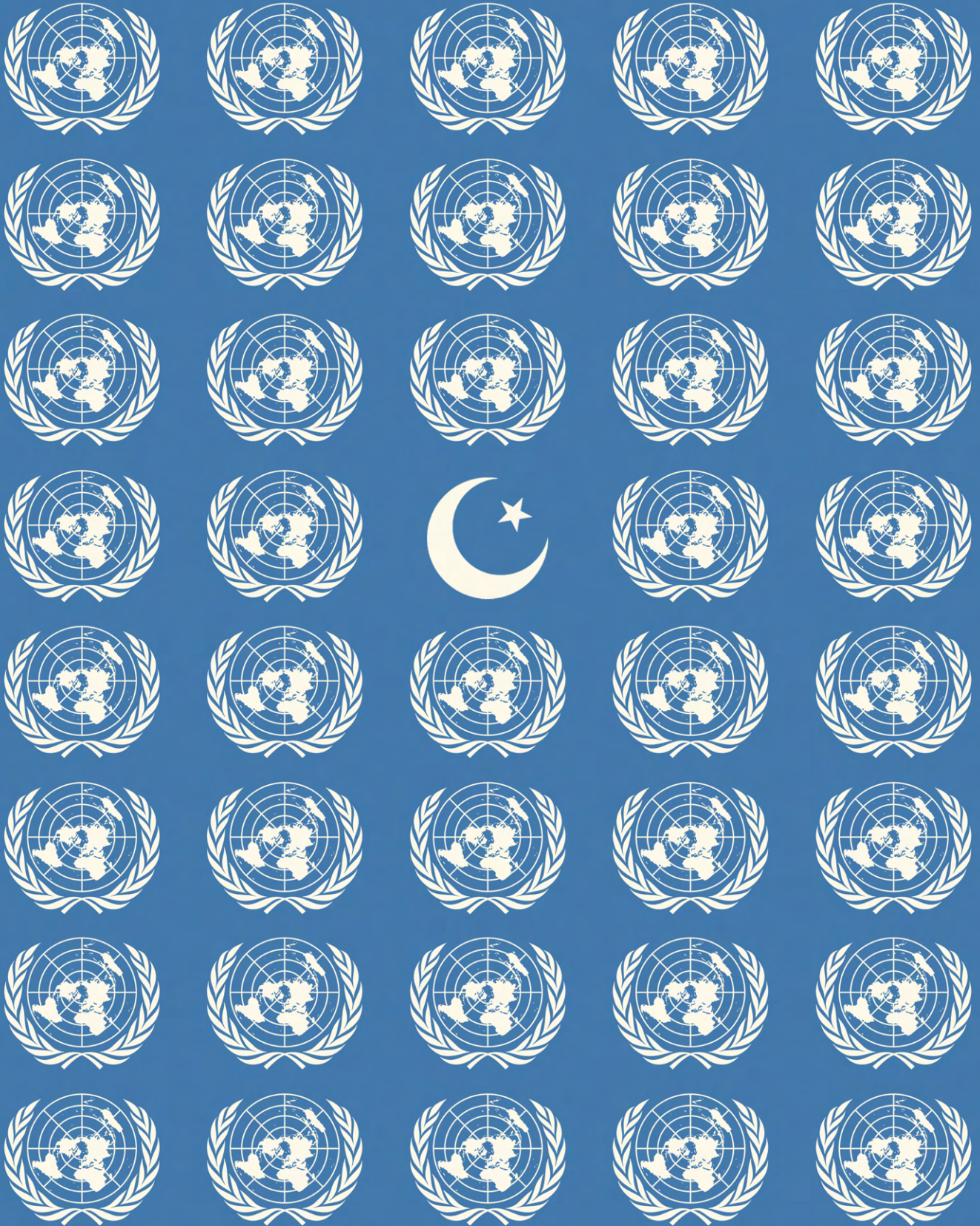


# Pakistan's Journey Under the UNCRC: A Compilation of Reports and Reviews



2015-2025



## **Preface**

In 1990, Pakistan became one of the earliest signatories to the United Nations Convention on the Rights of the Child (UNCRC), an international covenant that commits its States Parties to respect, protect and fulfil the rights of every child without discrimination. The Convention comprises 54 articles that enshrine core principles and protections, including non-discrimination, the primacy of the child's best interests in all decisions affecting them, the right to life, survival and development, protection from abuse, exploitation and neglect, access to education and healthcare, the right to be heard, and the right to special safeguards within the justice system. Through ratification, Pakistan formally committed to placing the best interests of the child at the centre of its laws, policies, and institutional practices.

Pursuant to its obligations under the UNCRC, Pakistan is subject to periodic review by the United Nations Committee on the Rights of the Child. This review process involves the submission of a State report by Pakistan, the adoption of a List of Issues or List of Issues Prior to Reporting by the Committee, and an interactive dialogue between the Committee and the State party in Geneva. The process concludes with the issuance of Concluding Observations, which set out the Committee's principal concerns and recommendations for strengthening the implementation of children's rights during the subsequent reporting cycle.

This document compiles all key materials relating to Pakistan's engagement with the UN Committee on the Rights of the Child, presented in chronological order. It covers reporting cycles and reviews conducted between 1993 and 2025 and is intended to serve as a consolidated reference for monitoring, advocacy, and research on Pakistan's compliance with its obligations under the Convention.



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# Section 1

Fifth periodic report of States  
parties due in 2012

– May 2015





# 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**\* \*\*

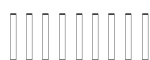
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\* The present document is being issued without formal editing.

\*\* 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.

<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 Afghan 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 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 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 educates 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/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/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/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/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.



# Section 2

List of issues in relation to the fifth  
periodic report of Pakistan

– November 2015





# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Seventy-second session

17 May-3 June 2016

Item 4 of the provisional agenda

Consideration of reports of States parties

### List of issues in relation to the fifth periodic report of Pakistan

**The State party is requested to submit, in writing, additional, updated information, if possible before 1 March 2016 (10,700 words maximum).**

*The Committee may take up any aspect of children's rights set out in the Convention during the dialogue with the State party.*

#### Part I

**In this section, the State party is requested to submit its responses to the following questions.**

1. Please provide information on measures taken since the eighteenth amendment to the Constitution to ensure that all laws at the federal and provincial levels are in line with the provisions of the Convention, especially with regard to the definition of the child, and to adopt legal and policy frameworks for children in the Federally Administered Tribal Areas. With reference to the recommendations made by the Committee in 2009 on the general measures of implementation (see CRC/C/PAK/CO/3-4, paras. 6-25), please:

(a) Indicate the measures taken to clarify the mandates of and rationalize the work undertaken by the existing multiple child rights bodies at the federal and provincial levels;

(b) Comment on reports that, although children constitute 48 per cent of the population, they are allocated only 6 per cent of the budget, and indicate the measures taken to ensure appropriate and efficient public budgeting and spending on children;

(c) Provide information on the results obtained from the 2006 National Plan of Action for Children and any challenges encountered in implementing the plan;

(d) Provide updated information on progress made towards the establishment of an independent national commission for children.

2. Please provide information on measures taken to combat gender-based crimes, such as female infanticide, crimes committed in the name of so-called "honour" and acid attacks,



and indicate whether the perpetrators of such crimes are systematically prosecuted without exception. Please also clarify whether the 2012 Acid Control and Acid Crime Prevention Act applies to all provinces and how it is implemented in practice.

3. Please provide information on the legal, policy and awareness-raising measures taken to address the severe discrimination experienced by girls, children born out of wedlock, children with disabilities, children of Dalit communities and lesbian, gay, bisexual, transgender and intersex children in the State party.

4. Given that the birth registration rate reportedly remains at only 30 per cent, please describe the strategy or strategies that have been developed or planned at the federal and provincial levels to achieve universal free birth registration, including for refugee and internally displaced children. Please clarify whether birth registration is considered to be a right for all children without discrimination, or whether it is left to the discretion of local authorities. With reference to paragraph 89 of the State party report (CRC/C/PAK/5), please indicate why children born out of wedlock cannot have their births registered.

5. Please provide information on the implementation of the 1951 Citizenship Act, which applies to all persons born on the territory of the State party, particularly with regard to children belonging to the Bengali, Bihari and Rohingya communities, most of whom, to date, remain stateless.

