed the space for increased allocations for critical service delivery projects and programs. For example, 2011 was disastrous for polio as over 200 cases were registered during this time alone. Polio workers and Lady Health Workers (LHWs) were targeted in Karachi, Peshawar and other parts of Pakistan resulting in the

deaths of nine workers. Nevertheless, LHWs have continued working in polio-prone regions while the Government has put in place additional security measures.

12. Given Pakistan's challenges and limitations, achieving the Millennium Development Goals (MDGs) and Education for All (EFA) goals and targets have not been fully possible. However, it has achieved a number of milestones which include increased allocation of funds for education and health. Overall Pakistan's education budget has registered an increase since 2009. It was Rs 312 billion in 2009–2010, and Rs 375 billion in 2010–2011. After the devolution, the provincial allocations for education have also increased considerably.

13. Full realization of children's rights in accordance with the Convention requires significant resources. Taking cognizance of this, the Government has declared 2013 as the Year of Child Rights in which massive awareness raising programs will be undertaken with the view to create awareness in the society. The Government also appointed a Commissioner for Children for child rights protection in 2013.

## **II. General measures of implementation (arts. 4, 42 and 44, para. 6) (Committee's concluding observations on the combined third and fourth periodic reports of Pakistan (CRC/C/PAK/CO/3-4), para. 7)**

14. This report exhibits significant progress in the implementation of the Committee's previous recommendations. Through insertion of Article 25A in the Constitution of Pakistan, education has now become a constitutional right and it is the obligation of the State to provide free education to all children between 5 and 16 years of age. The age of the child therefore has been increased from 14 to 16 years for purposes of education. This will also indirectly help in setting the minimum age for employment. In 2011, amendments in the FCR have banned arrest of children below 16 under the collective responsibility clause.

15. The NCCWD and the Parliamentary Forum on Child Rights (PFCR) have worked closely with CSOs for organizing numerous programmes police, prison and judicial academies have also made child rights a regular feature of their trainings. All relevant departments in collaboration with CSOs are taking initiatives to eliminate violence against children. With the support from non-governmental organizations (NGOs), international non-governmental organizations (INGOs), International Labour Organization (ILO) and other United Nations agencies, the Government has launched initiatives to curb worst forms of child labour through family integrated programmes in various districts of Pakistan.

16. In 2006, the NCCWD<sup>3</sup> launched the second NPA for Children to monitor progress of various national level programmes in the field of health, education, child protection and child rights governance, but with the devolution of the Ministry of Social Welfare and Special Education (MoSWSE), Ministry of Health and the Ministry of Education, the monitoring of some of the programmes has been shifted to provinces.

### **Legislation (CRC/C/PAK/CO/3-4, paras. 8–9)**

17. After the 18th Constitutional Amendment, the NCCWD has been consulting with and advocating for the establishment of an independent National Commission on the Rights of the Child (NCRC) for effective monitoring of all national and provincial programmes.

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<sup>3</sup> Then it used to fall under the MoSWSE.



With an independent status, the NCRC will ensure effective monitoring of national programmes which will directly or indirectly benefit children. In this regard, the establishment of the NCRC was announced by the Prime Minister of Pakistan in 2012. Pursuant to this announcement, a series of provincial and national consultations were held and a draft bill has been finalized which would be presented in the parliament soon. Besides, the newly elected Government is fully committed to strengthen child protection through legislation.

18. As mentioned earlier, under the 18th Amendment (2010), the Right to Education from 5 to 16 years of age (art. 25-A) has been inserted in the Constitution. In this regard, on 18th December 2012, the president gave assent to the Right to Free and Compulsory Education Act 2012 for children between five to sixteen years for the Islamabad Capital Territory (ICT). The Act aims to provide free and compulsory education as a fundamental right to every child regardless of sex, nationality or race. Subsequently, the provinces have to pass similar laws to give effect to this right within provincial territories.

19. In 2011, the Parliament passed the Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011 which outlined punishments for anti-social practices like forced marriages, *Wanni*, *Swara* or *Budla-i-Sulh*, wherein women and girls are traded to settle personal, family or tribal disputes. The offences covered by the Act are non-bailable and non-compoundable.

20. In 2012, the Parliament passed the Acid Control and Acid Crime Prevention Act 2012. It increases the punishment for offenders up to life imprisonment, not less than 14 years and makes it mandatory for the offender to pay a fine of Rs. 1 million to the victim for disabling, disfiguring or defacing any person by throwing corrosive substances at them. The offences covered by the Act are non-bailable and non-compoundable. In 2009, the Law and Justice Commission of Pakistan (LJCP) introduced the NJP. One of the main objectives of the policy is speedy disposal of juvenile offenders' cases.

21. The National Education Policy (NEP) 2009 addresses issues of quality and number of schools and colleges, achieving universal primary education, improved Early Children Education (ECE), improved facilities in primary schools, converting primary schools to elementary schools, detaching classes XI–XII from college education, adopting a comprehensive definition of “free” education, achieving regional and gender parity especially at elementary level, and providing demand based skills, and an increase in the share of resources for education in both public and private sectors.

22. In 2010, KP promulgated the Child Protection and Welfare Act (CPWA), 2010, which provides mechanisms at local and provincial levels for the welfare and protection of children at risk. It is based on the principle of the best interest of the child. In 2011, KP also promulgated the KP Borstal Institutions Act (BIA) under which separate detention places will be established for juvenile convicts for their basic education, and training for their mental, moral and psychological development.

23. Sindh has promulgated the Sindh Child Protection Authority Act (SCPAA), 2011, through which an authority has been constituted which will monitor and ensure implementation of the child protection related provisions under the Convention in the province. The law seeks to establish district level child protection institutions. In 2011, the Remand Home Rules were also notified by the Government of Sindh. The Remand Home is a temporary custody place for child inmates where they are being provided care, protection, and treatment.

24. In 2013, the Sindh Assembly passed the Sindh Right of Children to Free and Compulsory Education Act 2013. In 2013, Balochistan had also promulgated the Balochistan Compulsory and Free Education Ordinance 2013. In Punjab, a bill on the Right to Free and Compulsory Education has been drafted which shall be tabled soon.

### Proposed legislation

25. The Child Protection (Criminal Law Amendment) Bill, 2009 had been approved by the previous Cabinet and sent to the Parliamentary Affairs Division for its introduction in the Parliament. The Bill proposes insertion of new sections in the Pakistan Penal Code (PPC) to criminalize the exposing of children to sexually explicit material, child pornography, cruelty to children, human trafficking within Pakistan and sexual abuse. It also proposes to raise the minimum age of criminal responsibility from 7 to 12 years.

26. The Christian marriage (Amendment) Bill 2012 proposes various changes to bring it in accordance with the recent developments. It suggests registration of marriage as the responsibility of the State and solemnizing of the church. Moreover, other discriminatory clauses against women have been proposed to be deleted. Age of marriage for both male and female has been proposed to be 18 years. The Human Rights Division also has drafted Christian Divorce (Amendment) Bill 2012 which proposes other grounds for both male and female and removes discriminatory clauses against women. In addition, it has drafted the Hindu Marriage Registration Bill, which proposes mechanisms for the Hindu marriages and proposes 18 years age for marriage.

27. After deliberations by the parliamentarians in the Standing Committee on Human Rights, the Charter of Child Rights Bill, 2009, has been withdrawn and its framework has been inserted into the NCRC Bill 2013.

28. In Balochistan, the draft Balochistan Borstal Institutions Bill, 2011, is with the Home Department of Balochistan for processing. The Labour Directorates in Sindh and KP have proposed amendments in the Employment of Children Act (ECA), 1991, banning child labour under 14 years of age in all occupations and processes. The Social Welfare Department (SWD) in Balochistan has drafted the CPW Bill 2012, which has been vetted by the Law Department and submitted to the Cabinet for its approval before it could be tabled in the provincial assembly.

29. The KP *Zakat* and *Usher* Bill 2011 is with the Provincial Assembly KP under which *Zakat* Fund will be created to assist the needy, poor, orphans, women, widows, children and persons with disabilities for their subsistence or rehabilitation, either directly or indirectly through *deeni madaris* (religious schools) or educational, vocational or social institutions, public hospitals, charitable institutions and other institutions providing health care.

### (CRC/C/PAK/CO/3-4, paras. 10–11)

30. The GoP is making every effort to frame laws and policies in accordance with provisions of the Convention. The Federal Government has promulgated Anti Women Practices (Criminal law Amendment) Act, 2011, which includes prohibition of traditional practices against girl child. KP CPWA and the SCPAA are in conformity with the Convention, in which a child is defined as a person below 18 years of age in accordance with the Convention definition given in art. 1. These laws use “the best interest of child” as a basic principle in taking actions for and against children.

31. In 2011, the Frontier Crimes Regulation (FCR) was amended. The FCR (1901), introduced by the British colonial rulers, operated on the principle of collective responsibility, whereby a family or tribe was held responsible for crimes of individuals. As a result of the amendment, the police authorities are barred from arresting and detaining children below 16 years of age for offences committed by a family member or tribe in FATA.

32. In 2011, the Juvenile Justice Working Group (JJWG) headed by the Secretary LJCP has reviewed the Juvenile Justice System Ordinance (JJSO) 2000 in light of articles 7, 39 and 40 and the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules, 1985), the Committee's general comment No. 10 (2007) on children's right in juvenile justice and other Juvenile Justice related treaties. The JJWG has proposed amendments in the JJSO for bringing it into conformity with the Convention and other United Nations treaties.

### **Coordination (CRC/C/PAK/CO/3-4, para. 13)**

33. After the devolution, the NCCWD has been placed within the Ministry of Law, Justice and Human Rights. The Human Rights Division has provincial directorates in all provinces. These directorates coordinate with the provincial governments and ensure implementation of child rights. The Provincial Commissions for Child Welfare & Development (PCCWD) and CCO also liaise and coordinate with NCCWD for child rights.

34. In KP, the CPWC is coordinating with civil society organizations (CSOs) for establishing the task force for the amendment in the Child Marriage Restraint Act 1929. It has also been closely coordinating with the Education Department for reviewing the Primary Compulsory Education Act 1996 and its implementation. In addition, the Commission has developed close coordination with the police department and the CPWA has been included in the training course at the Police Training College, Hangu. Hundreds of police officials are receiving training at this college.

35. The Punjab Ombudsmen's CCO has appointed focal persons for developing a better liaison with line departments, improved coordination for an effective complaint registration and a mechanism for redressing such complaints; developing a strategy for creating awareness & advocacy and strengthening joint efforts for the welfare of children.

36. The Criminal Justice Coordination Committees (CJCC) works at district level: the JJSO is the permanent agenda of many of the CJCCs in which all stakeholders in the criminal justice system review the state of children who face legal proceedings.

### **National Plan of Action (CRC/C/PAK/CO/3-4, paras. 14–15)**

37. The NPA for children required multi-ministerial interventions both at the Federal and Provincial level. The NCCWD, through its NCA Cell, facilitated the implementation process of the NPA as per the objectives of the project. The programs/activities envisaged under the NPA are carried out by the relevant Ministries/Departments, funded by the Government's Public Sector Development Programme (PSDP) for a period of ten years, from 2005–2006 till 2015–2016. In this regard, the NCCWD organized three consultation workshops, one each in Quetta, Karachi and Islamabad covering all the four provinces. The outcome of these workshops suggested district-based implementation mechanisms. Therefore, a district level sensitization programme was developed for facilitation of relevant implementing agencies in district Mardan, Abbottabad, Swabi, Peshawar, Chitral, Sargodha, Faisalabad, Multan, Muzaffarabad, Sukkur, Hyderabad, Karachi, and Quetta.

38. The workshops aimed to build the capacity of the district level implementing agencies including Health, Education, Social Welfare, Police, Prison Authorities, Labour, Planning Departments and the CSOs. Close coordination was made with the provincial Social Welfare Department for the organization of these workshops, wherein the District

Commission for Child Welfare and Development (DCCWD) were activated to provide a platform for the Implementation of NPA. The DCCWDs have proved to be instrumental in the implementation of NPA as well as the Convention. The NCCWD has distributed the NPA to all the relevant departments across the country, all the main libraries, and civil society organizations. Capacity of the relevant stakeholders has been built for implementation of the NPA.

39. Moreover, after the devolution the reporting requirements are being met in coordination with the provincial departments. During the period under review, the Standing Committee on Social Welfare continuously monitored and reviewed implementation of the Convention, including the Committee's concluding observations, with the provinces till 2010. After 2010 (post devolution), the National Assembly and Senate Standing Committees on Human Rights have taken on the responsibilities of the Standing Committee on Social Welfare.

### **Independent monitoring (CRC/C/PAK/CO/3-4, para. 17)**

40. **The Ministry of Law, Justice and Human Rights:** The NCCWD placed under the Human Rights Division (erstwhile Ministry of Human Rights of Ministry of Law, Justice and Human Rights) has mandate to monitor, review and coordinate for the implementation of the Convention. At provincial level, PCCWDs as well as the provincial Social Welfare Departments (SWDs) are the main actors which have the mandate to monitor progress on the implementation of the Convention and its Optional Protocols.

41. **The Standing Committees on Human Rights:** The National Assembly and the Senate have Standing Committees on Human Rights that provide oversight on public policy, monitor the human and child rights situation in the country, receive complaints on child rights violations, conduct inquiries, hold hearings and make recommendations.

42. **Human Rights Cell at the Supreme Court of Pakistan and District and Sessions Judges:** The Human Rights Cell at the Supreme Court of Pakistan has taken notice of a number of child rights violations which includes missing persons, kidnapping, murder, rape, honour killing, *vani*, child marriages, torture, inhumane treatment, harassment, and acid attacks, amongst other complaints. The Cell works under the direct supervision of the Chief Justice of the Supreme Court of Pakistan. Cases warranting urgent relief and/or constituting a pattern of human rights violations are taken up by the Court under its *suo motu* powers. The cell thus provides expeditious and inexpensive remedy to the citizens without going through traditional protracted litigation processes. Similar cells/mechanisms also exist in provincial High Courts which function accordingly. Under the NJP, it is mandatory for the District and Session Judges to monitor detention places and provide redress to juveniles/prisoners.