6. Please provide detailed information on the measures taken to protect children belonging to religious minorities from sectarian violence and attacks, forced marriage, forced conversion and prosecution and conviction under the blasphemy laws. In particular, please provide information on the outcome of the investigation, if any, conducted into the reported torture and death of a 7-year-old Hazara girl on 28 October 2014 in Quetta. Please also provide information on measures taken to ensure that children belonging to religious minorities are governed by secular law, to enable them to practise their religion without fear or threats, to ensure that they are not forced to attend Islamic teaching in school and to remove discriminatory stereotypes against religious minorities in school curricula.

7. With reference to the recommendations made by the Committee in 2003 (CRC/C/15/Add.217) and 2009, please indicate why section 89 of the 1860 Penal Code, which authorizes corporal punishment of children, and all the other legal provisions that condone or explicitly authorize corporal punishment of children have still not been repealed. Please clarify when the bills on the prohibition of corporal punishment will be adopted in each province and whether they will all clearly prohibit corporal punishment in all settings, regardless of the severity of the punishment or the injury it causes.

8. Please indicate the progress made towards enacting the bill on torture and custodial death and repealing laws that may be used to impose flogging as a punishment on children, particularly the 1894 Prison Act, the 1926 Punjab Borstal Act and articles 6 and 12 of the Frontier Crimes Regulation, as well as laws related to *hadd* offences and *qisas*. Please indicate the measures taken to prevent, record and monitor cases of torture involving children and to prosecute those responsible.

9. Please provide updated information on measures taken, including legal and policy measures, to address the sexual abuse and exploitation of children in the State party and to investigate the case of child sex abuse on a massive scale that was reported in 2015 in Kasur in Punjab Province, as well as the outcomes. Please indicate whether child protection centres have been established in Azad Jammu and Kashmir, Balochistan, the Federally Administered Tribal Areas and Gilgit-Baltistan and, if so, please give details of the human, financial and technical resources that are provided to the centres.

10. Please explain what measures have been taken to adopt and implement legislation raising the minimum age of marriage to 18 in all provinces, to prosecute and convict

perpetrators of offences under the 2011 Prevention of Anti-Women Practices Act and to provide protection to victims.

11. Please provide information on the measures taken to prevent children from marginalized and disadvantaged families from being institutionalized, to increase support for them including through the development of community-based services and programmes and to reintegrate children placed in orphanages into their families. Please also inform the Committee on the steps taken to develop and properly regulate foster care, particularly kinship care for children deprived of a family environment.

12. Please provide additional information on the implementation of any State-specific programmes aimed at enabling children with disabilities to enjoy their rights under the Convention and to prevent them from being marginalized and abandoned. Please explain the steps that have been taken to build an inclusive education system, as referred to in paragraph 155 of the State party's report.

13. Please provide information on the measures taken to increase the budget allocated to the health sector. Please indicate the steps taken to protect polio health workers and ensure their safe access to children. Please provide information on measures to combat malnutrition and develop programmes addressing the prevention and treatment of diarrhoea and pneumonia among children. Please indicate how the State party intends to address the reported problem of doctors giving formula milk to children in exchange for commissions from private companies.

14. With reference to paragraph 174 of the State party's report, please provide more information on measures taken to increase access to information on sexual and reproductive health, especially in schools, and to confidential contraceptive services. Given the reportedly high rate of clandestine abortion among adolescent girls, please indicate the measures the State party plans to take to ensure their access to safe abortion and post-abortion services.

15. In the light of article 25 A of the Constitution, please indicate the steps taken to adopt legislation in Azad Jammu and Kashmir, Gilgit Baltistan and Khyber Pakhtunkhwa to give effect to the right to free and compulsory education for children aged between 5 and 16. Please provide detailed information on the measures taken and the financial resources allocated specifically to rebuilding schools destroyed by militant attacks and natural disasters; to increase the availability of schools in rural areas, particularly for girls; to improve the infrastructure of schools, particularly with regard to access to drinking water, sanitation and electricity; and to increase the number of adequately trained teachers.

16. Please indicate the follow-up given to the concerns expressed by the Special Rapporteur on the right to education over the privatization of education and the exacerbation of inequities at all school levels (see A/HRC/29/30, para. 70). Please provide information on the measures taken to ensure that private education providers comply with minimum educational standards, curriculum requirements and minimum qualifications for teachers, and indicate whether any mechanisms have been put in place to regulate the fees charged by private schools.

17. With reference to paragraphs 221 and 222 of the State party's report, please provide detailed information on the measures taken to further improve the registration of madrasas and to ensure monitoring of their curriculum once they are registered. Please comment on reports that madrasas continue to serve as breeding grounds for extremist ideologies, and indicate the measures foreseen to protect children placed in madrasas from indoctrination, corporal punishment, forced begging, abduction and recruitment by armed groups.

18. Please provide updated information on the progress made towards enacting the legal framework for refugees and stateless persons developed in 2013. Please also provide

information on the measures taken to guarantee the rights of Afghan refugee children once the Afghan proof of registration cards expire, the specific protection measures taken for internally displaced families and children and the measures taken to ensure school enrolment of refugee and internally displaced children, especially girls.

19. With reference to paragraph 237 of the State party's report, please provide updated information on plans to conduct a survey on child labour. Please also indicate the measures taken or planned to bring the minimum age of employment under the 1991 Federal Employment of Children Act into line with the International Labour Organization Minimum Age Convention, 1973 (No. 138) and for it to apply to all economic sectors, including agriculture, and to prohibit domestic work as a worst form of child labour. In the light of reports that in Khyber Pakhtunkhwa the minimum age of employment is 12, please clarify the steps being taken to ensure that all provincial laws comply with international standards.

20. With reference to paragraphs 258 and 263, please provide additional information on measures taken to combat the sale of children, child prostitution and child pornography and to strengthen coordination between government authorities to combat child trafficking, particularly trafficking within the country.

21. Please provide additional information on measures taken to identify and rescue children working under slavery-like conditions in bonded labour, particularly in domestic work, brick kilns, the agricultural sector and carpet weaving, and to strengthen the labour inspection machinery in order to enforce the 1992 Bonded Labour System (Abolition) Act effectively. Please also comment on reports indicating that official complicity in trafficking, including by the police, immigration officials and members of political parties, severely hampers law enforcement.

22. In view of the numerous attacks on schools, especially non-religious and girls' schools, please indicate whether protecting schools has been made a priority and if so, through which special protection measures and in which provinces. Please provide information on the measures taken to prevent schools from being occupied by government military forces and non-State military groups, to release children kidnapped during attacks on schools and to bring the perpetrators to justice.

23. Please provide updated information on the measures taken to prohibit and criminalize the recruitment of children under the age of 18 and their use in hostilities by State armed forces and non-State armed groups. Please indicate the measures taken to prevent the recruitment of children for their use in hostilities or in terrorist activities and provide information on the exact nature of the de-radicalization programmes in which hundreds of children have reportedly been enrolled. Please comment on reports that children used in armed conflict are often judged by adult courts and indicate whether they have been explicitly excluded from the jurisdiction of the military courts established under the January 2015 constitutional amendment and that of anti-terrorism courts.

24. Please explain why the collective punishment of families with children aged between 16 and 18 was not outlawed under the 2011 amendment to the Frontier Crimes Regulation in the Federally Administered Tribal Areas. With reference to paragraph 99 of the State party's report, please clarify whether the parallel judicial system of *jirgas* has been explicitly criminalized in all provinces and territories of the State party and comment on reports that *jirgas* continue to administer justice and condemn girls to be killed and to other types of punishment such as forced marriage in the name of so-called "honour".

25. Please clarify which courts can exercise jurisdiction over cases involving children in conflict with the law and what steps have been taken to raise the minimum age of criminal responsibility. With reference to paragraph 99 of the State party's report, please provide detailed information on the exact procedure for determining, in the absence of a birth

certificate or other official document, whether a young person was a juvenile at the time of arrest and during trial. Please explain to what extent visual assessments of a child's age by the police or other law enforcement officials in the process of issuing an arrest or jail certificate complies with a child's entitlement to a reliable medical or social investigation into his or her age. Please describe the procedure adopted in cases in which the evidence for assessing whether a young person is a juvenile is conflicting or inconclusive and indicate which documents or sources are deemed admissible in this regard.

26. Please provide detailed information on the investigations undertaken and their outcome, if any, into allegations that the young person concerned is a juvenile, as well as into allegations of torture in the cases of Muhammad Afzal, Aftab Bahadur, Shafqat Hussain, Ansar Iqbal and Faisal Mahmood. Please explain how the right of the child to the benefit of the doubt is protected in cases in which filed evidence indicating that the young person is a juvenile is dismissed on procedural grounds. Please comment specifically on the Supreme Court's refusal to consider Ansar Iqbal's birth certificate, issued by the National Database and Registration Authority, as evidence of his juvenility on procedural grounds as being submitted too late.