43. **The National Commission for Human Rights (NCHR):** In 2012, Pakistan enacted a new law for creating an independent NCHR which will monitor the general human rights as well as child rights situation in the country; inquire into complaints of human rights violations; visit places of detention; review laws, recommend new legislation or suggest amendments; and develop a national plan of action for promotion and protection of human rights.

44. **The National Commission on the Status of Women (NCSW):** The NCSW was set up in 2000 under a Presidential Ordinance to examine policies, programs and other measures taken by the Government for women's development and equality. Its main function is to review laws, rules and regulations that affect the status of women and monitor mechanisms and institutional procedures to redress violations of women's rights and

individual grievances. In March 2012, the NCSW Bill was signed into law by the President to strengthen the Commission and make it autonomous. NCSW has the powers of a civil court for enforcing the attendance of any person and compelling the production of documents during its proceedings.

45. **The Sindh Child Protection Authority:** In Sindh, under the SCPAA, an 11-member Sindh Child Protection Authority (SCPA) has been set up to coordinate and monitor child protection issues at provincial and district levels. The Authority is working for establishing an institutional mechanism for child protection and setting minimum protection and standards for all institutions relating to children, including educational institutions, orphanages, shelter homes, child parks and hospitals, and ensure implementation.

46. **The KP Child Protection and Welfare Commission:** Under the KP CPWA 2010, a CPWC has been established which 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.

47. **Federal and Provincial Ombudsmen and CCOs:** The institution of the Federal Ombudsman is an independent statutory body with a mandate to provide relief to complainants and redress their grievances against government departments. Under the offices of the Ombudsmen at federal and provincial levels, the CCOs have been established at Federal and Provincial levels. These CCOs address the concerns and complaints regarding child protection in schools, residential institutions and public services.

48. The CCO in Punjab has placed complaint boxes at public and private schools in Lahore, Sargodha, Multan, Rawalpindi, Faisalabad, Gujranwala, Mianwali, Kasur, Muzafargrah, Chakwal, Shakar Garh (Ikhlaspur), Katas Raj, Essa Khel, Bhalwal and Khushaab for children to put their complaints against teachers, parents and others. In May 2013, the Federal Ombudsman has appointed a Commissioner for Children, who shall focus on individual complaints, *suo moto* cases to address child rights violation, carry out advocacy and awareness raising on child rights with the public, civil society and media.

49. **Punjab Health Care Commission:** Punjab has set up the Health Care Commission under the Health Care Commission Act 2010 which has the mandate to regulate public, private and non-governmental healthcare establishments at tertiary, secondary and primary levels. The Commission aims to improve the quality of health service delivery and health outcomes.

### **Allocation of resources (CRC/C/PAK/CO/3-4, para. 19)**

50. In 2010, the 7th National Finance Commission (NFC) Award and the 18th Constitutional Amendments delegated administrative and legal powers as well as financial resources to the provinces, resulting in an increase in health and education budgets by the provincial governments.

51. Despite facing several resource challenges Pakistan has increased its health budget. In 2011–12, the total health sector budget was Rs. 55.1 billion, which was 0.27 per cent of gross domestic product (GDP). In 2010–11, the health budget was Rs 42 billion, which was 0.23 per cent of GDP. With the devolution of the subject of health to provinces, the provincial governments have increased health budgets noticeably and programmes have been introduced to improve healthcare access at local level (discussed separately under provincial initiatives).

52. In 2008–09, ISP was launched with the biggest allocation in the total federal budget at 0.3 per cent of the GDP for 2008–09, which has covered about 15 per cent of the total population, which constitutes 40 per cent of the population below the poverty line. Although different schemes have been initiated under this programme, the main scheme provides Rs. 1,000 monthly subsidy to poor families. In the last two years, BISP has conducted a nationwide poverty survey covering over one million households. In order to create synergies and inter-linkages in the social sector, a National Socio-Economic Registry (NSER) has been introduced to improve the system for seeking beneficiaries.

53. Over three years, from 2010–11 to 2012–13, the federal education expenditure showed a significant increase. In 2010–11, 2011–12 and 2012–13, the total education expenditures (including current and development from pre-primary to higher education) was Rs. 142,930.57 million, Rs. 224,990.005 million and 282,646.914 million (estimated) respectively.

54. In addition, the federal government regularized two programmes run by the NCCWD in the budget for the fiscal year 2011–12 and 2012–13. The federal government allocated Rs. 6.897 million for the NCPC and Rs. 3.07 million for the implementation of NPA for children.

55. The Government of Punjab allocated Rs. 10 billion for the Punjab Education Foundation (PEF) to promote school education in marginalized areas through public-private partnership. Under the Women Empowerment Plan launched in 2012, the Punjab government shall earmark at least 70 per cent of jobs for women in primary education to encourage parents to send their girls to schools. About 60 per cent of the funds out of PESRP are allocated for the provision of missing facilities for girls' schools in the ADP for 2012–13.

56. In KP, educational emergency has been announced to improve literacy rates and standards of education. In 2012–13, KP increased its education budget to Rs. 64 billion which is equivalent to 4 per cent of provincial GDP. In 2012–13, budget allocations for education in Sindh and Balochistan also increased considerably. Sindh allocated Rs. 9 billion to education while Balochistan has allocated Rs. 22.4 billion for the education sector, most of which would be spent on improving school buildings and other facilities.

57. Provincial governments and other relevant quarters have been requested to enhance budget allocations for children. In association with the federal, provincial and district government, CSOs conducted budget analyses of health, education and social welfare, which helped the Government to understand low budgetary allocations for children below 18 years of age.

58. The impact of the global financial crisis and natural disasters (mainly floods in successive years) have meant that economic growth has hovered around 2.5 per cent – 3 per cent over the last five years and scarce development funds have been diverted to humanitarian responses (e.g., in 2010 the PSDP was halved as resources were channelled to combat the aftermath of devastating floods). In addition, the federal government has accumulated Rs. 3 trillion throw-forward due to existing projects that have faced constant cost escalation and time over-runs.

59. During 2002–2011, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Children's Fund (UNICEF) ran the Afghan Refugees Education Project (AREP), in which around 5,000 children were enrolled in refugee schools from primary to elementary levels. The project also includes hiring and training of teachers for facilitating refugee schools. UNHCR with financial assistance from the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), Japan and the Bureau of Population, Refugees, and Migration (BPRM) (United States of America) is running the

Refugee Affected & Hosting Areas Project (RAHA) for 2009 to 2014 that also aims to provide education to Afghan refugee children.

### **Data collection**

#### **(CRC/C/PAK/CO/3-4, para. 21)**

60. The Government is in the process of establishing a comprehensive and permanent mechanism to collect children's data, disaggregated by sex, age, and rural and urban areas with emphasis on the vulnerable groups. The draft NCRC Bill 2013 provides for the authority and mechanism for data collection to be vested in and available with the NCRC. Currently, with the support of UNICEF, a Child Protection Management Information System (CPMIS) has been established in selected districts.

61. UNICEF and CCO, under the Federal Ombudsmen Office, along with CSOs have produced and published reports on the implementation of the Convention which include policy, legislative and administrative gaps and suggest recommendations.

### **Dissemination of the Convention and training**

#### **(CRC/C/PAK/CO/3-4, para. 23)**

62. With the help of CSOs and the media, government institutions have consistently made an endeavour to raise public awareness regarding child rights. The NCCWD, PCCWD, Directorate of Human Rights, Judicial Academies, Police colleges and schools, Prisons Academies, Teachers Associations and Education Departments in all four provinces, care institutions (such as Remand Home, Child Beggar Homes, Detention Centres) and Ombudsmen Offices along with CSOs have organized more than 1,000 trainings and orientations on the Convention.

63. The NCCWD, CCO and UNICEF made efforts to make the concluding observations widely available to the public at large. In this regard, efforts of NGOs and CSOs are appreciated which not only highlighted the importance of recommendations in the concluding observations and recommendations through the media, but also published its child friendly version and widely disseminated it amongst children.

64. In KP, CPWC has launched awareness campaign on child rights through print and electronic media and has arranged a number of seminars, consultations, and workshops. The Commission, through its Child Protection Units (CPUs), in relevant districts is raising awareness on child protection issues. By 2012, a total of 459 (235 male and 224 female) awareness sessions were conducted with 335 Child Protection Centres (CPCs).

65. During the reporting period, CCO Punjab conducted capacity building sessions on child rights for individuals in the following categories: government officials 450, NGO members 250, media persons 200, teachers 1,250 and others 500. In addition, the CCO distributed material, i.e. CCO information brochures 150,000, CCO information hand-outs, Convention on the Rights of the Child information brochures 75,000, quarterly newsletter about children issues 28,000 and annual report 1,400. The CO Punjab also conducted awareness raising sessions amongst children/stakeholders, i.e., 62,500 school children, 520 juveniles in detention centers, 500 cancer patients, 9,000 teachers, 337 orphan girls, 2,100 child labourers and 850 street children. In 2009, 2010 and 2011, with the help of CSOs, the Sindh Judicial Academy (SJA) organized three orientation workshops on the Juvenile Justice and other child rights issues covered by the Convention; more than 150 judicial, police, prison and parole officers participated in these trainings.

**Cooperation with civil society  
(CRC/C/PAK/CO/3-4, para. 25)**

66. The NCCWD has been regularly coordinating with CSOs (it has encouraged CSOs to hold progressive debates and discussions and provide recommendations for filling administrative, policy and legislative gaps for promoting and protecting child rights in light of the Convention.

67. The National Assembly of Pakistan has constituted the Parliamentary Forum on Child Rights (PFCR), through a resolution which is mandated to promote child rights. The PFCR involves CSOs in all its regular meetings and seeks their advice and technical support on child rights issues. Like NCCWD, the PFCR also coordinates with the CSOs to organize a number of joint programmes such as celebrating universal children's day on November 20 each year.

68. In addition, the NCCWD is member of SAIEVAC and facilitates the work of the National Action Coordination Group (NACG) of SAIEVAC. The objective of NACG is to strengthen networking among the agencies at national level, building a national alliance to prevent, address and end violence against women, children, girls and boys.

**III. Definition of the child (art. 1)****(CRC/C/PAK/CO/3-4, para. 27)**

69. In Pakistan, laws are reviewed from time to time by the LJCP. A consultative process is taking place to consider amendments in the *Zina* and *Haddood* Ordinance as well as the Child Marriage Restraint Act 1929 with reference to the definition of the child.

70. Since child marriage is now a provincial subject, Balochistan, Punjab, Sindh and KP have drafted bills to amend the Child Marriage Restraint Act 1929; which will be tabled in assemblies after approval from the respective provincial cabinets.

71. The KP CPWA, 2010, and the SCPAA, 2011, define children below 18 years for all purposes and contexts pertaining to the Act. The federal government is also pursuing the enactment of the Hindu Marriage Bill 2011 which prohibits marriage of non-Muslim girls below 18 years of age.

**IV. General principles (arts. 2, 3, 6 and 12 of the Convention)****Non-discrimination****(CRC/C/PAK/CO/3-4, para. 29)**

72. The GoP has taken a number of steps to eliminate discrimination against girls in different spheres. Girls' education has been promoted by the federal and provincial governments as well as by the CSOs and media. Under the EFA and MDGs, Pakistan prepared its education policy focusing on eliminating gender disparity in education and encouraging families to send their girls to schools. In 2010–11, in KP stipends to girl students were provided to reduce the dropout rate. "Campaign for enhancement of literacy was launched specially for promotion of primary education for girls in rural areas" (Economic Survey).

73. The Pakistan Education Taskforce (2009–2011) was set up to support implementation of the NEP and produced the Education Emergency Report while



emphasizing standards, monitoring, access and established the Education Innovation Fund with US\$ 10 million to support innovative projects. In addition, the NEP includes a special focus on preventing and combating discrimination against girls. Besides, all provincial laws enacted during the reporting period treat all children equally without any consideration of caste, religion and origin, and special care has been given to the girl child.<sup>4</sup> However, the GoP is cognizant of various legal and administrative gaps/areas in the field of civil, economic and cultural rights that inadvertently allow discrimination against the children of religious minorities, and prevent girls/women from claiming their due share in inheritance (property).

**(CRC/C/PAK/CO/3-4, paras. 30 and 31–32)**

74. In Pakistan, concerted efforts are being made to eliminate discrimination against children belonging to minorities and children with disabilities. Pakistan’s NEP contains a list of appropriate measures to prevent and combat discrimination and negative attitudes. The Government has followed the track of reconciliation. It has extended support to all political and religious parties and groups for working together and resolving issues that hamper development. The Government has also mobilized positive public opinion about minority groups. Pakistan’s “Vision 2030” envisages Pakistan as a tolerant society where people can live life with freedom, dignity and equal access to all economic goods, services and opportunities.

75. The National Policy for Persons with Disabilities (NPPD), 2002, aimed at eliminating discrimination against persons with disabilities including children. There are approximately 600 special education institutions/centers for children with disability functioning across the country under the oversight of the federal and provincial governments .

**(CRC/C/PAK/CO/3-4, para. 32)**

76. To address the issue of harmful customary practices, the Government has recently taken legislative measures to eliminate gender discrimination and anti-women practices such as early marriages and exchange of girls for debt or dispute settlement or depriving women from inheritance or their economic exploitation. Anti-women Practices Act was enacted in 2011 and Pakistan Penal Code (PPC) was amended by inserting 310-A, which prescribes punishment to a person for giving a female in marriage or otherwise in *badla-e-sulh*, prescribes *wanni* or *swara* with imprisonment of either description for a term which may extend to seven years but shall not be less than three years and shall also be liable to fine of five hundred thousand rupees.

77. Section 498-A is also inserted in PPC, when a person by deceitful or illegal means deprives any woman from inheriting any movable or immovable property at the time of opening of succession he or she shall be imprisoned for either description (rigorous imprisonment/simple imprisonment) for a minimum of five and maximum ten year-term.