## Part II

**In this section, the Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report regarding:**

- (a) New bills or laws, and their respective regulations;
- (b) New institutions and their mandates, and institutional reforms;
- (c) Recently introduced policies, programmes and action plans, and their scope and financing;
- (d) Recent ratifications of human rights instruments.

## Part III

**Data, statistics and other information, if available**

1. Please provide consolidated budget information for the past three years on budget lines allocated for children and social sectors, indicating each budget line as a percentage of the total national budget and gross national product, and geographic allocation.

2. Please provide, if available, updated statistical data, disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on the number of:

(a) Children condemned to death, including for *hadd* offences, and the number of defendants currently on death row who may have been sentenced for crimes they committed as children;

(b) Children missing as a result of enforced disappearances, particularly in Balochistan, the Federally Administered Tribal Areas and Khyber Pakhtunkhwa;

(c) Child victims of acid attacks and crimes committed in the name of so-called "honour" and the number of perpetrators of these crimes who were prosecuted and found guilty, as well as information on the sanctions applied to them;

(d) Children belonging to religious minorities who are victims of attacks, forced conversions and marriages and subjected to arrest and prosecution under the blasphemy laws;

(e) Children subjected to torture and ill-treatment and the number of perpetrators of these crimes who were prosecuted and found guilty, as well as information on the sanctions applied to them;

(f) Children killed in attacks on schools or deprived of education as a result of their schools being destroyed, and the number of schools damaged or destroyed as a result of attacks by State security forces and non-State armed groups;

(g) Children rescued from slavery-like conditions, including children engaged in bonded labour, domestic servitude and prostitution, and the number of labour inspections, including in brick kilns, factories and in the agricultural sector, directly related to child labour, including bonded labour under slavery-like conditions;

(h) Child victims of trafficking to or from Pakistan as well as within the country for the purpose of sexual or economic exploitation, including prostitution, forced marriage, forced labour, including bonded labour, and forced begging who have been identified by anti-trafficking units or other relevant agencies;

(i) Children detained under the 2014 Protection of Pakistan Act, the 2011 Actions (in Aid for Civil Power) Regulations and the Frontier Crimes Regulation, and the number of children arrested and detained on national security charges or for their alleged association with armed groups, as well as the reason for and length of their detention.

3. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographic location, regarding the situation of children deprived of a family environment. Please indicate, for the past three years, the number of children:

- (a) Separated from their parents;
- (b) Living in child-headed households;
- (c) Placed in institutions;
- (d) Placed with foster families;
- (e) Adopted domestically or through intercountry adoptions.

4. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographical location, for the past three years, on the number of children with disabilities:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending regular primary schools;
- (d) Attending regular secondary schools;
- (e) Attending special schools;
- (f) Not attending school;
- (g) Abandoned by their families.

5. Please provide the Committee with an update of any data in the report that may have been superseded by more recent data or that may have been affected by new developments.

6. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.

# Section 3

Replies of Pakistan to the list of issues in relation  
to the fifth periodic report of Pakistan

– April 2016





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## Committee on the Rights of the Child

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Item 4 of the provisional agenda

Consideration of reports of States parties

### List of issues in relation to the fifth periodic report of Pakistan

Addendum

### Replies of Pakistan to the list of issues\*

[Date received: 15 March 2016]

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



## Part I<sup>1</sup>

### Paragraph 1 and subparagraphs (a) to (d)

1. 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, was devolved 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 144 of the Constitution, legislative competence in relation to criminal law, procedure and evidence and any other issue still lies concurrently with the Federal Parliament and Provincial Assemblies.

2. In order to ensure conformity of laws, legislation is still been done at the Federal level and cover the entire country. For instance, To protect the Child from abuse in all respects, the Government of Pakistan decided to amend Pakistan Penal Code, 1860 ("PPC"). Ministry of Human Rights drafted Criminal Law (Amendment) Bill, which covers all aspects of child abuse. The proposed Bill provides for insertion of new sections in PPC i.e., 292A (Exposure to Seduction), 292B (Child Pornography), 292 C (Punishment for Child Pornography), 328A (Cruelty to a Child) 369A (Trafficking to Human Being in particular Internal Trafficking), 377A (Child Abuse) and 377B (Punishment for Child Abuse). It further proposes the raising of minimum age of criminal responsibility by amending section 82 & 83 of PPC. The Bill has been passed by the National Assembly and is being considered by Senate.

3. In some instances provincial assemblies have passed resolutions (under Article 144 of the Constitution) empowering Federal Government to make legislation applicable to the whole of Pakistan. On the other hand, federal as well as provincial assemblies have also been simultaneously passing laws such as Child Marriage Restraint Act and Right to Education Act with the view to make them applicable to the entire state.

4. After the devolution, the National Commission for Child Welfare and Development (NCCWD) has been placed within the Ministry of Human Rights. All provinces have provincial departments of human rights. These departments coordinate with the provincial governments and ensure implementation of child rights. The Provincial Commissions for Child Welfare & Development (PCCWD) also liaise and coordinate with NCCWD for protection of rights of children.

5. The FATA Child Protection Policy has been launched for the promotion and protection of children. It is a momentous step undertaken for millions of children of FATA to protect them from violence, abuse and exploitation and safeguard their rights.

6. Regarding budgetary allocations, issues pertaining to the rights of children are cross cutting. The budgetary allocations for Public Sector Development Program including services provided for health and education directly benefit children. Budgetary allocation for family support program, Benazir Income Support Program, Pakistan Bait-ul-Mal, Women empowerment package are also addressing the needs of vulnerable children and their families.

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<sup>1</sup> The headings in this document refer to those in the Committee's list of issues (CRC/C/PAK/Q/5).

7. Despite resource constraints, concerted efforts have been made to implement National Plan of Action 2006. Participation in Early Childhood Education rose to 74% with no striking disparity in enrolment of boys and girls. Infant, child and maternal mortality rates have seen significant improvement. Access to clean drinking water has improved from 90% in 2005 to 93% in 2015. Child Protection Units in Sindh, Punjab and KP have been established where around 15,000 cases have been either registered or referred.

8. In order to effectively coordinate, monitor and promote the Rights of the Child, the Ministry of Human Rights has drafted a Bill “National Commission on the Rights of the Child Bill” for establishment of an independent Commission to deal with the issues of children. The Bill is under consideration of the Standing Committee on Law and Justice of the National Assembly. The proposed Commission would be empowered to examine existing laws relating to children rights and recommend future legislation. The proposed Commission will also monitor the situation of children’s rights in the country and coordinate with provincial governments and civil society organizations.

## **Paragraph 2**

9. The Government has taken various measures to combat the gender related crimes by enacting various laws, in particular, Prevention of Anti-Women Practices (Criminal Law Amendment) Act, 2011. Following new sections have been inserted in the Pakistan Penal Code, 1860: i. 310-A. Punishment for giving a female in marriage or otherwise in badla-e-sulh, wanni or swara; ii. 498A. Prohibition of depriving woman from inheriting property; iii 498B. Prohibition of forced marriage; and iv. 498C. Prohibition of marriage with the Holy Quran.

10. The Acid Control and Acid Crime Prevention Act 2012 applies to all provinces and is implemented through existing criminal justice system. The offence of Honor killing is punishable under PPC. As the offence is considered as “murder”. Moreover Protection of Women Act, 2006 provides protection to women.

11. Awareness programs have been initiated by respective provincial governments, civil society organizations and media for combating gender related crimes. Family support programs have also been launched by the Government to address harmful customary practices.

## **Paragraph 3**

12. There is no discrimination against children on any ground. Various legal, policy as well as administrative measures have been taken to safeguard rights of children. At the Federal level, the ICT Child Protection Bill, 2016 has been drafted. The Bill covers the issue of unattended children and children with disabilities. The Ministry of Human Rights is implementing a project on Ending Violence against Children with the support of SAARC Development Fund. Under this Project, the key stakeholders including media, civil society organizations and public sector have been sensitized on issues relating to children. The Child Protection and Welfare Bureau, Government of Punjab is rescuing children of known parentage under the Destitute and Neglected Children Act, 2004 and taking legal as well as administrative measures to provide them right to survival. Other provinces are also taking steps for the protection of children.

#### Paragraph 4

13. Every individual born in Pakistan, including refugee/foreigner has right to be registered under NADRA Ordinance 2000 without any discrimination. National Data Base and Registration Authority (“NADRA”) acts as a federal body under NADRA Ordinance, 2000 to oversee and regulate affairs related to birth registration in the entire country. The local governments are also authorized and responsible to maintain birth registration record at Union Council level in collaboration with NADRA. NADRA has developed a grass -root 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.

14. NADRA has also devised an Orphan Registration Policy 2015, which is being implemented in the entire country. To register the name of the children with unknown parentage, it is explicitly stated in this policy that any “Unspecified Name” can be given to the parents of children with unknown parentage.” 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, they are issued National Identity Cards.**

15. In order to facilitate temporary dislocated persons, NADRA has allowed its registration centers in Nowshwra, Chotta Lahore, Kohat, Mardan, Samarbagh, Wari, Swat and Peshawar III for issuing forms for ensuring registration. NADRA has also made special arrangements for issuing ID cards to these persons and has opened NADRA counters in all the camps where female staff has been deputed to facilitate temporary dislocated women. Moreover, special arrangements have also been made for attestation of ID cards of the affectees.

#### Paragraph 5

16. The Constitution of Pakistan forbids discrimination on all grounds. Under Section 4 of the Pakistan Citizenship Act, 1951, every person born in Pakistan after commencement of the Act, shall be citizen of Pakistan except if the father is considered an enemy of the state or the father has immunity from legal process. The birth registration of child takes place at union council level under birth registration policy of NADRA. Any person, regardless of ethnic or religious identity, can approach the concerned union council or NADRA office with a proof that the child is born in the territory of Pakistan for his/her registration. No complaint has been received that birth registration of persons belonging to Bengali, Bihari or Rohingya community have been denied.

#### Paragraph 6

17. The Constitution of Pakistan guarantees human rights to all citizens including minorities. In a case filed through the Ministry of Law & Justice, i.e. Pakistan Hindi Council v. Pakistan, the Supreme Court held that every citizen had a fundamental right to profess, practice and propagate his religion. In the event of violation of such right including forced conversions, the Court held that violations of fundamental rights can always be presented directly before the court.

18. In Pakistan, concerted efforts are being made to eliminate discrimination against children belonging to minorities and children with disabilities. 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.

19. The Government has taken various steps for the protection of the rights of minorities in Pakistan. Procedure has been amended and the preliminary inquiry in blasphemy cases now is carried out by the District Police Officer. No children have been convicted under Blasphemy Law.

20. The Government has notified the National Commission for Minorities (NCM) with revised terms of references in July 2014 with the view to empower the NCM. The Ministry of Religious Affairs and Interfaith Harmony is also preparing a National Interfaith Harmony Policy in consultation with stakeholders. The Ministry of Human Rights is giving special attention to the protection of rights of minorities in National Action Plan to improve Human Rights situation in Pakistan. The Ministry of Information, Broadcasting and National Heritage has issued Code of Conduct 2015 for amending Pakistan Electronic Media Regulatory Authority ("PEMRA") Rules, 2009 under which the electronic media has been directed to ensure that no hate speech is aired in any of its programmes.

21. In addition, federal as well as provincial governments are introducing curriculum reforms with the view to include human rights education in the syllabus. Children belonging to minorities are not made to study Islamic teachings, rather they are taught separate subject of ethics. Besides, forced marriage has been criminalized under Section 498-B of PPC. Supreme Court of Pakistan has taken Suo Moto Action in cases of alleged forced conversions of girls belonging to minorities.

22. Regarding investigation of death of 7 year old Hazara girl on 28 October 2014 in Quetta, FIR No. 64/2014, U/S 302 QD, 07ATT was registered at Police Station Bijli Road, Quetta. The investigation agencies conducted comprehensive investigations including using forensic report, ocular account and testimonies and found the accused Junaid Shahzad guilty. The accused was arrested and the case is presently under trial at Anti-Terrorism Court-1, Quetta.

## **Paragraph 7**

23. The Government is firmly committed to end all forms of violence against children including corporal punishment. Government has presented Criminal Law (Amendment) Bill, 2015 in the Parliament. The Bill proposes insertion of Section 328 A in PPC. It would penalize cruelty to children either in physical or psychological form by anyone. The Bill has been passed by the National Assembly and presently is with the Standing Committee of Senate. Moreover, another private member bill with the name of "the Prohibition of Corporal Punishment Bill, 2016" has been introduced in the Parliament. The Bill provides that corporal punishment of child by any person should be prohibited in all its forms in schools and other educational Institutions including formal and non-formal both public and private, child care institutions and in juvenile justice system institutions.

24. The Federal as well as the respective provincial governments have issued policy direction/instruction to all educational institutions to prohibit corporal punishment. Awareness campaign with slogan of "Maar Nahe Pyar" (beat not only gave love) has massively been disseminated through electronic and print media.

### **Paragraph 8**

25. The Constitution as well as Criminal Procedure Code and Pakistan Penal Code prohibit acts of torture. Acts of torture are also subject to criminal penalties, including fines and incarceration. The justice system, in this regard holds the perpetrators accountable. Current criminal law both federal and provincial, clearly prohibit all acts of violence that may amount to torture. These acts may be prosecuted under a number of provisions of PPC including assault, murder, rape, wrongful confinement, criminal force and kidnapping, among others.

26. Courts in Pakistan properly supervise the physical custody of the accused and executive authority, police and investigating agencies are prohibited from torture of citizens. Besides, whipping has been abolished by the Abolition of the Punishment of the Whipping Act, 1996. Torture is also prohibited under the Prison Act, 1894, Borstral Act, 1926 and FCR, 1901.

### **Paragraph 9**

27. The Government has taken legal as well as policy measures to end child abuse and exploitation. Child abuse is covered under the Pakistan Penal Code 1860 under various Sections: 293 (Sale, etc., of obscene objects to young person, may extend to six months) 365B (Kidnapping, abducting or inducing woman to compel for marriage etc-imprisonment for life); 369. (Kidnapping or abducting child under ten years with intent to steal from its person, imprisonment of either description for a term which may extend to seven years); 371A. (Selling person for purposes of prostitution, etc., imprisonment which may extend to twenty-five years); 371B. Buying a person for purposes of prostitution, etc, imprisonment which may extend to twenty-five years); 375. Rape, 376. (Punishment for rape, death or imprisonment for life); 377. (Unnatural offences, imprisonment for life), among others.

28. To cover the issue of child abuse in a comprehensive manner, the Criminal Law (Amendment) Bill, 2016 is also being enacted. The Bill proposes insertion of new sections in the PPC to criminalize offences i.e., exposure to seduction, child pornography, cruelty to a child, trafficking of human beings and sexual abuse. The Bill was passed by the National Assembly on 10th December, 2015. It was introduced in the Senate on 23rd December 2015 and Chairman Senate referred it to the Senate Committee on Human Rights for consideration.

29. With regard to the measures taken to investigate the sexual abuse reported in the Kasur District, Punjab, following measures have been undertaken:

- A Joint Investigation Team (JIT) was constituted.
- 24 victims recorded their statement to JIT. JIT came up with recommendations which are being implemented.
- Lahore High Court has taken serious notice on the sale of clips of child abuse in the market, and directed the provincial administration to take action against it.
- The District Police Officer, Kasur suspended five policemen in the child abuse scandal.
- Police arrested main accused of child abuse case namely Waseem Sindhi. Out of 20 accused, 17 have been arrested.
- The Inspector General of Police suspended the services of District Police Officer, Kasur after the surfacing of the child abuse case.

- Ganda Singh police station registered 27 cases against the suspects.
- The anti-terrorism Court handed over three suspects, i.e., Tanzeel-ur-Rehman, Atiq-ur-Rehman and Waseem on physical remand for interrogation regarding their involvement in Kasur child abuse scandal.

30. The Balochistan Child Protection Bill, 2015 is under consideration of the provincial assembly for enactment which proposes to establish child protection centers. In Azad Jammu and Kashmir, Child Protection Policy has been approved by the government and child protection centers under this policy are operational. In Gilgit-Baltistan, Child Protection Bill is in consultative process which proposes to establish child protection centers.

### **Paragraph 10**

31. The Pakistan Penal Code, 1860 has been amended through the Anti Women Practices Act, 2011 and the persons accused of involved in anti-women practices are being prosecuted and, punished if found guilty by courts. The Sindh Assembly has passed Sindh Child Marriage Restraint Act 2013 which declares marriage below the age of 18 years punishable by law. The Punjab government has promulgated the Punjab Marriage Restraint (Amendment) Bill, 2015 for criminalizing child marriage.