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<sup>4</sup> KP Child Protection and Welfare Act, 2009; the Sindh Child Protection Authority Act, 2011; the Sindh Right of Children to Free and Compulsory Education Act, 2013; the Balochistan Free and Compulsory Ordinance, 2013; the ICT the Right to Free and Compulsory Education Act, 2012.

**Best interest of the child  
(CRC/C/PAK/CO/3-4, para. 34)**

78. In CPWA 2010 the best interest of the child is defined as “primary consideration, in all actions either by public or private bodies, for protection, *survival*, development and participation of children”. This provincial law may be replicated in other provinces. Best interest of the child is also prescribed in various Sections of the Sindh Children Act 1955 which give primary consideration to the child’s welfare, protection and development.

79. During the reporting period, numerous trainings and orientation sessions have been organized by government departments, United Nations agencies and NGOs for judicial, police, prison officials as well as for teachers and parents which also included topics on the best interest of the child. The draft NCRC Bill also provides primary consideration to the best interest of the child.

80. In Pakistan the term generally refers to the deliberation that courts undertake when deciding cases of children. “Best interests” determinations are generally made by the courts by considering a number of factors related to the circumstances of the child and the circumstances and capacity of the child’s potential caregiver(s), with the child’s ultimate safety and well-being as the paramount concern.

**The right to life, survival and development  
(CRC/C/PAK/CO/3-4, paras. 36 and 38)**

81. The right to life is protected under the Constitution of Pakistan as well under all domestic legislation. Depriving a person from life involves criminal responsibility which is punishable under the law. Under the JJSO, death sentence is prohibited for children below 18 years of age; and the law is implemented in its true spirit in this context.

82. The child’s right to life also presumes the necessity of assuring that children grow and develop under favourable conditions. It is therefore necessary that children are provided appropriate healthcare, a balanced diet, quality education, and a healthy environment to live in.

83. Pakistan acknowledges that every child has the right to life not only through its constitutional provisions but also through specific ongoing programs. The Government runs three flagship programs (the MNCH Program, the LHWs Program and the EPI Program) alongside a devolved health service delivery system at the grassroots level. It provides basic health to both urban and rural communities and consists of both preventive and curative programs. However, there are challenges: Child survival as measured by the infant mortality rate is 72/1000, which is much higher than the MDG target of 40; the under-five mortality rate (U5MR) is 87 against the MDG target of 52.

**Respect for the views of the child  
(CRC/C/PAK/CO/3-4, para. 40)**

84. The views of the child are respected and children are free to express their opinion and their right as protected by article 19 of the Constitution of Pakistan, which deals with the freedom of expression. During the reporting period, the national TV channels as well as private TV channels have allocated time for children shows where children come and express their opinion. Similarly the print media especially newspapers publish magazines which are widely circulated in English and as well as in local languages where scripts and articles are written by children. Keeping in view the importance of giving children a voice

the CCO was established under the Responsive, Enabling and Accountable Systems for Children's Rights (REACH) project to provide a mechanism for receiving and resolving complaints from and about children.

85. Several different types of child inclusive activities are encouraged by the Government. On 20th November 2012, the PFCR organized a conference, entirely moderated by children. Pakistan has promoted freedom of expression among children and youth through its various interventions e.g. children's clubs at community/village level. At the same time, Pakistan has encouraged civil society organizations to set up clubs in schools and assemblies at provincial and national level. Government officials and parliamentarians regularly attend programmes of civil society organizations and listen to the views of children who run these children assemblies to discuss child rights and violations. In this regard, it is pertinent to mention that the child activist Malala Yusufzai was leader of the child assembly in Swat.

## **V. Civil rights and freedoms (arts. 7, 8, 13–17, 19 and 37 (a), of the Convention)**

### **Birth registration (CRC/C/PAK/CO/3-4, para. 42)**

86. Pakistan recognizes the registration of children at birth as a fundamental right. With the help of UNICEF and other NGOs, government agencies like the National Database and Registration Authority (NADRA) and local union councils, have initiated programmes for the registration of children at birth through awareness raising and facilitation in providing certificates.

87. The Juvenile Justice System Ordinance (JJSO), Juvenile Justice System (JJS) Rules, the Sindh Children Act (SCA), the KP CPWA, the Punjab Destitute and Neglected Children Act (PDNCA), the SCPAA, NADRA Ordinance 2000 include normative provisions regarding child civil registration.

88. NADRA issues Computerized National Identity Cards (CNIC) to persons with unknown parentage because Pakistan recognizes children without known parents as citizens of Pakistan with a right to obtain identity cards. In the first place, orphans are registered with NADRA to ensure that they are not deprived of their fundamental right to identity upon reaching 18 years of age.

89. In two decades about 15,000 babies have been registered with Edhi Homes (a private welfare organization) across the country. As the child's identity, especially those who are abandoned or born out of wedlock, is highly sensitive to cultural and religious norms, therefore NADRA had sought opinion from religious scholars and the Council of Islamic Ideology (CII). Currently, as per the law,<sup>5</sup> cases of children with unknown parental/kinship ascendance are dealt with by the Guardian Courts that issue guardianship certificates which later facilitate children in obtaining CNIC upon reaching 18 years of age.

90. NADRA has developed a grass-roots level online program, i.e., Civil Registration Management System (CRMS) for the registration of Birth, Death, Marriage and Divorce. The CRMS is linked with the local governments in the country which are feeding details under the four vital services as well as providing computerized registration and certificates.

<sup>5</sup> The Guardians and Ward Act, 1890.

91. In KP, the Department of Local Government has been working with UNICEF and NADRA to take measures for Birth Registration. In this regard, birth registration is being done by computerizing local union data system. In Balochistan a Steering Committee has been set up for birth registration under the chairmanship of the Secretary Local Government to encourage birth registration. The Child Protection Wing of FATA Secretariat considers birth registration one of the most important issues, therefore, in association and support from Political Administration and NADRA has introduced a program for birth registration of children in FATA regions. In 2010, the local government in AJK in collaboration with NADRA launched a project of birth registration. The NCCWD has drafted the Child Protection Policy (CPP) for ICT, which includes provisions for the improvement of rules and procedures related to compulsory birth registration and registration of all children without birth documents.<sup>6</sup>

92. The KP CPWA 2010 (Section 4(k), gives powers to Child Protection Welfare Commission to “improve rules and procedures concerning compulsory birth registration and registration of children without birth documents including registration of an abandoned child with the State filling for his parentage”.

93. In association with UNICEF, NADRA and local governments have organized consultations in Sindh, KP, Balochistan, Punjab, Islamabad, AJK and GB for the promotion of birth registration. UNICEF has developed a communication strategy and a nationwide campaign launched in 2012 to support the review of normative and regulatory provisions for cooperation between local governments and the NADRA for birth registration, and an action plan is being applied in 22 districts.

### **Freedom of thought, conscience and religion (CRC/C/PAK/CO/3-4, para. 44)**

94. Pakistan is committed to preserving its moderate way of life by combating against extremist forces. Courts are independent in dispensing justice in cases of minorities. In the case of a 14 year old Christian girl, Rimsha Masih, who was falsely accused of blasphemy, the dispensation of justice has been guided by the provisions of the JJSO and the Constitution.

95. In addition, one of the key objectives of the NEP (2009) is “to provide minorities with adequate facilities for their cultural and religious development, enabling them to participate effectively in the overall national effort”. Furthermore, the SCA 1955,<sup>7</sup> the JJSO 2000<sup>8</sup> and the CPWA 2010<sup>9</sup> categorically prohibit publishing the identity of children at risk.<sup>10</sup> These laws underline that reports, pictures and names related to children at risk shall not be published in any report. All these laws require for confidentiality and privacy. In 2011, the High Court of Sindh in the constitutional petition has asked all media agencies to respect children laws and do not publish the identity and name of child victims and offenders.

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<sup>6</sup> Shujaat, Q. et al (2012), The State of Children Rights in Pakistan; Children Complaint Office, Federal Ombudsman and UNICEF; Islamabad.

<sup>7</sup> Sects. 22 and 23.

<sup>8</sup> Sect. 8.

<sup>9</sup> Sects. 23 and 24.

<sup>10</sup> Which includes beggars, juveniles, orphans, victims of abuse and violence.

## **Torture or other cruel, inhuman or degrading treatment or punishment (CRC/C/PAK/CO/3-4, para. 46)**

96. In 2010, Pakistan ratified the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In 2012, a Bill on the Torture and Custodial Death (Punishment) was introduced in the National Assembly, aiming at protection against torture. In light of the Convention against Torture, the Bill defines torture as any act or omission which causes pain, whether physical or mental, to any person, and for such purposes as obtaining from that person or other persons, information or confession.

97. Section 20 of the CPWA in KP stipulates that upon information or receipt of complaint, a Child Protection Officer in charge of the case management of children in need of protection from abuse, exploitation and other types of violence would initiate inquiry. The Officer has to produce the child before the court within 24 hours in order to establish the child's legal status. The court may remove a child who is the victim of parental or family abuse, exploitation and violence from the parental custody and provide a legal caretaker and/or an alternative protective service, i.e. child protection institution.<sup>11</sup>

98. Through CPWA, the Vagrancy Ordinance (1958) has been repealed.<sup>12</sup> A child beggar on the street is no more considered a vagrant or an offender but a child at risk who requires complete protection and care through child protection systems and units established under the law. Section 2 (e) of the CPWA defines a child at risk: "a child in need of protection who; (i) is at risk, including an orphan, child with disabilities, child of migrant workers, child working and or living on the street, child in conflict with the law and child living in extreme poverty; (ii) is found begging ...".

99. Pakistan has a uniform formal judicial system. There are no separate judicial systems that sentence children. In 2005, the *Jirga* (assembly of elders or wise men which takes decisions by consensus) system, i.e., informal justice system, was banned and termed illegal by the Sindh High Court. However, the criminal justice system (part of the formal system of justice), sometimes can victimize children without birth registration due to application of legal provisions meant for adults (above 18 years of age). In the absence of birth certificates, children go through long trials until medical examination proves that he/she is under 18 years of age.

100. Children are not given sentences which constitute torture or cruel, inhuman or degrading treatment. Across the country including FATA, children have access and rights to appeal against the sentences given to them by statutory legal authority. After the introduction of the amendments to the FCR, an accused is given the right to bail and it is made mandatory on arresting authorities to produce the accused before the authority concerned within 24 hours of arrest. Children below 16 years of age and men aged above 65 cannot be arrested or detained under the collective responsibility clause.

101. During the reporting period, the Government, United Nations Agencies and NGOs organized numerous orientation sessions on child rights for police and prison officials. The main thrust of the trainings was to address issues of torture, inhuman and degrading treatment of children in custody or detention.

102. The JJSO prohibits corporal punishment and use of child labour in any detention centre, which means there is no concept of torture as a sentence.

<sup>11</sup> Section 21 of the KP CPWA 2010.

<sup>12</sup> Section 63 of the KP CPWA 2010.

103. The PHWA 2010, the Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011, and the Acid Control and Acid Crime Prevention Act 2012, prohibit mental and physical torture of women at home and in the workplace.

### **Corporal punishment (CRC/C/PAK/CO/3-4, para. 48)**

104. The GoP has taken a number of measures to ban corporal punishment in educational institutions, custodial facilities and care institutions. The Federal Directorate of Education (FDE) in Islamabad has prohibited corporal punishment in schools and is in the process of developing a complaint and monitoring mechanism for students. The Bills on Prohibition of Corporal Punishment would soon be passed by the provincial legislatures. Besides, school Management Committees (SMCs) and Parents Teachers Associations (PTAs) have been established at school and community level for the monitoring of abuse by teachers and staff members.

105. The Punjab Education Department has completely banned the use of corporal punishment in all educational institutions in 2010 and adopted zero tolerance policy towards corporal punishment; it has been issuing/circulating instructions on compliance with the ban on corporal punishment on a regular basis. The Department arranged regular lectures/awareness sessions for teachers during in-service trainings and included the topic as one of the regular agenda items of the departmental meetings of Education Department Officers. At district level also, focal persons have been nominated to monitor the compliance with the zero tolerance policy vis-a-vis corporal punishment.

106. The Punjab Government is in the process of developing subsequent legal and administrative mechanisms to stop corporal punishment, train teachers on alternative disciplinary methods, and create awareness about it among students. The Education Department has set Model Kids Rooms in all public schools in Punjab and is running 150 child friendly schools in Lahore.

107. The KP government has prohibited use of corporal punishment in government schools under Section 34 of the CPWA, 2010. Anyone violating Section 34 may be imprisoned for a period of six months, with a fine of up to Rs 50,000.

### **Follow up to the United Nations study on violence against children (CRC/C/PAK/CO/3-4, para. 49)**

108. Pakistan takes seriously the concrete recommendations given in the report of the Independent Expert for the United Nations study on violence against children (A/61/299). The Government of Pakistan encourages independent monitoring reports on violence against children by NGOs and CSOs. Pakistan is also committed to implement the Yokohama Global Commitment 2001, and the Beijing Declaration on South-South Cooperation for Child Rights in the Asia Pacific Region (2010).

109. In the light of our international and regional commitments, Pakistan has ratified the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography in July 2011. To undertake functions/activities for the implementation of the Optional Protocol and report progress to the Committee on the Rights of the Child within two years, the NCCWD has prepared a strategy matrix and shared it with stakeholders. The strategy Matrix is in process of translating Pakistan's commitments regarding preventing violence against children into concrete actions. As part of the Work Plan (2010–2015) the National Action Coordinating Group (NACG) has been established.