32. The Khyber Pakhtunkhwa Government has enacted the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010 to provide for the care, protection, welfare, training, education, rehabilitation and reintegration of children at risk. The Act defines “child” means a natural person who has not attained the age of eighteen years.” Gilgit Baltistan Muslim Family Law has already provided 18 years age for marriage of a person and the marriage being a civil contract cannot be made without attaining the age of 18 years. The GB Child Marriage Restraint Act 2015 is under discussion before the GB Legislative Assembly which proposes minimum age for a valid marriage as 18 years.

### **Paragraph 11**

33. In Pakistan, the majority of the population lives in the rural areas and extended family support system is strong which prevents and safeguards children from institutionalization. The Child Protection Centers/units all over the country provide temporary shelter services for marginalized children. The orphan and marginalized children are reintegrated with their families/communities through community networks at grass root level. The standard Operating Procedures have been devised for child care institutions and the stakeholders have been provided trainings in this regard.

### **Paragraph 12**

34. With the observance of 1981 as the United Nations International Year of Disabled Persons, special focus had been given to the rights of persons with disabilities (PWDs). Pakistan ratified the United Nations Convention on the Rights of Persons with Disabilities in 2011. To implement the provisions of the Convention, the federal and provincial governments have taken various measures. In this regard, independent special education departments have been established in the provinces. At the Federal level, four National Special Education Centres (one for each disability i.e. hearing impairment, visual impairment, physical disability and mental retardation) are functioning since 1982. The National Policy for Persons with Disabilities was formulated in year 2002 to address the

specific needs of persons with disabilities. The steps recently taken by the Government for the well-being of PWDs includes:

- Formulating design Manual and Building Bye-laws on accessibility for PWDs and prepared draft legislation on accessibility
- Started Sign Language Interpretation on Pakistan Television Network.
- Issuance of Special Computerized National Identity Card (SCNIC) for PWDs through NADRA.
- Partnership with National Paralympic Committee and other sports organizations to ensure participation of PWDs in sports.
- Permission to appear in the Civil Services Examination on an equal basis with others.
- Establishment of UNCRPD secretariat.
- Facilitation through 50% concession in Rail and Air fare.
- Enhanced employment quota from 1% to 2% for PWDs
- Free medical treatment in Government hospitals for PWDs and their dependents/ family members.
- Opening of individual bank accounts for Visually Impaired persons.
- Establishment of National Committee for the Implementation of CRPD.
- Regularly organize festival for persons/children with disabilities at F-9 Park, Islamabad.
- Celebrated International Day for Persons with Disabilities in a befitting manner every year for raising awareness.

35. Pakistan is promoting a disabled friendly and inclusive society by involving all stakeholders including persons with disabilities. The Government is taking various measures in collaboration with civil society organizations to promote the concept of inclusive education and participation of PWDs in all spheres of life by sensitizing the people through electronic and print media and devising building/road codes friendly for disabled persons.

36. 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. Besides, teachers of Government schools have been trained to impart education to PWDs with the view to promote inclusive education.

37. The Provincial Governments have also taken various initiatives for the welfare and rehabilitation of PWDs. The Government of Punjab increased quota from 2 to 3% through special package in educational institutions and employment. It has also launched a unique programme in the history of the country, 'Punjab Khidmat Card' for providing interest free loans, free technical training, rehabilitation and welfare and financial assistance to PWDs. For this purpose, Rs 2 billion has been allocated for the first phase of the 'Punjab Khidmat Card' programme and 200,000 deserving disabled persons would benefit from this programme.

38. The Government of Sindh, Social Welfare Department established 16 rehabilitation centers all over the province for children with disabilities. These Centers are providing multiple services to disabled children including education, braille and sign language training, vocational and skill building training. The government of Khyber Pakhtunkhwa has taken number of steps for the welfare and rehabilitation of PWDs and has established

24 institutions in different districts during 2011-14, including welfare homes for orphan children, school for hearing impaired, blind and deaf children, among others.

### **Paragraph 13**

39. Despite resource constraints, the Government is gradually increasing budgetary allocations for health. According to Economics Survey of Pakistan, 114.22 billion rupees have been allocated for the health sector during 2014-2015.

40. The Government has taken various steps taken to protect polio health workers and ensure their safe access to children, including, among others, New Emergency Operational Guidelines, involvement of the DC/DCO/PA of every district/agency, coordination between civil and military authorities to ensure safety and security of all the field polio eradication workers.

41. Government has also taken a life-cycle approach and recognizes the importance of optimal nutrition for women in order to minimize the risks associated with malnutrition. Securing good nutritional status of women across the life-cycle will in the long term reduce child underweight and stunting. Following programs in this regard are noticeable:

- National infant feeding board has been notified both at federal and provincial level to ensure implementation of breast feeding ordinance;
- Infant and young childhood Feeding (IYCF) strategy has been developed which will address first 1000 day window of opportunity with involvement of all stakeholder;
- Provinces have developed their PC-1 for nutrition;
- In province of Sindh with the support of WFP & UNICEF anti-stunting program is being launched in high priority districts;
- Food fortification alliance has been notified. Fortification of flour with iron supplement in collaboration with Pakistan flour mill association;
- Launch of PM health insurance program ensuring access to poor segment / community to avail essential obstetric care services at quality health care facilities; and
- Fortification of flour has been initiated in Punjab and AJK.

42. The expanded program for Immunization, National Program for Family Planning and Primary Health Care through its network of 96,000 community based Lady Health workers have substantial impact on the uptake of important primary health services. Pakistan has endorsed the Global Action Plan on Pneumonia and Diarrhea in 2013 and Global Every Newborn Action Plan in 2014. National Institute of Health is now producing, manufacturing and distributing low osmolality ORS through EPI programs. Co-packaging of Zinc and low osmolality ORS is also under process.

### **Paragraph 14**

43. The reproductive and sexual health information is being provided through different health programs. The Mobile Service Units (MSUs) are the flagship of the Population Welfare Programme. These provide a package of quality Family Planning/Reproductive Health (FP/RH) services to the people of remote villages and rural communities. The MSUs operate from specially designed vehicles which carry all the facilities of a mini clinic ensuring complete privacy for simple gynecological procedures.

### **Paragraph 15**

44. The Government of KPK is in the process of finalizing the right to free and compulsory education Bill in pursuance of Article 25-A of the Constitution. The Bill envisages that all children between five to sixteen year residing in the province should be entitled to get free and compulsory education. KPK Government is also making all required financial resources available for education sector and is spending 29% of its budget for improving state of education in the province.

45. The Government of AJK has passed “AJK Free and Compulsory Education Act, 2014”. National Education Policy 2016-AJK has been introduced to make the territory a model for rest of Pakistan in education sector. It is noteworthy that literacy rate in AJK is 72% compared to 58% across Pakistan. Primary School enrolment is 95% for boys and 88% for girls.

46. The Government of Gilgit Baltistan is functioning under the Gilgit Baltistan (Empowerment & Self Governance) Order, 2009. Article 14 (3) of the Gilgit Baltistan (Empowerment & Self Governance) Order, 2009 provides that no citizen shall be denied admission to any educational institution receiving public revenues on the ground of race, religion, caste or place of birth. Further, Article 14(4) of the order clarifies that in respect of any religious institution, there shall be no discrimination against any community.

47. Regarding budgetary allocation for rebuilding of destroyed schools, the province of KPK is the most affected by terrorist attacks. KPK has allocated Rs. 12.38 billion in 2014-15 as compared to Rs. 11.66 billion in 2013-14 to improve the infrastructure and basic services of schools. The budgetary allocation for the years 2014-15 shows an increase of 6.17% for 95 development projects (64 on-going & 31 new development schemes) for the development of education.

### **Paragraph 16**

48. The Federal Government has established the Private Education Institution Regulation Authority under Islamabad Capital Territory Private Educational Institutions (Registration and Regulatory) Act, 2013 to monitor and regulate the affairs of private education institutions at Islamabad capital territory. Likewise, Provincial Governments have also established such authorities which monitor and regulate private institutions under their respective jurisdiction. Following are provincial laws: The Punjab Private Educational Institutions (Promotion and Regulation Ordinance, 1984; The KP Registration functioning of Private Educational institutions) Ordinance, 2002; The Balochistan Private Educational Institute Registration and Regulation Authority Act, 2015; and Sindh Private Educational Institutions (Regulation & Control) Ordinance, 2001.

49. These Authorities control the charging of fee by the private institutions under their respective regulations. Private schools follow the instructions and the curriculum approved by the Government.

### **Paragraph 17**

50. The Government of Pakistan has devised a National Action Plan to Combat Terrorism which includes the issue of madrassas reform and registration. So far, 250 unregistered Madrassas have been closed in different parts of the country. The Government has also completed geotagging of 3,662 Madrassas. The government had completed 100% mapping on agreed parameters in Islamabad and Punjab. 80% of the mapping exercise has been completed in Sindh, followed by 75% in KPK and 60% in Balochistan.

51. There are 190 foreign-funded seminaries in the country, of which 147 are in Punjab, 30 in Balochistan, seven in KPK and six in Sindh which are being closely monitored and regulated. Under the NPA, the Ministry of Foreign Affairs is also monitoring funding by private individuals and organizations to private entities through informal channels. Such funding is being brought under tighter scrutiny to choke off any possibility of financing for terrorists and terrorist organizations. The Government has directed that to enroll foreign students, madrassas are required to obtain No-objection Certificates (NOCs) from Ministry of Foreign Affairs.

52. The representative body of Madrassa and Government have agreed to initiate a plan to conduct audit of accounts of madrassas through independent auditor firms. After detailed consultative process, all madrassa boards have agreed to include modern/contemporary subjects in curriculum in addition to religious education. The Government is taking every possible step to mainstream the madrassas through reform programs.

### **Paragraph 18**

53. 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 UN 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.

54. The Proof of Registration (PoR) card is an important identity document that allows temporary legal stay to registered Afghan refugees in Pakistan. The PoR Cards are issued by National Database and Registration Authority to all Registered Afghan refugees over 5 years of age whereas under 5 are listed on the card of mother or head of the family. PoR cards have been regularly renewed by the Government. On the basis of PoR card, all Afghan refugee children including girls are availing all basic facilities of health and education. Thousands of refugee children are studying in public schools in Pakistan free of cost without any discrimination.

### **Paragraph 19**

55. After the 18th Constitutional Amendment, the subject of labour has been devolved to provinces. The Government of Punjab has initiated its first Child Labour Survey which will be completed in May 2017. The Government of Punjab has enacted the Punjab Restriction of Employment of Children Act, 2015, under which it has prohibited the employment of children in certain occupations and processes. The Government of Punjab has also enacted the Punjab Prohibition of Child Labour at Brick Kilns Ordinance, 2016 prohibiting the employment of children below 18.

56. The KPK Prohibition of Employment of Children Act, 2015 provides that no adolescent shall be employed or permitted to work in any hazardous place. Besides, a Bill is under consideration of the Senate regarding Domestic Workers in which it is proposed that children cannot be engaged as domestic workers.

### **Paragraph 20**

57. The issue of child prostitution is already covered under Sections 371A (selling person for purposes of prostitution, etc., imprisonment which may extend to twenty-five years) and 371B (buying person for purposes of prostitution, etc, imprisonment which may extend to twenty-five years) of PPC.

58. The issues of child trafficking, sale of Children and pornography have been address through Criminal Law Amendment Bill, 2015 whereby new sections have been proposed to be inserted in PPC. The proposed Bill provides for insertion of following new sections in PPC: 292A (Child's Exposure to Seduction), 292B (Child Pornography), 292 C (Punishment for Child Pornography), 328A (Cruelty to a Child), 369A (Trafficking to Human Being in particular Internal Trafficking), 377A (Child Abuse) and 377B (Punishment for Child Abuse). The proposed Bill has been passed by the National Assembly and now is being considered by Senate.

## **Paragraph 21**

59. Provincial Governments are making concerted efforts to abolish child labour completely. To eliminate child labour, the Labour Department, Government of Punjab enacted the Punjab Restriction of Employment of Children Act, 2015. A survey to identify school-children residing with their families on brick kilns has already been conducted in all 36 districts of Punjab. Now a committee has been constituted to get all the identified children enrolled in nearby schools. This is an earnest effort to do away with the misconception that such children who are bound to reside with their families on brick kilns are allegedly engaged in child labour. The Government has also introduced schemes funded by ADB with strong resolve to eliminate child labour. These include: a) Elimination of Bonded Labor in Brick Kilns with Rs. 196.987 Million. b) Combating Child Labor from Worst Forms with Rs. 180.832 Million and c) Integrated Project for Decent Work to Vulnerable Workers with Rs. 5159.629 Million.

60. The Government of Punjab has also taken proactive steps to ensure implementation of the Punjab Prohibition of Child Labour at Brick Kilns Ordinance, 2016. The committees constituted for this purpose have started taking action. The Punjab Chief Minister constituted a high level Steering Committee under his chairmanship for eliminating child labour at brick kilns. The committees will inspect 12 brick kilns in a week and will be authorized to take action against child labour. The Labour & Human Resource Department has set up a 0800 helpline for lodging complaints about child labour at brick kilns. Free education, books, notebooks, uniform and transport, monthly stipend of one thousand rupees to each child whereas two thousand rupees will be given to the parents on the admission of children in schools. Seminars are also being arranged in all districts for creating awareness regarding elimination of child labour and informing owners and labourers of brick kilns about the ordinance prohibiting bonded labour. Moreover, District Vigilance Committees are responsible to identify / rescue children working in conditions not acceptable under law.

61. The Government of Khyber Pakhtunkhwa has enacted Khyber Pakhtunkhwa Prohibition of Employment Children Act, 2015. It completely bans engagement of children below the age of 14 years in labour. It provides for strict penalties for violators. In the administrative sphere, a Child Labour Unit has been established in the Directorate of Labour/Labour Department employing, beside other staff, dedicated fleet of inspectors on child labour. The Prohibition of employment of Children Bill, 2015 is in the process of final consultation in Baluchistan.

62. During the reporting period, 1679 persons alleged in anti-human trafficking cases were also arrested by FIA. The Government is committed to take action against those involved in trafficking, bonded labour, selling human beings and violating human rights. In 2014-15, FIA arrested 46 most wanted criminals and 1236 proclaimed offenders involved in human smuggling.

**Paragraph 22**

63. After the Peshawar Public School attack by terrorists, the Government of Pakistan has taken series of steps to ensure the safety and security of schools. Federal Government & respective provincial governments have directed the management of private & public schools to ensure implementation of Standard Operating Procedures (SOPs) for security devised by the government. To ensure the implementation of SOPs, committees under the supervisions of District Coordinator officers have been formed. The schools have recruited armed watchmen, installed barbed wire on walls and CCTV cameras as strict security measures.

64. Under SOPs, the management of schools are also conducting various types of drills to protect students, faculty, and staff against terrorists. The most common type of safety measure involves lockdown drills in which students and adults practice hiding, keeping away from doors and windows, and staying quiet. In case of high threat, possibility of secure places with strong doors and windows where maximum number of staff and students can be kept safe is being explored.

**Paragraph 23**

65. The Pakistan's Armed Forces is a highly professional institution and does not deploy persons under the age of 18. Terrorists cannot legally recruit any person including children because formation of private military organizations is prohibited and illegal under Article 256 of the Constitution. Forming of such organization is also punishable under the Private Military Organizations (Abolition and Prohibition) Act, 1973. The Government is making the 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.

66. In order to deal with the children who come into conflict with law, Juvenile Justice System Ordinance, 2000 (JJSO) was promulgated. 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. In the light of JJSO, juveniles cannot be tried in Military courts.

67. The Government has also formulated the Juvenile Justice System Bill, 2016 ("JJS Bill"). The JJS Bill focuses on disposal of cases through diversion and social-reintegration of the child offenders. For purposes of social reintegration of the child, the government will be empowered to establish educational/corrective institutions and to certify institutions managed and controlled by a non-government organization. The government would be empowered to monitor and evaluate the performance of such educational/corrective institutions through the Juvenile Justice Committee or any other person authorized on its behalf. The children in conflict with law will be placed in such educational/corrective institution. They will be imparted education, industrial or technical training for their mental, moral, and psychological developments.

**Paragraph 24**

68. The Prime Minister has constituted a high powered FATA reform committee consisting of five member led by Advisor to Prime Minister on Foreign Affairs. The committee is in the process of formulating the FATA reform package which includes proposing legislative reform.

69. A new section 310-A has been inserted in the PPC to address the illegal practice of badal-e-sulh by Jirgah/Panchayats. Besides, forced marriage has been made punishable offence under section 498-B of PPC. In civil matters only Jirga performs as an Alternate Dispute Resolution (ADR) body under some civil laws. In order to criminalize illegal acts of Jirga system a Bill is under consideration.