110. The NCCWD prepared and submitted a project “Preventing Violence Against Children in Pakistan” with the SAIEVAC Secretariat and SAARC Development Fund (SDF) with a commitment of US\$ 341,500. The project has been approved by SDF and accordingly a Project Financing Agreement has been signed between GoP, SAIEVAC Secretariat and SDF. The project aims to build the capacity of service providing agencies, conduct situation analysis and awareness programs on prevention of violence against children in Pakistan.<sup>13</sup>

111. In addition, the SCPAA 2011, the KP government’s CPWA 2010, the PDNCA 2004 and the SCA 1955 are concrete legislative measures which encompass mechanisms and systems for preventing, responding to and protecting children from, all forms of violence, abuse, and exploitations. These laws prohibit violence against children.

112. The PDNCA 2004 (revised in 2007) is a comprehensive law in the Punjab province that lays down procedure for rescue, protective custody, care and rehabilitation of destitute and neglected children in the province. The Child Protection & Welfare Bureau (CPWB) established under the PDNCA ensures the implementation of the law.

113. The CPWA 2010 provides care, protection, welfare, training, education, rehabilitation and reintegration of children at risk in KP. Under the law, the provincial government has established the CPWC and various institutions and units in eight districts with the help of UNICEF. It defines a “Child at Risk” as a child who needs protection, and include “orphans, children with disabilities, child labourers, street children, children in conflict with law, children who are living in extreme poverty, beggars, children living in brothels or with prostitutes.”

114. The Sindh Child Protection Authority Act (SCPAA) 2011 has provisions for the protection of children from abuse, exploitation, and deprivation.

115. There are systems in place to prevent and respond to cases of trafficking from Pakistan as given in the PCHTO (Prevention and Control of Human Trafficking Ordinance) 2002. Trafficking of children within the country is indirectly addressed through the provisions of the PPC (Abduction, Kidnapping); currently the draft Criminal Law Amendment Bill has also proposed to address the issue of internal trafficking (see para. 31).

116. In Balochistan, relevant government departments, United Nations agencies and CSOs keenly pursued the Balochistan Child Welfare and Protection Bill, 2011, for approval by the provincial cabinet for onward submission to the provincial assembly. The bill would be tabled soon in the newly elected assembly. The Bill focuses on providing protection to children against violence, harm, injury, abuse, neglect or negligent treatment, maltreatment and exploitation.

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<sup>13</sup> **Project objectives and its relationship with Sectoral objectives are:** Protection of child rights, especially of children living in poverty, socially excluded; most vulnerable, abused and exploited are prioritized on the political agenda; and policy dialogue while being reflected in the public policies and legislative reforms. To facilitate and coordinate in the implementation of the recommendations of Global; Study on Violence Against Children. Social awareness and capacity building on Child Rights/ Protection Mechanisms; and Societal Responsibility. To help in Establishing a sustainable infrastructure/ network to carry forward child; protection interventions/Services in the country. to conduct situation analysis/survey of the Child Rights.

## **VI. Family environment and alternative care (arts. 5, 18 (paras. 1–2), 9–11, 19–21, 25, 27 (para. 4) and 39 of the Convention)**

### **Family environment (CRC/C/PAK/CO/3-4, para. 51)**

117. The Pakistan Bait-ul-Mal (PBM) established 159 National Centers for Rehabilitation of Child Labourers (NCRCL) for children between the ages of 5–14. In these centres, children are protected from hazardous labour and enrolled where they are provided free education, clothing, footwear and stipend as well as subsistence allowance to their parents. The print and electronic media and CSOs are also highlighting the roles in developing sense of responsibilities among parents as well as working to dilute/eliminate values of discrimination against girls.

118. PBM is running 28 Pakistan Sweet Homes for orphans between 4 to 6 years old. It has been catering to the needs of 1,300 orphan children in these homes. PBM is also running child support programmes in Pakistan which aim to increase the number of children in primary education towards achievement of universal primary education; promote investment in human capital for poverty reduction; and provide additional resources to larger and poor families.

119. A National Child Protection Centre (NCPC) was set up in 2007 that has been made a regular programme under the NCCWD which provides temporary shelter to child survivors of violence, and the homeless, street and runaway children. It also provides psychological counselling and social legal and medical assistance and helps in rehabilitation, reunification and reintegration of these children.

120. Under the initiatives taken for the compliance of ban on corporal punishment (see para. 151 and 152) as well as for promoting education, Parent Teacher School Management Committees (PTSMC) have remained very useful not merely for the education department, which has reduced burden on the government but has helped to increase enrolment to reduce drop outs, improve the standard of education as well as provided moral and psychological support to parents in the exercise of their responsibilities for the upbringing and development of their children and for the equal treatment of boys and girls.

121. In all primary compulsory education related law,<sup>14</sup> parents, guardians and employers are considered as the most important figures for ensuring that children attend school as stipulated by the laws. Upon ignoring or neglecting laws, parents are supposed to be fined and sentenced. Also the PDNCA 2004 and SCA 1955 hold parents responsible for the protection of their children from all types of dangers, threats and risks.

122. In 2011, under the CPWA 2010, the provincial government established eight Child Protection Units in eight districts of KP; in each fiscal year, each CPU has been allocated Rs. 50,000 funds for supporting needy children and their families. Through these units 3,400 children and their families have been provided financial and socio-psycho support. These CPUs are established in Peshawar, Charsada, Mardan, Swabi, Swat, Bunner, Abbotabad and Kohat districts.<sup>15</sup>

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<sup>14</sup> These laws are: The Right to Free and Compulsory Education Act 2012; KP Compulsory Primary Education Act 1996; The Punjab Compulsory Primary Education Act 1994; the Sindh Compulsory Primary Education Ordinance, 2001.

<sup>15</sup> Khyber Pakhtunkhwa Child Protection Welfare Commission at <http://kpcpwc.gov.pk/psh.php#>.



123. In Punjab under the PDNCA 2004, in seven densely populated cities (Lahore, Rawalpindi, Gujranwala, Multan, Sialkot, Dera Ghazi Khan and Faisalabad)<sup>16</sup> Child Protection Centres not only protect destitute children but also support families to be able to care for their children.

124. Civil society in collaboration with local governments in Sanghar and Muzaffargarh and Lasbella districts have initiated integrated child protection programmes for socially, psychologically and financially disadvantaged families. In these districts, children's assemblies have been formed at the village level under the programme. They promote equal rights and opportunities for girls and boys. These programmes shall continue in the same districts for some more years and shall be replicated in other cotton-growing districts such as Lodhran, Dera Ghazi Khan, Bahawalpur, Rahimyar Khan, Vehari, Khanewal, Hyderabad, Nawabsha, Mirpurkhas, Tando Allahyar, and Ghotki. These programmes will benefit and protect vulnerable children and their families.

125. The Sindh Education Reform Programme (SERP) has established strong community participation through the development of SMCs. The SMCs endeavour to mobilize the community (including parents). In Sindh, in the year 2009–10, Rs. 855 million was allocated for 32,086 SMCs of the public sector schools.

### **Children without parental care (CRC/C/PAK/CO/3-4, para. 53 (a, b, c, d, e and f))**

126. In Pakistan, under various laws alternative care institutions are set up for children at risk or children needing care and protection. Those laws provide procedures to ensure quality standards, periodic review of placement and respect for the views of children in those care institutions; such as SCPAA 2011, CPWA 2010, PDNCA 2004 and SCA 1955.

127. In KP, under the CPWA, there is improvement in monitoring and coordination. A total of 335 Child Protection Committees (171 male and 161 female) to monitor, and respond to cases of protection were formed in eight districts between October 2009 and November 2012. They have also held regular awareness raising and coordination meetings with the line departments at the District. By November 2012, a total of 36 District Coordination Meetings (DCMs) have been conducted in Peshawar, Mardan, Swabi, Buner, Kohat, and Charsadda and Abbottabad districts.

128. Pakistan considers that the best care and protection for children is possible by parents within the family institution. Therefore, all laws and judicial practices discourage any actions that lead to breakup of families and deprivation of children from the parental protection and care. Across the country, the government department with the help of CSOs and United Nations agencies have conducted orientation/training sessions for the staff members working at the various institutions that rescue, protect, rehabilitate and reunify children with their families.

129. All alternative care institutions are established in accordance with laws, rules and regulations, and are regularly monitored by the relevant departments and CSOs. Monitoring teams highlight issues of governance and quality of facilities for redressal. The NCCWD, the CCOs and other stakeholders evaluate the existing care policies for the care institutions on a regular basis.<sup>17</sup> All concerned government departments receive detailed reviews of the alternative care institutions on a monthly, quarterly, bi-annual and annual basis.

<sup>16</sup> Punjab Child Protection Welfare Bureau at <http://cpwb.punjab.gov.pk/districtoffices.htm>.

<sup>17</sup> These evaluations are in *The State of Children in Pakistan (2012)*; National Report: the Situation Analysis of Children and Women in Pakistan (2012) both reports funded and published by UNICEF.

130. Pakistan has taken note of the recommendations of the day of general discussion on children without parental care in the fortieth session of the Committee on the Rights of the Child (see CRC/C/153) (2005). Pakistani culture emphasizes family values and all State institutions discourage the separation of children from their parents. Pakistan's legal system therefore allows a woman prisoner to keep a child with her until the child reaches six years of age.<sup>18</sup>

131. In Punjab under the PDNCA, CPWBs have been established in seven cities. The CPWB under "the Socio Economic Development of Destitute & Neglected Children's Families" project during 2008–2011, rehabilitated 10,250 destitute and neglected children's families, addressed socio economic needs of families and built capacity of the most vulnerable families & persons with disabilities.

132. The SWD Punjab has established model institutions, like Negehban, Chaman etc. to provide institutional care to the marginalized sections of society. In the reporting period, these institutions have provided services to about 13,021 children and families.

### **Kafalah**

#### **(CRC/C/PAK/CO/3-4, para. 55)**

133. In each province/area, different types of child care institutions are set up and governed by different sets of laws. For example, Orphanages are set up by Orphanage Act 1976 and in KP Child Protection Institutions are set up under CPWA 2010. However, some of the new institutions need to be brought under the law, such as Police Child Protection Centres in Peshawar, Quetta and NCPC in Islamabad.

134. During the reporting period, various organizations have facilitated the adoption of children in orphanages such as Edhi Foundation, Anjuman Kashana-e-Itfal-o-Naunehal, SOS Children's Village of Pakistan, Ansar Burney Trust, Hope and Didar Karim. All adoptions of children at orphanages take place through proper legal and judicial procedures.

### **Abuse and neglect**

#### **(CRC/C/PAK/CO/3-4, para. 57 (a))**

135. The Prohibition of Corporal Punishment Bill, passed by the National Assembly in March 2013, prohibits corporal punishment in Pakistan in all its forms in schools and other formal and non-formal, public and private educational institutions, and in child care institutions including foster care and any other alternative care settings both public and private. Due to the end of tenure of the previous Parliament, the Bill lapsed but shall be presented in the Parliament soon.

136. In December 2011, the FATA Secretariat issued a notification banning corporal punishment in its all forms in formal, informal and public and private schools/educational institutions in FATA.

137. Due to the 18th Constitutional Amendment and devolution of social sector in 2010, the adoption of the NCPP was delayed. However, the NCCWD not only pursued the adoption of NCPP but also canvassed for the Child Protection Policies at provincial level and in AJK, GB and FATA. In FATA (2012) and AJK (2010), Child Protection Policies have been approved, adopted and put into practice.

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<sup>18</sup> Rule 326 of the Prison Rules.

138. The matter of guardianship and custody of children in Pakistan is governed by the Guardians and Wards Act (GWA), 1890. It deals with matters related to custody, education and maintenance of children below 18 years of age.

139. In the Punjab, upon joining the CPU, a child's psychological and physical health is assessed and if needed, he/she is provided medical treatment immediately or sent to the hospital. Between 2009 and 2012, 2,701 vulnerable children (1,578 male and 1,123 female) have received social support; 1,652 children (1,042 male and 610 female) have been given psychosocial support. The number of counselling sessions with 1,652 children is 5,042 which include 3,247 counselling sessions with male and 1,795 counselling sessions with female children.

140. The CPWC has established Child Protection Institutions (CPIs) in Peshawar as a transit shelter which provide accommodation, non-formal education, food, psychosocial counselling etc. to all those children who are rescued and taken into custody. At a shelter, a child at risk is provided residential accommodation up to 6 months; there are two shelters: male shelter can accommodate 75 boys and female shelter accommodates 25 girls.

141. Institutions and centers have been set up under the Punjab Destitute and Neglected Children Act (PDNCA), 2004, revised in 2007, to provide protection to neglected, abused and destitute children. In each region, help lines (1121) and open reception centers have been set up; the latter provides on-site services to street and lost children. During 2008–2011, 17,303 children were rescued from streets, taken into legal custody, provided counselling and traced and reunited with their families. At the same time, these children's health was assessed and they were provided complete medical care at the child care institutions in 7 regions. 3,964 children were vaccinated.

142. During 2007–2012, the CPWB launched a project "Socio-Economic Development of Destitute & Neglected Children's Families (SDDNCF)" which rehabilitated about 10,207 families of destitute & neglected children, effectively addressed socio economic needs of the families and built capacity of the most vulnerable families & persons with disabilities. The CPWB also established the Child Help Lines in 16 flood prone districts of the Punjab during 2010 and 2011.

143. The KP CPWA 2010 prohibits corporal punishment. In April 2011, the CPWC established under the same Act, took notice of an incident of corporal punishment in a private school and directed the police to lodge a case against the relevant teacher.

144. In KP, the child protection units set up under the CPWA 2010, from October 2009 to November 2012, have registered 8,219 cases of children at risk, which include 4,975 males and 3,244 females. Of the total registered cases, 6,168 have successfully been reunited with their families while other cases are in progress.

**(CRC/C/PAK/CO/3-4, para. 57 (b))**

145. The different institutions/units, such as CCO, SCPA, CPWC, set up under various provincial laws that provide children protection, welfare, care and education, regularly receive, monitor and investigate cases of child abuse, and provide legal and other possible support to children and their families. In all these investigations child's views and his/her privacy are prime concern.

**(CRC/C/PAK/CO/3-4, para. 57 (c))**

146. All legislative and administrative measures taken for the care, recovery and reintegration of victims are gender sensitive; there are separate institutions as well as staff members for the care of the girl child.