### **Paragraph 25**

70. The Juvenile Courts established under Juvenile Justice System Ordinance, 2000 exercise jurisdiction over the children who come in conflict with law. Criminal Law amendment Bill, 2015 has been presented in parliament and it has been passed by the lower House i.e. National Assembly. Now it is being considered by Senate. In the proposed Bill, amendments have been proposed in sections 82 & 83 of the Pakistan Penal Code, 1860 to raise the minimum age of criminal responsibility from 7 years to 10 years and presumption of age of maturity has been proposed to raise from 12 years to 14 years respectively.

71. Regarding determining the juvenility, in absence of birth certificate, school certificate or other official documents, the Court directs the prosecution to get the accused examined by the medical board to determine the age of accused with the view to resolve dispute regarding age.

### **Paragraph 26**

72. Criminal justice system of Pakistan provides for protection of right of a child accused of offence if he is below the age of 18 years. In this regard, the information such as 'age' can be presented or corrected at different stages i.e., i) initial statement at the time of arrest, ii) arrest certificate (huliya form), iii) first version of statements recorded under Section 161 of Cr.PC, iv) initial entry in police diary (zimni), v) recording of statements under Section 164 of Cr.PC, vi) recording of evidence, vii) statements of accused person under Sections 340 and 342 of Cr. P.C., viii) appeal to High Court, ix) reference/appeal/revision petitions at Supreme Court of Pakistan. In addition, another remedy available to convicts under the Constitution, is given under Article 45 of the Constitution whereby the President is empowered 'to grant pardon, reprieve and respite, and to remit, suspend or commute any sentence passed by any court, tribunal or other authority'. Hence, the President of Pakistan, if he deems it proper, may also grant remission, reprieve or suspend sentence of a convicted person.

73. The convicted persons, i.e. Ansar Iqbal, Shafqat Hussain, Aftab Bahadur, Faisal Mahmood and Muhammad Afzal, availed all judicial forums including the appellate forums of High Court and Supreme Court but they could not prove their innocence and claim of juvenility. The trial judges properly scrutinized the prosecution evidence as well as defence pleas taken by the accused persons in their statements. While deciding the cases, all facts and circumstances of cases were considered by the courts. The cases of the convicts were decided on merit and not on technical grounds. In addition, the Ministry of Interior conducted inquiries for these cases but the alleged claim of juvenility could not be proved.

74. In case of Ansar Iqbal, the Supreme Court of Pakistan comprehensively analyzed the record and judgments of trial court as well as of High Court. The Supreme Court dismissed the claim of Ansar's juvenility on merit and not on technical ground. The accused person presented fake documents to prove his claim of juvenility. Ansar's school leaving certificate claimed his year of birth 1979, a duplicate Form B- allegedly issued by NADRA records his year of birth as 1978 while NADRA record related to his father shows his year of birth 1974. It is noteworthy that neither the school leaving certificate nor Form B

allegedly issued by NADRA, presented by the convict, could be verified. Since, the documents presented by Ansar could not be verified, thus the Supreme Court decided to reject his leave to appeal on merits considering all relevant material and evidence on record.

75. In Shafqat Hussain's case the claim of juvenility was never claimed up to the Criminal Revision Petition before Supreme Court. Later, the inquiry conducted by Ministry of Interior concluded that he was of 23 years old at the time of commission of offence. The claim of Shafqat's year of birth being 1991 was incorrect. The inquiry report recommended that "Birth Certificate belatedly introduced has been declared as fake. Legal proceedings may be initiated against those involved in this crime". In case of Faisal Mahmood, the claim of juvenility was never made and proved by the record except his solitary statement recorded under Section 342 Cr.PC during trial. Similarly, the claims of juvenility of Muhammad Afzal and Aftab Bahadur could not be proved by any evidence on record.

## Part II

76. Due to space constraint, , the answers to this section represent only the key legislation, policies, programs and projects introduced since 2013.

### (a) New bills or laws, and their respective regulations

- Criminal Law Amendment Bill, 2016
- National Commission on the Rights of the Child Bill, 2016
- ICT Child Protection and Welfare Bill, 2016
- Juvenile Justice System Bill, 2016
- Christian Marriage (Amendment) Bill, 2016
- Divorce (Amendment) Bill, 2016
- Hindu Marriage Bill, 2016
- Domestic Violence (Prevention and Protection) Bill, 2016
- The Punjab Land Revenue (Amendment) Act, 2015
- The Punjab Partition of Immovable property Act, 2015
- The Punjab Muslim Family Laws (Amendment) Act, 2015
- The Family Courts (Amendment) Act, 2015
- Punjab Marriage Restraint (Amendment) Act, 2015
- The Punjab Fair Representation of Women Act, 2014
- The Punjab Free and Compulsory Education Act, 2014
- The Sindh Child Protection Authority Act, 2011.
- The Sindh Child Marriage Restraint Act, 2014
- The Sindh Domestic Violence Protection and prevention Act, 2013
- The Balochistan Child Protection Bill, 2015.
- The Balochistan Domestic Violence Prevention and Protection Act, 2014
- The Balochistan Compulsory Education Act, 2014
- The Khyber Pakhtunkhwa Elimination of the Custom of Ghag Act, 2013

- The Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015
- The Prevention of Bonded Labour and Child Labour Act, 2015.
- AJK Free and Compulsory Education Act, 2014
- Foreigners (Amendment) Ordinance, 2015

**(b) New institutions (and their mandate) or institutional reforms**

77. Establishment of National Commission on Human Rights: The Commission has been mandated to work for the protection and promotion of human Rights including children. It has become fully functional after the appointment of Chairman and its Members on 19th May 2015.

78. The Punjab Commission on the status of Women and the KP Commission on the Status of Women: These provincial commissions are statutory autonomous bodies and mandated to monitor the implementation of national laws and policies affecting women and girl and data collection at the district and the provincial level.

**(c) Recently introduced policies, programmes and projects**

79. The Vision 2025, launched by Prime Minister Nawaz Sharif on August 11, 2014 envisages increasing primary school enrollment and completion rate to 100% and literacy rate to 90%, increasing higher education coverage from 7% to 12 %, improving primary and secondary gender parity index to 1, and increasing the female workforce participation rate from 24% to 45%, increasing the proportion of population with access to improved sanitation from 48% to 90%, reducing infant mortality rate from 74 to less than 40 (per 1,000 births) and reducing maternal mortality rate from 276 to less than 140 (per 1,000 births), reducing the incidence/prevalence of hepatitis, diarrhea, diabetes and heart disease by 50% and eyeing world championship in three sports and 30 medals in the Asian games.

80. Prime Minister of Pakistan has approved the Action Plan to improve Human Rights situation in the country on 13th of February, 2016. Under this Plan, an amount of Rs. 400 million will be provided for human rights education, sensitization, awareness, research and communication.

81. Under the Prime Minister Health Insurance Program, free of cost treatment for ailments such as cardiovascular diseases, Diabetes Mellitus, Burma and RTA (life and limb saving treatment, implants, prosthesis) would be offered. 1.2 million Card holder families will get this facility in the first phase. This will be spread across to families in 23 districts of Pakistan living below the poverty line both for 7 priority and secondary diseases.

82. Prime Minister of Pakistan has formally launched the education reforms program in Islamabad aimed at improving educational facilities and a congenial environment to the students. Under the reforms program, all the four hundred and twenty two schools and colleges in the capital territory would be upgraded and equipped with state of the art facilities. An amount of Rs. five billion has been approved for the upgradation of schools and colleges in the Federal Capital. The Prime Minister also directed the provinces to start similar programs in their respective provinces.

83. Prime Minister's Youth Program is a revolutionary program for the socio-economic development of youth, in a bid to deal with unemployment in the country. The other noticeable provincial programs include the Government of Punjab Labour Reform Program and Program for Persons with Disabilities, 2016.

84. NCSW has initiated Generating Data to Advance Women's Social and Economic Wellbeing in Pakistan project which would generate nationally representative high quality baseline data on women's economic participation and on the incidence, prevalence and

determinants of Violence against Women using standardized indicators for physical, sexual, economic, psychological and political violence.

### **Part III**

#### **Paragraph 1**

85. The Government of Pakistan is committed to enhance the allocated resources to education sector by ensuring proper and timely utilization of funds in order to achieve the UNESCO target of 4.0 percent of GDP by 2018. The provincial governments are also spending sizeable amount of their Annual Development Plans (ADPs) on education to achieve the targets.

86. During 2014-15, Punjab government has allocated Rs.48.31 billion against last year of Rs.23.31 billion, a increase of 107 percent for 532 development projects (325 on-going & 207 new schemes) for education which includes school education Rs.28.10 billion, Higher Education Rs.14.05 billion, Special Education Rs.0.80 billion, Literacy Rs.2.40 billion and Sports & Youth Affairs Rs.2.96 billion.