147. During the reporting period, the NCPC has provided temporary shelter to 2,172 homeless, street and runaway children, child beggars and lost children. The NCPC offers counselling and referral services as well as help with re-uniting children with their families. During their stay at the temporary shelter, children are provided non-formal education and vocational training, legal and medical aid.

148. There are Drop in Centres (DICs) run by NGOs in various cities of Pakistan that provide day-care support and help to children who work on streets. These Centres have also been working to re-unite children with their families. In order to safeguard the best interest of these children, the federal and provincial governments through various line departments have initiated programmes for such children's rehabilitation.

**(CRC/C/PAK/CO/3-4, para. 57 (d and e))**

149. With the help of UNICEF, the Planning Commission of Pakistan and the CCO have conducted two assessments in 2012: (1) The Situation Analysis of Children and Women in Pakistan (2012) by the Planning Commission of Pakistan provides "a comprehensive assessment of Pakistan's accomplishments, and the challenges it still faces, in ensuring the basic human rights of its children and women, including the rights to survival, development, protection and a favourable living environment". (2) The State of Children in Pakistan (2012) by the CCO offers insight of the implementation of the Convention at federal, provincial and district levels, challenges to implement the Convention before and after the 18th Constitutional Amendment, and workable recommendations to implement the Convention at all levels.

150. Based on existing legislation (JJSO 2000, JJS Rules 2002, SCA 1955, PDNCA 2004, CPWA 2010, SCPAA 2011, Orphanages Act 1976 and others), there is a list of administrative measures taken by the federal and provincial governments for the protection, recovery and reintegration of victims.

151. Through laws, alternative care institutions are set up for children at risk or children in need of care and protection. Those laws provide procedures to ensure quality standards, periodic review of placement and respect for the views of children in those care institutions; such as SCPAA 2011, CPWA 2010, PDNCA 2004, Orphanages Act 1976 and SCA 1955.

**(CRC/C/PAK/CO/3-4, para. 57 (f))**

152. All government departments mainly health, education, social welfare, CCO, and the Directorate of Human Rights at district, provincial and federal levels have received technical and financial support to address child protection issues and establish child protection mechanisms at the local and provincial level.

## **VII. Disability, basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26 and 27 (paras. 1–3) of the Convention)**

### **Children with disabilities**

#### **(CRC/C/PAK/CO/3-4, para. 59 (a, b and f))**

153. Pakistan signed and ratified the Convention on the Rights of Persons with Disabilities on 25 September 2008 and 5 July 2011 respectively. Before the ratification, Pakistan had introduced the Policy and Plan of Action (2002) for Children with Disabilities. In line with the policy, several awareness raising seminars and meetings have been held in collaboration with United Nations Educational, Scientific and Cultural Organization (UNESCO) in all major cities of Pakistan.

154. In ICT, the Capital Development Authority (CDA) notification of 2002 is implemented with respect to access to public buildings including schools, hospitals and recreational infrastructure. In order to mainstream persons with disabilities, the following measures have been initiated: Increase livelihood opportunities for the PWDs; and increase employability for the PWDs through skill training/development.

#### **(CRC/C/PAK/CO/3-4, para. 59 (c and d))**

155. The Government has adopted an inclusive education system for children with disabilities; mainstreaming children with disability in formal academic systems; increased enrolment and accessibility to regular schools.

156. The Special Education Departments (SEDs) not only administer centers for children with disability, they also provide transport service, hearing aids and other assistive devices free of cost to the children. The PBM provides wheel chairs to children and adults, especially those affected by natural disasters. NGOs have also provided technical support to the Directorates of Special Education.

#### **(CRC/C/PAK/CO/3-4, para. 59 (e, g and h))**

157. A consultation was held on the implementation of the Convention on the Rights of Persons with Disabilities in October 2012 in the MoHR because the subject “the rights of persons with disabilities”. A Plan of Action for implementation/protection of the rights of PWDs has been developed by the Directorate of Special Education and Social Welfare, the Ministry of Capital Administration and Development. Subsequently this subject has been transferred to the Ministry of Human Rights (now Human Rights Division). The Plan of Action was finalized in consultation with provincial stakeholders including persons with disabilities.

158. Pakistan has received limited technical support from United Nations agencies (UNESCO, WHO) and JICA, for addressing issues of children with disabilities.

### **Health and health services**

#### **(CRC/C/PAK/CO/3-4, para. 61 (a))**

159. Due to budget constraints (as a result of economic crisis) limited resources have been allocated to health in the last few years. Nevertheless, the budget for health sector has been steadily increasing. In 2011–12, the total outlay of health sector at the federal level

was at Rs. 55.1 billion, which was equivalent to 0.27 percent of gross domestic product (GDP). Whereas, in 2010–11, it was 0.23 percent of GDP.

160. The provinces have focused on preventive health care and attainment of MDGs. They face a situation of double burden of disease, i.e., the preventable diseases still take a heavy toll and diseases which were believed to have been rolled back have re-emerged. The following interventions contribute towards this end: Millennium Development Goals Program (PMDGP) in Punjab; Safe Blood Transfusion Service Program (all provinces); TB Control Program (all provinces); EPI, (all provinces); Prevention & Control of Hepatitis Program (all provinces); HIV/AIDS Control Program (all provinces); Punjab Thalassemia Prevention Program; and MNCH Program (all provinces).

161. Trends in nutrition show improvement as the prevalence of under five children who are underweight for their age has reduced from 41.5 percent to 38 percent between 2000 and 2012. The 2011 National Nutrition Survey (NNS) also indicates that some widespread deficiencies such as anaemia, iron, zinc and vitamin A deficiency are common among pre-school-age children and women of reproductive age. The incidence of severe wasting is at 17 per cent and the incidence of malnutrition is 15 per cent.

162. The GoP has taken several initiatives to address different aspects of nutrition:

(a) The Ministry of Food Security and Research (MoFSR) was formed in November 2011. The departments that come under the MoFSR Division include economic coordination and planning in respect of food stuff including import and export of food grains, coordination with aid/assistance agencies in respect of food sector, PARC and other federal agricultural research organizations, plan protection-pesticides import and standardization, aerial spray and plan quarantine. The budget for 2012–13 is Rs 495 million;

(b) According to reports of the Micronutrient Initiative, taken in 2009 to address vitamin and mineral deficiencies, the following results have been obtained:

(i) On average, anaemic incidence has fallen sharply in Pakistan from 61 per cent in 2001 to 48 per cent in 2011;

(ii) Pakistan has achieved high rates of vitamin A supplementation: 97 per cent of children 6–59 months of age receive the recommended two doses of vitamin A approximately six months apart. Full coverage can decrease the risk of mortality by 23 per cent;

(iii) National policy on zinc supplementation for the treatment of diarrhoea has been enacted. Zinc supplementation during diarrhoeal episodes can reduce morbidity by more than 40 per cent.

163. In addition to the above, in 2011 the NNS was conducted with support from Agha Khan University and UNICEF. The survey aimed to: (1) establish the current benchmark of nutrition and related indicators for gauging progress along the targets set for the MDG; (2) establish a benchmark for missing data/indicators, especially as the recent DHS survey (2007) did not include anthropometric indicators; and (3) prioritize the programs/initiatives at the national and provincial level and refining planning and implementation of initiatives on the basis of identified priorities.

164. The NNS shows that “40.5 percent of mothers had initiated breast feeding within one hour of birth. The percentage was greater in rural (41.4 per cent) than in urban areas (38.4 per cent). This trend of early initiation of breast feeding was highest in FATA (79.5 percent), followed by KP (74.3 percent), Balochistan (63.4 percent) and Gilgit Baltistan (GB) (61.8 percent). Trends observed in Punjab (40.5 per cent), Sindh (50.5 per cent) and

AJK (38.3 per cent) differed.”<sup>19</sup> In light of these and many other worrying issues revealed in the Survey, steps were taken to develop the Pakistan Integrated Nutrition Strategy (PINS).<sup>20</sup>

165. Given the above, the GoP is currently preparing an Enhanced Nutrition for Women and Children project for financing from the World Bank and other donors. The project aims to improve nutritional outcomes for pregnant women and children under five. The World Bank will oversee assessments to fill existing knowledge gaps in the design of the project. These assessments will be financed by the Japan Trust Fund for Scaling-Up Nutrition.

**(CRC/C/PAK/CO/3-4, para. 61 (b))**

166. According to the Planning Commission,<sup>21</sup> Strategic Priorities for 2012–13 are:

- (a) Health sector reforms (service structure, remuneration package);
- (b) Strengthening of primary health care facilities, particularly in improvement of mother and child health through institutionalization of 24/7 basic Emergency Obstetric and Neonatal Care (EmONC) initially at ICT and later to be replicated at provincial level. US \$ 2.1 Million (Rs 184.4 Million) are committed by SDF for this purpose;
- (c) Communicable disease control and funding of the relevant vertical Programs from federal PSDP;
- (d) Mobilization of resources through international development partnership like the World Health Organization (WHO) the Joint Programme review and Planning Mission JPRM, SDF, World Bank, DFID;
- (e) Initiation of social protection/social health insurance to assure provision of quality and affordable health care particularly to the vulnerable groups;
- (f) The latest health sector priorities as per the Government’s Annual Plan 2012 in accordance with health policy are:
- (g) Focus on Rural Health Centres (RHCs) and Renewed Focus on Secondary Health Care:
  - Policy is to consolidate the existing health facilities instead of creating new infrastructure. Focus would be on strengthening Primary Health Care facilities (RHCs) based on yardsticks;
  - The emphasis is on up-gradation of Taluka Headquarters (THQ) and District Headquarters (DHQ) Hospitals as well as establishment of new ones;
  - Provision/Rehabilitation of Equipment in Secondary Care Hospitals;
- (h) Need-Based and Result-Oriented Allocation for Tertiary Health Care:
  - Being autonomous, the tertiary health care level is witnessing a great deal of dynamism and several innovations which need substantial funding and support. Although the tertiary health care allocations remain high they have been made more need-based and targeted;
  - Schemes of all teaching hospitals involving latest diagnostic and treatment facilities;

<sup>19</sup> National Nutrition Survey Report 2011; pp 76.

<sup>20</sup> UNICEF Annual Report 2011 at [www.unicef.org/pakistan/Annual\\_Report\\_2011.pdf](http://www.unicef.org/pakistan/Annual_Report_2011.pdf).

<sup>21</sup> Annual Plan 2012-13, page 201. [www.pc.gov.pk/annual%20plans/2012-13/chapter-17\\_health\\_nutrition\\_and\\_population.pdf](http://www.pc.gov.pk/annual%20plans/2012-13/chapter-17_health_nutrition_and_population.pdf).

- (i) Improved Diagnostic Facilities:
- The area of diagnostics needs to be strengthened appreciably to keep pace with the ever-changing demands of time and to make health and medical analyses more scientific.

**(CRC/C/PAK/CO/3-4, para. 61 (c))**

167. The People's Primary Healthcare Initiative (PPHI), popularly known as LHWs Program, and the MNCH Programs alongside the Family Planning Program of Pakistan are ongoing programs that are focused upon infant, child and maternal health. The LHW program has recruited about 110,000 LHWs to date. More than 60 per cent of the total population and 76 per cent of the target population stands covered by LHWs. Out of 30 million children, about 16 million are immunized by LHWs during National Immunization Days (NIDs). Similarly in high risk districts out of 5 million target women, 4.5 million are vaccinated by LHWs.

168. The MNCH Program was launched by the Government in order to improve MNCH services for all, particularly the poor and the disadvantaged, at all levels of the health care delivery system. It aims to provide improved access to high quality Mother and Child Health and Family Planning services, train 10,000 community midwives, comprehensive EmONC services in 275 hospitals/health facilities, basic EmONC services in 550 health facilities, and family planning services in all health outlets.

**(CRC/C/PAK/CO/3-4, para. 61 (d, e and f))**

169. An amount of Rs 20.0 billion has been earmarked for the health sector in Federal PSDP 2012–13 for preventative and curative programs for achievement of MDGs.

170. The EPI Program provides immunization against the 7 killer diseases i.e. childhood tuberculosis, poliomyelitis, diphtheria, pertussis, neonatal tetanus, measles and hepatitis B. During the year 2010–11, 7 million children of 0–11 months and 6.5 million pregnant women were immunized against 7 deadly diseases and tetanus oxide respectively. 19 million packets of oral rehydration salts (ORS) were distributed. Routine immunization coverage is regarded as the basis of child protection. Pakistan has received support, assistance and cooperation from WHO, UNICEF and many other forums to implement its immunization targets.

**Breastfeeding**

**(CRC/C/PAK/CO/3-4, para. 63)**

171. With support from UNICEF and WHO, each year during August–September, Pakistan celebrates “World Breastfeeding Week” to highlight the critical role of breastfeeding in child survival, growth and development. In 2012, the main WBW theme was “Understanding the past, planning the future.” In this regard, awareness raising and sensitization activities were organized. The partners in these activities are National Programmes for Family Planning and Primary Health care, National Maternal, Newborn and Child Health Program, UNICEF and various NGO partners.

172. After the devolution of health sector, Punjab and Balochistan have adopted the Protection of Breastfeeding and Young Child Nutrition Ordinance 2002. Balochistan was the first province that right after the devolution adopted the law and established the



Provincial Infant Feeding Board to ensure the enforcement of law. The Federal Ministry of Health notified “Protection of Breastfeeding & Child Nutrition Rules” in October 2009.

173. All provincial health departments are promoting exclusive breastfeeding through lady health workers. They counsel and create awareness among the mothers about the benefits of exclusive breastfeeding. However, there are still concerns, “Significant numbers of infants continue to die from diarrhoea, pneumonia, respiratory infections and under-nutrition. A major source of these diseases is the lack of exclusive breastfeeding and the use of unhygienic bottles, formula milk and teats. These infants can be saved through the natural protection of mother’s milk without any other supplements for up to the first six months of their lives.”<sup>22</sup>

### **Adolescent health (CRC/C/PAK/CO/3-4, para. 65)**

174. The Government has made efforts to improve reproductive health and family planning. The GoP in collaboration with civil society partners has produced a Training Manual on Adolescent Sexual and Reproductive Health & Rights (ASRHR) for Medical and Paramedical Students and Staff. The Manual will also be used for refresher of paramedical staff (Lady Health Visitors, Female Medical Technicians (FMTs), Dispensers including Lady/Community Health Workers, Community-Based Midwives, etc.) at first level care facilities i.e. BHUs, RHCs, THQs on issues related to ASRHR.

### **Drug abuse (CRC/C/PAK/CO/3-4, para. 67)**

175. In February 2010, the Ministry of Narcotics Control/Anti-Narcotics Force launched a “Drug Abuse Control Master Plan 2010–14”.<sup>23</sup> The Plan was developed through a consultative process and based on the lessons from the last Plan. One of the main objectives of the Plan is to “check the increase in drug demand and achieve reduction in the number of drug addicts through prevention and treatment and rehabilitations measures”.<sup>24</sup>

176. For the implementation of the Plan, inter-agency coordination is strengthened through regular meetings of the Policy Review Board and the Narcotics Interdiction Committee. Also a National Narcotics Council has been set up headed by the Prime Minister of Pakistan which oversees the implementation of the narcotics control policies and legislation.

177. A monitoring cell has been set up at the Headquarters of the Anti-Narcotics Force that liaises with the Ministries of Narcotics, Health, Social Welfare, Commerce, Federal Board of Revenue and law enforcement agencies. In collaboration with Anti-Narcotics Force, the provincial health departments have upgraded twenty drug treatment centers in different cities in public and private sectors which are providing quality drug treatment and rehabilitation services.

178. In addition, the ANF has established four new Model Drug Abuse Centers in various cities of the country to provide quality drug treatment and rehabilitation services to people with drug abuse problems. The Ministry of Narcotics has also set up a National Technical

<sup>22</sup> UNICEF (2011), WHO and UNICEF: Twenty-two per cent of newborn deaths could be prevented by exclusive breastfeeding at [www.unicef.org/pakistan/media\\_7180.htm](http://www.unicef.org/pakistan/media_7180.htm).

<sup>23</sup> Government of Pakistan, Anti Narcotics Force at [www.anf.gov.pk/content/Drug%20Abuse%20Control%20Master%20Plan%202010-14.pdf](http://www.anf.gov.pk/content/Drug%20Abuse%20Control%20Master%20Plan%202010-14.pdf).

<sup>24</sup> Ibid.

Task Force comprising psychiatrists, psychologists, NGOs etc., which is developing a uniform drug abuse treatment protocol and standard of services for government, private and NGO-run drug treatment centers.

179. In the Control of Narcotics Substance Act (CNSA) 1997, chapter VI deals with treatment and rehabilitation of addicts (see paras. 131 and 132). Section 52 of the CNSA requires the Provincial Governments to register all drug addicts for the purpose of treatment and rehabilitation while the Federal Government is to bear the cost for first-time compulsory detoxification or de-addiction of an addict. Whereas Section 53 tasks the provincial governments to establish as many treatment centers as necessary for detoxification, de-addiction, education, aftercare and rehabilitation, social integration of addicts and for supply of such medicines as are considered necessary for the detoxification of the addicts.

### **Harmful traditional practices (CRC/C/PAK/CO/3-4, paras. 69 and 71)**

180. In 2011, the Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011 was passed by the Parliament which lays down stricter punishments for traditional practices like *vanni*, *swara* or *budla-i-sulh*, wherein women are traded to settle personal, family or tribal disputes. The law proposes a minimum benchmark for penalizing those involved in “anti-women practices”. The Supreme Court and High Courts of Pakistan have been taking notices of any cases of honour killing, *vani* and *swara* and also against tribal *jirgas* in which girls are given as compensation.

181. Under the Gender Justice and Protection Project (GJPP)<sup>25</sup> by the United Nations Development Programme (UNDP), in 2011, 58,321 women and girls and 47,051 men benefited. The GJPP employed innovative methods, built strong linkages at the community and national level, strengthened policies, laws and enforcement mechanisms, built capacity and raised awareness of the government and CSO partners that contribute to bringing relief to both victims and potential victims of violence against women. In this project, all the relevant government departments supported the local partners and UNDP teams.

182. On incidents of child marriages, police and judiciary take actions against the perpetrators in accordance with the Child Marriage Restraint Act 1929. Also, the Child Marriage Restraint (Amendment) Bill 2009, proposes strict penalties and sentences against perpetrators.

### **HIV/AIDS (CRC/C/PAK/CO/3-4, paras. 73 and 75)**

183. HIV/AIDS is estimated to be 0.1 percent in Pakistan. The number of children affected and/or infected by AIDS is unknown, but according to a UNAIDS Factsheet, 98,000 people have died of HIV and 95,000 people are living with AIDS. The Government has opened fifteen treatment centers nationwide. These centers provide comprehensive HIV care services including free antiretroviral therapy, free advanced HIV diagnostics such as CD4 and HIV viral load testing, management of HIV-related opportunistic infections and counselling services to HIV-positive people.

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<sup>25</sup> Gender Justice and Protection Project is a project of UNDP, funded by DFID and implemented by UNOPS to address Violence Against Women (VAW), in 93 districts across Pakistan:  
<http://undp.org.pk/images/documents/UNDP%20GJP%20Annual%20Progress%20Report%202011.pdf>.

184. The National AIDS control program (NACP) sponsors ground-breaking workshops with religious leaders to engage them in campaigns to prevent and control the spread of HIV and AIDS in Pakistan. These programs are co-designed with NGOs for greater ownership.

185. The major focus of the program is on behaviour change communication (BCC), services to high-risk population groups, treatment of sexually transmitted infections (STIs), supply of safe blood and capacity building of various stakeholders. In 2011–2012 4,500 HIV positive cases were reported to the AIDS Control Programs at federal and provincial levels including 2,700 full blown AIDS cases. Around 1,030 are receiving free treatment through 12 AIDS Treatment Centers.

### **Standard of living (CRC/C/PAK/CO/3-4, para. 77( a to f))**

186. Social protection and social safety net programs through ISP, PBM, Zakat, Employees' Old Age Benefit Institution (EOBI), Workers Welfare Fund (WWF) and Social Welfare activities are deep rooted in Pakistan's Poverty Alleviation Strategy. Provincial poverty reduction programs are also active in each province.

187. Social protection programs include Employees Social Security Insurance, Workers Welfare Fund, EOBI, Zakat, PBM) Pakistan Poverty Alleviation Fund, Microfinance Banks, and most importantly, the Benazir Income Support Program initiated in 2008. In addition, the social welfare system includes provincial departments as well as national level commissions post devolution.

188. Social Safety Nets include the following initiatives: Improved quality of life for the disadvantaged; reduction in poverty through broad based social protection system in the country; capacity building of social protection and social welfare institutions for effective services delivery; address systematic failure in delivery of basic health care services; and sustainable rehabilitation of post natural calamities.

189. ISP was established by the Government in July 2008 with the primary objective of providing immediate relief to the poor, enabling them to absorb the shock of rising prices of food and fuel. ISP has evolved over the past few years into the country's largest social safety net. BISP is committed to poverty alleviation and women empowerment. Within a short span, BISP has made remarkable progress by providing much needed relief to over 4 million recipients. ISP has disbursed an amount of Rs 108 billion to its recipients till March 2012. The number of recipients is expected to increase to 7 million.

190. The first ever nation-wide poverty scorecard targeting survey was launched from October 2010 in all districts of the country, with the aim of covering 27 million households. Of these, 6.64 million beneficiaries have been identified.

191. PBM introduced conditional cash transfers (CCT) program called Child Support Program (CSP) with the technical assistance of World Bank in districts Bhakkar, Tharparker, and Kohistan on a pilot basis. The results of the pilot phase showed an increase of 12 per cent in enrolment rate as evaluated by third party in above mentioned districts. In 2008–2009 the program was extended to an additional eight districts: Ghanche (GB), Kharan (Balochistan), Rawalpindi (Punjab), Nawab Shah (Sindh), Quetta (Balochistan), Multan (Punjab), Muzafarabad (AJK), and Abbotabad (KP).

192. PBM has also established vocational training centers for women for providing free training to widows, orphan and poor girls in different skills. So far, 157 centers have trained some 6,453 trainees. Rs 478.5 million have been spent on these centers whereas cumulatively, some 59,897 female students have been trained at these centers.

193. As pilot project, 28 Pakistan Sweet Homes (Orphanages) have been established, where 2,800 Children have been enrolled (up to March 2012) and where they are being provided free food, nutrition, medical treatment, lodging and boarding, as well as free education through well reputed educational institutes. An amount of Rs 261 million has been spent during the first three quarters of 2011–12.

194. Zakat funds are utilized for assistance to the needy, indigent, poor, orphans, widows, handicapped and disabled for their subsistence or rehabilitation. These poor segments of society were provided Zakat funds either directly through respective local Zakat Committee or indirectly through institutions and hospitals. As a consequence of 18th constitutional amendment, the subject of Zakat has been devolved to the Provinces/Federal Areas. A total amount of Rs 3,669 million was distributed in bulk amongst the federating units.

195. The WWF is financing projects for establishment of housing estates or construction of houses for the industrial workers, education of workers children, health, technical education and other welfare measures like marriage grant @ Rs 70,000 per daughter per workers, death grant @ Rs 500,000 and scholarships for students.

196. After the devolution of the social sector in 2010, the Planning Commission initiated a policy dialogue with the Provincial Governments for developing their respective social protection policies and for developing consensus on a national framework for social protection. These include the process, institutional arrangements, policy coverage, compliance, monitoring arrangements, and legal and regulatory arrangements. The purpose of this exercise is to align Social Protection Policies with international commitments and achieving national goals. The policies will ensure that periodic national reports are prepared on various international and bilateral instruments/protocols.

197. The initiatives of provincial social welfare developments between 2009–2010 and 2010–11 will continue in 2012–13 in addition to the new programs for which an allocation of Rs. 1,408 million has been made for establishment of new and up gradation of existing vocational training centers for the poor and the marginalized, child protection centers, inclusive education initiatives and Tehsil level special education centers in Punjab; Punjab runs Ghuncha Centers (05 in Lahore, Faisalabad, Rawalpindi, Multan and Bahawalpur). These Centers provide day care services to the children of working women.

198. Child care workers and helpers look after these children while their mothers are at work; community development centers to activate NGOs at district level, rehabilitation centers for street children through CSOs and for physically disabled persons in Sindh; establishment of social welfare complex, stipend for poor students and senior citizens, micro financing for self-employment and shelter homes for vulnerable women under social protection strategy in KP; child protection centre Turbat, and special education, training and rehabilitation centers for hearing impaired children, visually impaired children, physically and mentally retarded children in Quetta, Khuzdar and Sibbi in the province Balochistan.

199. The Social Welfare System across Pakistan works for empowering communities through fostering socio-economic development that provides amenities at the grass roots level through: (1) Public-private partnership for community mobilization in the areas of basic health, education and skill development; (2) Community action with NGOs technical support and small grants; (3) Child Protection and Rights through National & Provincial Plans of Action for Children for their survival, development, protection, and participation.

## VIII. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)

### Education, including vocational training and guidance (CRC/C/PAK/CO/3-4, para. 79 (a, b and c))

200. Due to financial crisis and terrorism, Pakistan's GDP growth rate has slowed down in the last few years. However, efforts are being made to prioritize social sector funding. In the budget for the fiscal year 2013–2014, provinces have considerably increased their budgetary allocations for education.

201. Article 25A has made education a fundamental right for all children between the ages of 5–16. The ICT, Sindh and Balochistan have already enacted legislation on the subject. Special Areas and less developed districts are given special funds by the federal government to improve girls' enrolment and gender parity ratio. (see paragraphs 53 to 60 and 252 for details of increased budgetary allocations at provincial levels).

202. Pre-Primary education is the basic component of ECE. Prep or Katchi classes are for children between 3 to 4 years of age. An increase of 7.4 percent in Pre-Primary enrolment (9.41 million) in 2010–11 over 2009–10 (8.76 million) has been observed.

203. A total of 155,495 Primary Schools with 440,523 teachers were functional in 2010–11. An increase in primary enrolment (19.16 million) over 2009–10 (18.77 million) was observed during 2010–11. The gender parity index (GPI) has narrowed in Pakistan at the primary level from 0.84 in 2008–09 to 0.88 in 2010–11.

204. The Government made the distribution of textbooks completely free and eliminated school fee in government schools in 2004. In ICT the federal government has implemented art. 25A by issuing notifications that all children aged 5–16 should be in school and that their parents/guardians are liable to be punished if they are negligent in this regard.

205. According to the Economic Survey 2011–2012, "a total of 41,951 middle schools with 334,984 teachers were functional in 2010–11. An increase in middle enrolment (5.64 million) in 2010–11 over 2009–10 (5.50 million) has been observed during 2010–11. It is estimated to increase by 1.3 percent (5.72 million) in 2011–12."

206. A total of 25,209 secondary schools with 452,779 teachers were functional in 2010–11. An increase in secondary enrolment (2.63 million) in 2010–11 over 2009–10 (2.58 million) has been observed during 2010–11. It is estimated to increase by 3.6 percent to 2.73 million in 2011–12. Gender parity index has improved at the secondary level from 0.80 in 2008–09 to 0.83 in 2010–11.

207. Besides, a total of 3,435 higher secondary schools and inter colleges with 81,183 teachers were functional in 2010–11. An increase in secondary enrolment (1.19 million) in 2010–11 over 2009–10 (1.17 million) has been observed. It is estimated to increase by 8.7 percent to 1.291 million in 2011–12.

208. The number of public sector universities has increased from 132 in 2008 to 135. These provide education at affordable and highly subsidized rates. According to HEC (March 2012) of the total of 135 universities in Pakistan, 74 are public sector universities and 61 private sector universities.<sup>26</sup> According to Economic Survey 2011–2012, "An enrolment of 1.41 million is estimated in 2011–12 in higher education (universities) over

<sup>26</sup> [www.hec.gov.pk/InsideHEC/Divisions/LearningInnovation/Documents/PROVINCE%20WISE%20UNIVERSITIES%20IN%20PAKISTAN.pdf](http://www.hec.gov.pk/InsideHEC/Divisions/LearningInnovation/Documents/PROVINCE%20WISE%20UNIVERSITIES%20IN%20PAKISTAN.pdf).

1.11 million in 2010–11. There are 135 universities with 63,557 thousand teachers in both private and public sectors which are functional during 2010–11.”

209. Punjab, Sindh and KP provinces have prepared the Prohibition of Employment of Children Bill 2012, which prohibits employment of children below 14 years of age in all occupations including child domestic labour. While the effort to enact legislation has been made including wide ranging consultations among stakeholders, approval required debate in the provincial assemblies, whose term ended before the Bill could be introduced for debate.

210. With concerted efforts, dropouts are reduced and enrolment has gone up by over 2 percent at the primary level and over 4 per cent at the pre-primary level. The Sindh and Punjab Education Sector Reform Programs have expanded with significant achievements.

**(CRC/C/PAK/CO/3-4, para. 79 (d, e and f))**

211. The initiative to support early childhood learning followed from the National Education Policy (1998–2010), which called for a reintroduction of katchi/pre-primary class as a formal class in primary schools, extending primary education to a six year programme. Apart from the funds released by the federal government to the provinces for ECE under the Education Sector Reforms (ESR) in 2001/02–2002/03, no specific allocations have been made in the provincial budgets for this area.

212. For non-formal institutions, statistics suggest that there are 15,899 non formal basic education (NFBE) schools and 12,599 deeni madrassahs, with 3,159 technical and vocational centres and 176 teachers training institutes. Of the non-formal enrolments, over one-half (1.6 million) students are enrolled in deeni madrassah. Almost 0.65 million each are enrolled in teachers training institutes and NFBE schools while another 0.26 million were trained at the technical and vocational centres.<sup>27</sup> Training is routinely undertaken in all provinces. At the federal level, the Ministry for Education and Professional Training is responsible for NFBE and training.

213. Training is undertaken in all provinces of Pakistan. At the federal level, the ministry for human resource development and another ministry for education and professional training are responsible for vocational training. Enrolment in TVET sector in Pakistan is about 4 per cent of the overall enrolment in education sector which is very low as compared to other streams. The total number of TVET institutions in Pakistan is 1,522 with 1,140 institutions run by government and 382 institutions run by the private sector. Total enrolment in public and private training institutions was 314,188, of whom 249,444 trainees were enrolled in government institutions and 64,744 individuals were enrolled in private institutions.

214. The most popular sectors in terms of enrolment are manufacturing (40 per cent), real estate and business services (22.4 per cent), Social and Personal Services (17.7 per cent), Transport and communication (9.5 per cent), construction (6.5 per cent), agriculture and forestry (2.5 per cent), handicrafts (2.2 per cent) and power (2.2 per cent). There is no information on the age profile of trainees but they are generally enrolled after middle and/or secondary education.

215. Teacher training programs are streamlined at the provincial level. Before the implementation of the 18th Amendment, the curriculum wing within the federal Ministry of

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<sup>27</sup> UNESCO, Situation Analysis of the Education Sector, Report prepared by Eshya Mujahid-Mukhtar, p.7, no date. [http://unesco.org.pk/education/documents/situationanalysis/National\\_Final\\_Report\\_Education\\_Policy\\_Analysis.pdf](http://unesco.org.pk/education/documents/situationanalysis/National_Final_Report_Education_Policy_Analysis.pdf).

Education was managing the curriculum of some 50 subjects for classes 1 to 12. After the devolution of education, the responsibility of curriculum development lies with the provinces. The provinces have opted for developing their own independent curricula in light of the Committee's general comment No. 1 (2001) on the aims of education.

216. School infrastructure has been given special focus, especially after the recent recurrent floods. While the Earthquake affected schools continue to receive furniture from the government, the issue of rebuilding schools affected or destroyed by terrorist groups has also been addressed by government.

**(CRC/C/PAK/CO/3-4, para. 79 (g and h))**

217. The National Early Childhood Education (for children from 3 to 5 years of age) curriculum also aims to bring improvement in line with general comment No 1. The same aspirations and purposes are reflected in the provincial policies on Early Childhood Education Curriculum. Pakistan and its institutions recognize early years as the ideal stage for the transfer of values that are indispensable for a peaceful, prosperous and democratic society. These values include respect for human rights, appreciation of diversity, tolerance, and justice.

218. The Early Childhood Education curriculum aims to: (a) Provide for the holistic development of child, which includes physical, social, emotional, cognitive and moral development; (b) Develop critical thinking skills; (c) Nurture tolerance and respect for diversity; (d) Nurture in children, a sense of identity and pride in being Pakistani.<sup>28</sup>

219. It is encouraging that the support from UNICEF, UNESCO, and bi-lateral donors such as USAID and DFID has been forthcoming for the education sector in Pakistan. There are about 90 donor supported education projects being implemented in Pakistan by the federal government as well as by the four provincial governments. Of these, 63 projects are being implemented at the provincial level with only 27 managed by the federal government.

**(CRC/C/PAK/CO/3-4, para. 81 (a and c))**

220. Pakistan has improved the registration of madrassahs: By 2008, there were some 13,000 registered madrassahs<sup>29</sup> which increased to 24,000 by January 2012.<sup>30</sup> Of these 12,903 madrassahs were in Punjab; 683 in Balochistan; 4,680 in KP; 153 in ICT; and 426 in AJK.

221. Besides registration of madrassahs, the federal government through Pakistan Madrassah Education Board (PMEB) has prioritized the improvement and monitoring of these institutions.

222. However, more efforts are needed for effective monitoring of madrassahs, which are large in number and present in every nook and corner of the country, including rural and far flung areas. A large number are firmly embedded in the fabric of society and culture as they respond to an important community need and enjoy community ownership and participation; madrassahs enjoy respect and confidence of the parents and elders. However, the government shall continue with its programs to reform Madrassahs and Madrassah education.

<sup>28</sup> UNESCO Balochistan Early Childhood Education Plan (2012–2015).

<sup>29</sup> Please check para 445 of the third and fourth periodic report.

<sup>30</sup> [www.paktalibanisation.com/?p=5166](http://www.paktalibanisation.com/?p=5166).

**(CRC/C/PAK/CO/3-4, para. 81 (b and e))**

223. Pakistan's education system faces challenges from different conservative groups who believe in introducing orthodox agendas. For example, in June 2012, a gathering of religious scholars at an Education Conference announced that they shall "launch a countrywide movement ... against the implementation of secular education system in the country on foreign pressure".<sup>31</sup>

224. The federal and provincial governments have introduced education reform programmes, aimed at improving the aims of education as given in general comment No 1, which promotes tolerance, peace and justice.

225. The Planning Commission of Pakistan has issued a report on the Vision 2030, which speaks for change of the mindset and aspire for a new set of societal goals. The Vision 2030 says: "Our education system must provide quality education to our children and youth to enable them to realize their individual potential and contribute to development of society and nation, creating a sense of Pakistani nationhood, the concepts of tolerance, social justice, democracy, their regional and local culture".

**IX. Special protection measures (arts. 22, 30, 38, 39–40, 37(b)–(d), and 32–36 of the Convention)****Refugee children****(CRC/C/PAK/CO/3-4, para. 83 (a, b and c))**

226. Pakistan has continued its policy of generous hosting of refugees and voluntary repatriation of Afghans refugees to their areas of origin in Afghanistan. In the last few years, with the assistance of UNHCR, many Afghan nationals have repatriated voluntarily. However, Pakistan is still catering to the needs of millions of Afghan nationals.

227. These Afghan nationals have been issued Proof of Registration cards (POR cards) so that they get entitlements of the basic necessities and, those volunteered, are sent back to their home country. There are 1.649 million registered Afghan refugees residing in Pakistan at the end of the year 2012 and out of these 0.608 million refugees are living in camps.

228. There are approximately 25,000 Afghan children studying in the public sector schools in Balochistan and KP, and another 50,000 studying in schools funded by NGOs and United Nations agencies. UNHCR supports children up to class 8 and after that they are supported by the government. In about every classroom of 9,000 primary and middle schools in KP, Afghan refugee children are getting education along with Pakistani children.<sup>32</sup>

229. The federal and provincial governments and law enforcement agencies have extended full support and cooperation in terms of human resources and facilitation to the United Nations agencies for continuing and strengthening the programme for RAHA. In 2011, the results of the UNDP (funding from Government of Japan and European Union) declared RAHA programme was a great success.

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<sup>31</sup> [www.nation.com.pk/pakistan-news-newspaper-daily-english-online/lahore/25-Jun-2012/drive-against-secular-education-system](http://www.nation.com.pk/pakistan-news-newspaper-daily-english-online/lahore/25-Jun-2012/drive-against-secular-education-system).

<sup>32</sup> Junaidi, I (2012), Pakistan schools 193000 afghan children at <http://dawn.com/2012/03/30/pakistan-schools-193000-afghan-children/>.



**(CRC/C/PAK/CO/3-4, para. 83 (d and e))**

230. By 2012, 334,208 Afghan refugee children under five years old and 781,905 children below 18 and above 5 years old were issued birth certificates. Even though Pakistan is not a State party to the 1951 Refugee Convention, it has demonstrated respect for international principles relating to refugee protection.

231. The Afghan refugees are covered under the Management and Repatriation Strategy for Afghan Refugees in Pakistan (AMRS) of 2010. All government departments and law enforcement agencies extend complete cooperation to the relevant United Nations specialized agencies and NGOs for carrying out programmes for the welfare and protection of refugee children and their families; the RAHA programme is an example.

**Dislocated children due to floods and earthquakes of 2005  
(CRC/C/PAK/CO/3-4, para. 85 (a, b and c))**

232. With the help and support of United Nations agencies and NGOs, the Government has addressed the humanitarian needs of families/people affected by earthquakes in 2005 (in AJK) and 2008 (in Balochistan) and floods in 2010, 2011 and 2012. These continuous floods have severely damaged the basic infrastructure of the country, which requires time and resources to rebuild. However, given the limitation of resources, Pakistan has been discharging its duties to provide food, shelter, compensation and skills to the affected and displaced families.

233. In 2011–12, the federal government launched various projects and schemes in flood hit areas and allocated Rs3,802 million. The National Disaster Management Authority (NDMA) established “Gender and Child Cell” (GCC) in August 2010 with the aim to mainstream gender and child protection issues and vulnerabilities in humanitarian response, crises management and disaster risk reduction initiatives. The NDMA made focused efforts to extend support to provinces for establishment of GCC at respective PDMA’s with the objective to bring coherence in National, provincial and District policies and actions with regard to gender and child protection issues in disasters and to be able to work in collaboration with relevant stakeholders.

**Use of children by extremists  
(CRC/C/PAK/CO/3-4, para. 87 (a, b and c))**

234. Law Enforcement Operation carried out by Law Enforcement Agencies cannot be termed as conflict situation. The Government is making utmost effort to prevent instances of use of children by terrorists and extremist groups. Punitive action is being taken against those who use children for terrorist activities. The Government, through the Council of Islamic Ideology (CII), has close association with religious scholars to seek their support against terrorism in the name of religion. All religious groups and the CII have declared suicide bombing as un-Islamic and an anti-human act.

235. All media channels in Pakistan have one line policy against suicide bombings and regularly air talk-shows to discourage such actions and educate people that this is neither sanctioned by religion nor by ethical and social values.

**Economic exploitation, including child labour  
(CRC/C/PAK/CO/3-4, para. 90 (a and b))**

236. After the 18th Amendment to the Constitution, labour has also become a provincial subject and now addressing child labour issues fall within the domain of provincial governments. Devolving labour to the provincial governments appears to be a positive step in developing area-centric policies for the progressive elimination of child labour.

237. The GoP recognizes that holding a child labour survey is needed alongside making an effective policy and improvement in legislation to eliminate child labour, especially worst forms of child labour. In this regard, the Ministry of Human Resource and Development, in close coordination with the ILO, is addressing the complex issues of child labour. The ILO campaign against worst forms of child labour in surgical industry has helped to reduce child labour more than 50 per cent.

238. In 2011, the government of Punjab has signed a five-year pilot project with the ILO to combat child labour in four districts of Punjab which includes Jhelum, Chakwal, Layyah and Jhang. The pilot phase would cost Rs180 million from the government Annual Development Programme whereas ILO would provide technical assistance.<sup>33</sup> It is the first time any provincial government has taken initiative i.e., literacy services, skill development, model workshops and micro-crediting schemes. Literacy centres will be established in target areas to facilitate enrolment of children most prone to worst forms of child labour. The project aims at enrolment of about 2,000 working children under the age of 14 in non-formal literacy centres. Also about 2,000 from the higher age group would be imparted literacy and skill training.

239. The PBM operates 28 Pakistan Sweet Homes across the country for orphan, destitute and homeless children. The Homes give protection to these children and provide them quality education, health and better living conditions. All four provinces have set up welfare homes for destitute children. These institutions rehabilitate lost, runaway and kidnapped children, and children who are victims of violence. It may be noted that these institutions are considered to be the "last resort" arrangements as State and society consider that a child should live in a family environment.

**(CRC/C/PAK/CO/3-4, para. 90 (c and d))**

240. As mentioned earlier, after the devolution of labour as a provincial subject, all provincial governments have prepared draft bills to amend the ECA 1991 and ban child labour in all occupations and processes below 14 years of age. Once these amended laws are in place, all provincial governments would ensure to improve monitoring and inspections.

241. Pakistan recognizes that a large number of children, trapped in bonded labour in agriculture, brick kiln and other sectors of economy, have been deprived of their rights. Courts are taking steps to secure their release. A majority of bonded labourers were released through police and judicial interventions in the light of the Bonded Labour System Abolition Act 1992. In this regard, every year government encourages and supports civil society organizations for launching a child labour-free week for raising awareness about the harmful effects of child labour on children, the economy and nation.

242. In 2009, the Punjab province allocated Rs 123 million for the eradication of bonded labour in brick kilns.

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<sup>33</sup> International Labour Organization, Combating Abusive Child Labour II at [www.ilo.org/islamabad/whatwedo/projects/WCMS\\_143210/lang-en/index.htm](http://www.ilo.org/islamabad/whatwedo/projects/WCMS_143210/lang-en/index.htm).

**(CRC/C/PAK/CO/3-4, para. 90 (e and f))**

243. In 2011, the Labour Directorate Punjab conducted 70,308 inspections and 875 prosecutions were carried out under the ECA. In 2010, 107,739 inspections of factories and workshops were conducted and 1,671 prosecutions of employers were carried out. This data reflects that the labour system is active, and it is monitoring the implementation of the ECA and the SEO.

244. In 2010, the Labour Directorate, KP, conducted 566 inspections of factories, shops and workshops and 85 cases were lodged against employers under the ECA and other legal provisions of child labour. In 2011 (from January to August), under the ECA and other provisions of child labour, 644 inspections of shops, factories and workshops were conducted in the province which resulted in the lodging of 85 cases against employers/factory owners. In 2010, the Labour Department Sindh conducted 1,238 inspections of factories, shops, workshops and only 20 cases were lodged against employers based on issues identified during inspections.

245. The Punjab government constituted a provincial Council for Home Based Workers (HBWs) headed by Adviser to Chief Minister in 2011. The Council finalized and proposed the policy and legislation for HBWs within three months of its constitution.<sup>34</sup> In Sindh, a Provincial Task Force was announced by the Minister for Labour in October 2011 to review existing legislation and propose new policy and plan of action.<sup>35</sup>

246. The federal and provincial governments have received ample support from NGOs, civil society and ILO. Positive steps include the establishment of Provincial Child Labour Unit (PCLU) in each of the four provinces to eradicate child labour in the country through education, micro-credit, skill training and community monitoring. These units have been set up through collaboration of provincial labour departments, the European Commission and International Labour Organization to curb child labour in the country. The PCLUs would serve as focal points for research, awareness and community mobilization activities.

247. The Government, in collaboration with the ILO, approved a pilot project in 2011 to tackle worst forms of child labour (discussed above). The project will enrol 2,000 child labourers below 14 in non-formal literacy centres. About 2,000 from the higher age group will be given literacy and skill training. The project includes 50 model workshops which will educate and demonstrate "healthy employment", ensuring safe working conditions. The Punjab Child Labour Unit has been comparatively active, and has prosecuted a number of cases under the ECA, 1991 and Shops and Establishment Ordinance, 1969.

**Children in street situations  
(CRC/C/PAK/CO/3-4, para. 92 (a and b))**

248. Although specific data is not available, it is contended that the population of street children has increased. Punjab and KP have taken legislative and administrative measures to address this issue.

249. In 2012, the Regional Directorate of Human Rights in Peshawar, in association with an NGO conducted a survey titled, "Child beggary in Peshawar: Scale, Causes and Measures". The survey reveals that the child beggary is not taking place on a large scale; however, it still causes violation of the rights of about 1,000 children who are engaged in this activity in Peshawar. Poverty is the main reason behind child beggary. The survey

<sup>34</sup> Dawn (2011), Legislation on home based workers promised; October 30, 2011.

<sup>35</sup> Usman, A. (2011), Home Based workers policy put off due to dengue; The Express Tribune, October 11, 2011.

recommended that government departments should plan for direct interventions for elimination of child beggary in the capital of the province.

250. With financial support from UNICEF and the United Nations Office on Drugs and Crime (UNODC), different government departments have conducted surveys to assess the situation of street children in different cities of Pakistan. Programmes like Pakistan Sweet Homes, Waseela-e-Taleem and NCLCs are some efforts that address the issues of street children

251. A number of CSOs have stepped in to establish drop-in centres for street children. These are limited scale projects providing psychosocial counselling, some basic health and non-formal education services. In 2010, 1,870 children living and working on the streets were provided with non-formal education, life skills training and counselling through Child Protection Centres in KP, Balochistan and Sindh provinces by UNICEF.

252. Currently, PBM is running 28 “Pakistan Sweet Homes” throughout Pakistan. It has 9 homes in Punjab, five in Sindh, five in KP, two in Balochistan, two in ICT, one in AJK and one in GB. Similarly, it has Child Support programmes (CSP), i.e., in Punjab 3, Sindh 2, KP 2, Balochistan 2 aside from three pilot projects.

**(CRC/C/PAK/CO/3-4, para. 92 (c and d))**

253. Under the PDNCA, Child Protection Bureau offices have been set up in six major regions, besides the Head Office in Lahore. Besides these, children courts with help lines have also been established.

254. In all provinces, courts do obtain children’s views and concerns and base their decisions on the best interests of the child. The MoHR/NCCWD also takes on board children’s point of view while making programmes and policies. Children’s views are obtained with the help of the CSOs through children clubs across the country.

**Sexual exploitation and abuse  
(CRC/C/PAK/CO/3-4, para. 94)**

255. Though all forms of sexual exploitation and abuse is a serious crime/offence in Pakistan, there is room to improve laws and their implementation. In this regard, some CSOs have conducted assessments for understanding the extent, scope and root causes of child sexual abuse and exploitation.

256. UNDP under the Gender Justice and Protection (GJP) Project sponsored a study on Karo Kari (honour killing) and police response in Sindh which suggested that the issue is linked with illiteracy, ignorance and entrenched tribal system, as well as weaknesses in criminal justice system., In light of the study’s findings, the Sindh police undertook measures to improve police officials’ efficiency while handling cases of honour killing, established special karo kari (honour killing) cells in Sukkar, Naushero Feroz, Khairpur and Ghotki districts, and set up victim support helpline (111-123-588). The Sindh Police has also arranged special trainings for senior police officials dealing with honour killing cases.

257. CSOs and government departments jointly help and support victim children and families in all matters while pursuing their cases in courts. Simultaneously, numerous orientation sessions for police and judicial officers have been organized by these CSOs.

**Sale and trafficking  
(CRC/C/PAK/CO/3-4, para. 96 (a and b))**

258. The Government has taken significant measures to address external trafficking. These include a National Plan of Action notified in 2005 by the FIA. An Inter-Agency Task Force was operationalized in 2005 to intercept traffickers and to rescue victims. Publicity campaigns have been conducted to warn people about trafficking risks.

**(CRC/C/PAK/CO/3-4, para. 96 (c and e))**

259. Significant progress has been made in recent years to counter cross-border trafficking of children and trafficking via air routes has reduced substantially. The external trafficking of children for camel races had been eliminated. This was also facilitated by the acquisition of land by the Punjab government measuring 3.5 acres in Rahim Yar Khan to build a child protection institute at a cost of Rs 40 million. As many as 450 camel jockeys had been brought back to Rahim Yar Khan since the year 2005.

260. Under the NPA for combating human trafficking, the Additional Director General (Immigration) FIA has been acting as the National Rapporteur/coordinator on human trafficking. He is responsible for liaising with relevant ministries, agencies, international partners, Director General FIA, the Anti-Trafficking Units (ATUs), border security and other law-enforcement agencies, in order to efficiently implement operational investigation and criminal prosecution of human trafficking crimes.

261. Specialized ATUs have been established which investigate and prosecute human traffickers in addition to the identifying and protecting potential or actual victims. Any suspected victim or indication of the pursuit of human trafficking discovered by any other domestic ministry or agency is communicated to the ATUs without delay.

**(CRC/C/PAK/CO/3-4, para. 96 (d))**

262. One Federal and four Provincial Anti-Trafficking Units have been established. The Federal ATU Monitoring and Coordination Cell is responsible for collecting age and gender-disaggregated data on trafficking.

**(CRC/C/PAK/CO/3-4, para. 98)**

263. In all provinces, help lines have been set up with the support of UNICEF. In 2011 alone, 136,000 children received services through 09 Help Lines in Balochistan, Punjab and KP. During 2012 in Sindh, the following trainings were organized: two-day trainings for the staff of CPU Karachi on Helpline management and client handling; training for the staff of CPU Badin on helpline management and client handling; training for the staff of CPU Mirpurkhas on helpline management and client handling. Punjab government with the help of CSOs has also established toll free youth helpline. Civil society organizations have also set up helplines.

**Administration of juvenile justice  
(CRC/C/PAK/CO/3-4, para. 100 (a to i))**

264. The NJP introduced by the LJCP has played an important role in the implementation of the JJSO. The NJP has prioritized women and juvenile cases for quick disposal. By the

end of 2008, there were 2,043 children in different detention centres under different cases, which decreased to 1,432 children by 2011.

265. 27 Panels of Lawyers have been notified across the country by different district courts to provide free legal assistance to the needy and poor children. These panels are being replicated throughout the country. The number of probation officers increased from 58 in 2008, to 97 (including 13 female probation officers) in 2011. This led to an increase in the number children on probation from 145 children in 2008 to 250 children in 2011 who were released on probation. With the help of United Nations agencies and civil society organizations, existing and new probation officers were trained/provided orientation about probation laws and their role in reintegrating children in the communities.

266. As indicated earlier, the Remand Home Rules were notified by the Government of Sindh in 2011. The Remand Home is a temporary custody place for child inmates where they are provided care, protection, and treatment. Similarly, separate detention centres were established by the Government of KP under KP Borstal Institutions Act 2011 in Bannu, Peshawar, Haripur.

267. In 2010 and 2011, the Inspectorate General Prisons Sindh notified Larkana and Sukkar Youthful Offenders Industrial Schools (YOIS). Previously there were only two YOISs to cater for educational, social and reintegration needs of juvenile offenders.

268. The JJS has been made permanent agenda of the CJCC set under the Police Order 2002 and headed by the District and Session Judges. The High Courts of Peshawar, Balochistan and Sindh have issued notifications to make the JJSO a permanent agenda of the CJCCs in which all stakeholders (judiciary, police, prosecution, probation, prison and even NGOs) in the criminal justice system review the state of children who come in conflict with law.

269. In 2011, the JJWG headed by the Secretary LJCP has reviewed the JJSO in light of arts. 37, 39 and 40 and the Riyadh Guidelines, the Beijing Rules, 1985, the Committee's general comment No. 10 on children's rights in juvenile justice and other Juvenile Justice related international treaties. The JJWG has proposed amendments in the JJSO for bringing it into complete conformity with the Convention and other United Nations treaties.

270. With the help of UNICEF, 22 child protection desks in different police stations were set up. In relation to the age of criminal responsibility (see para 31), The Criminal Law (Child Protection) Amendment Bill 2009 was approved by the Cabinet, which considers to raise the age of criminal responsibility up to 12 years.

271. Upon sentence to imprisonment, all children have right to appeal to higher courts against imprisonment sentence. However, there is lack of automatic system in place that ensures that sentences to imprisonment for children are for shortest period of time. There is provision of release on parole but in order to be eligible for release on parole a person has to complete one third of the total sentence to imprisonment.

272. The Government of Sindh had allocated Rs220 million for the Committee for Welfare of Prisoners and the Legal Aid Office for providing legal aid to poor women and children. The Legal Aid Office has established offices in Karachi, Hyderabad, Larkana and Sukkar to provide legal support to children and women. Besides government of Sindh, CSOs through their trained lawyers have been providing free legal and psychological assistance to children.

273. For the implementation of the JJSO, there are about 220 courts that are also notified as juvenile courts across the country. These courts have been conferred with powers for trying cases of children who come in conflict with law. These courts include District and Sessions Judge Courts, Additional District and Session Judge Courts, Senior Civil Judge

and Judicial Magistrates. . These courts are also responsible for taking up routine civil and criminal cases in addition to cases of juvenile offenders.

274. Separate detention facilities exist for children in major cities of Pakistan. These include: Youthful Offenders Industrial Schools in Karachi, Hyderabad, Larkana and Sukkar; Borstal Institute and Juvenile Jail in Bahawalpur and Faisalabad. In other parts of the country, there are separate juvenile wards within adult prisons where the prison authorities try to keep children physically separate and away from the influence of other adult prisoners.

### **Protection of witnesses and victims of crimes (CRC/C/PAK/CO/3-4, para. 101)**

275. In Pakistan, there is no specific law for the protection of witnesses although research studies have been conducted to review the criminal justice system. In the Action (in Aid Civil Power) Regulation 2011 for FATA and PATA, witnesses are provided protection by keeping their identity secret.

### **Optional Protocol to the Convention on the sale of children, child prostitution and child pornography (CRC/C/PAK/CO/3-4, para. 102)**

276. On 5 July 2011, Pakistan ratified the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography. Pakistan is in the process of consulting with the relevant Ministries for the ratification of Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

### **Follow-up (CRC/C/PAK/CO/3-4, para. 104)**

277. The NCCWD has from time to time advocated relevant authorities for the implementation of the Convention and the Committee's concluding observations (CRC/C/PAK/CO/3-4), 2009. The role of CCO has been very useful in following up with all provincial and federal departments (which include judiciary, police, labour departments and so on) on case to case basis as well as for the implementation of the Convention.

278. In light of the National Assembly's Standing Committee on Human Rights' directions for sharing the progress on the implementation of the Convention and the CORs, the NCCWD/the MoSWSE devised and developed clusters related to each department/division/ministry to share the progress; in light of response from the provincial departments and federal line agencies, a report was prepared and shared with the Standing Committee in 2010.

### **Dissemination (CRC/C/PAK/CO/3-4, para. 105)**

279. The NCCWD, with the support of UNICEF and select NGOs, published and widely disseminated the Committee's recommendations across the country to every department and division. All the children clubs, forums, assemblies discuss and debate the provisions of the Convention, and progress of provinces against each article.