87. During 2014-15, Sindh government has allocated Rs.15.05 billion as compared to Rs.14.99 billion of last year showing an increase of 0.4 percent for 524 development projects (220 on-going and 304 new schemes) of education which includes Rs.1.93 billion for Elementary Education, Rs.0.15 billion for Teacher Education, Rs. 0.02 billion for Sindh Education Foundation, Rs.7.43 billion for Secondary Education, Rs.2.34 billion for College Education, Rs.1.61 billion for Higher Education and Rs. 1.57 billion for Miscellaneous expenditure.

88. Government of Khyber Pakhtunkhwa has allocated Rs. 12.38 billion in 2014-15 as compared to Rs. 11.66 billion in 2013-14 showing an increase of 6.17 percent for 95 development projects (64 on-going & 31 new development schemes) for the development of education. It includes Primary Education Rs.1.61 billion, Secondary Education Rs.6.52 billion, archives and libraries Rs. 0.28 billion and College Education Rs. 3.97 billion.

89. Balochistan government has allocated Rs. 11.52 billion against Rs. 10.15 billion of last year, an increase of 13.50 percent for 217 development projects (56 on-going & 161 new schemes) for development of education which includes Rs. 2.98 billion for 66 projects of Primary Education, Rs. 1.62 billion for 41 Projects of Middle/Elementary Education, Rs. 1.73 billion for 38 projects of Secondary Education, Rs. 2.37 billion for 52 Projects of College Education, Rs. 0.97 billion for 11 projects of University Education and Rs.1.85 billion for 9 Projects of General Education during 2014-15.

90. Public sector expenditures in health facilities are increasing across the country. An amount of Rs.20.48 billion was provided to Health sector in Federal PSDP 2014-15 and utilization of approx. Rs.22.4 billion (This includes Rs: 10.8 billion as foreign Aid for Program for elimination of Polio) by the end of March 2015. Currently Pakistan is spending 0.42 percent of its GDP on health care services.

#### **Paragraph 2, subparagraphs (a) to (c)**

91. In accordance with Pakistan domestic and international human rights obligations, death penalty is not awarded to children. No child has been awarded death penalty as well as no defendant is currently on death row.

92. No missing children as a result of enforced disappearances have been reported.

93. With regard to acid attacks and honour killings, no case of children subjected to these reprehensible practices have been reported. However, cases have been reported of women who had been subjected to honour killings and acid attacks.

**Paragraph 2, subparagraphs (d) to (i)**

94. Currently no disaggregated data is available. However, after the planned Census, it is expected that more detailed data would be made available.

**Paragraph 3, subparagraphs (a) to (e)**

95. Currently, no authentic or segregated data is available. However, after the planned Census, more detailed data would be available.

**Paragraph 4, subparagraphs (a) to (g)**

96. No authentic or segregated data is available. After the planned Census, data may be available.

**Paragraph 5**

97. Kindly refer to Part II of the present replies to the list of issues for additional update.

**Paragraph 6**

98. Some of the priority areas where improvement is required are, Birth Registration, Children in conflict with law, Child welfare, Child Protection from Child pornography, child abuse and corporal punishment, malnourished children and drop out children

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# Section 4

Concluding observations on the fifth  
periodic report of Pakistan

– July 2016





# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Concluding observations on the fifth periodic report of Pakistan\*

#### I. Introduction

1. The Committee considered the fifth periodic report of Pakistan (CRC/C/PAK/5) at its 2118th and 2119th meetings (see CRC/C/SR.2118 and 2119), held on 25 and 26 May 2016, and adopted the following concluding observations at its 2132nd meeting (see CRC/C/SR.2132), held on 3 June 2016.

2. The Committee welcomes the submission of the fifth periodic report of the State party and the written replies to the list of issues (CRC/C/PAK/Q/5/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the high level and multisectoral delegation of the State party.

#### II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party in various areas, including the ratification of or accession to international instruments, in particular the ratification of the Optional Protocol on the sale of children, child prostitution and child pornography, as well as the adoption of a number of new legislative acts and institutional and policy measures related to children's rights since its last review.

#### III. Factors and difficulties impeding the implementation of the Convention

4. The Committee remains aware of the difficulties facing the State party, namely catastrophic drought conditions and natural disasters threatening the right to survival and development of the child, as well as the law enforcement operations and terrorist activities

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\* Adopted by the Committee at its seventy-second session (17 May-3 June 2016).



in certain regions that have displaced a large number of people. All of these problems seriously impede progress towards the full realization of children's rights, as enshrined in the Convention.

## **IV. Main areas of concern and recommendations**

### **A. General measures of implementation (arts. 4, 42 and 44 (6))**

#### **The Committee's previous recommendations**

5. **The Committee recommends that the State party take all the measures necessary to address the recommendations made in its concluding observations of 2009 (CRC/C/PAK/CO/3-4), that have not been implemented or sufficiently implemented, including those related to a comprehensive policy and strategy, data collection, independent monitoring, the dissemination of the Convention, training and respect for the views of the child, which will not be repeated further on in the document.**

#### **Legislation**

6. While reiterating the positive legislative developments, in particular in the areas of child labour and education, the Committee is concerned about the significant delays in the adoption of a number of bills in the area of children's rights, which are crucial for the implementation of the State party's obligations under the Convention. The Committee is also concerned that, despite the Committee's previous recommendations, the State party has not taken sufficient steps to harmonize its legislative framework with the Convention. The situation has been further exacerbated by adoption of the Eighteenth Amendment to the Constitution in 2010, as some federal laws on children's rights have not been retained by the provincial governments.

7. **The Committee recommends that the State party promptly adopt pending bills in the area of children's rights and ensure that they are in conformity with the Convention. It also recommends that the State party take measures to harmonize its legislation and regulations with the principles and provisions of the Convention in all areas affecting children, at the federal, provincial and territorial levels.**

8. The Committee remains concerned about the implementation of sharia law under the Sharia Nizam-e-Adl Regulation of 2009, which is not in line with the Convention, in large areas of Khyber Pakhtunkwa. It is also concerned that the Frontier Crimes Regulation of 1901 and the 2011 amendments thereto (for the Federally Administered Tribal Areas) and the Zina and Hadood Ordinances, which are in conflict with the principles and provisions of the Convention, remain in force.

9. **The Committee reiterates its recommendation that the State party carefully scrutinize existing legislative and other measures, at the federal, provincial and territorial levels, with a view to ensuring their compatibility with the Convention. It reminds the State party of its obligation to ensure that domestic laws, whether federal, provincial or territorial, are in conformity with the Convention, so that the principles and provisions of the Convention are recognized and enjoyed by children throughout the territory at the national, provincial and territorial and local level, including in the tribal areas.**

### Coordination and devolution of powers

10. The Committee notes the State party's information that the National Commission for Child Welfare and Development and its provincial offices remain the coordinating bodies of policies and activities in the area of children's rights. However, it is concerned that coordination among federal, provincial and territorial entities is weak and inadequately resourced. The Committee is also concerned that, since the introduction in 2010 of amendments to the Constitution that devolved most powers to the provinces, the standards and services in different provinces and territories, including those relating to the protection of children, vary greatly and that coordination has reportedly become even more difficult.

**11. The Committee reminds the State party that despite the devolution of powers to provinces and the different administrative arrangements of its territories, the State party remains responsible for the implementation of children's rights under the Convention throughout its territory. Therefore, it should establish adequate coordination mechanisms, with a sufficient level of authority and the human, technical and financial resources necessary to carry out its work, including coordination tasks, effectively.**

### Allocation of resources

12. The Committee notes that the State party's social welfare expenditure has increased in recent years. However, it is concerned that despite the commitments made as part of its previous dialogue with the Committee, the State party's budget allocations for the health and education sectors remain extremely low. It is also concerned that there are no systematic budget tracking mechanisms that take into account a child rights perspective and that the budget allocated for children is not spent appropriately.

**13. The Committee refers to its general comment No. 5 (2003) on general measures of implementation of the Convention on the Rights of the Child and reiterates its previous recommendation that the State party effectively increase budgetary allocations for children, particularly for groups of children who require social affirmative actions, such as girls, refugee and internally displaced children, children from religious and ethnic minorities, children without parental care, children with disabilities and children in street situations, in order to alleviate disparities and ensure the equal enjoyment of all rights enshrined in the Convention throughout the country. The Committee encourages the State party to start budget tracking from a children's rights perspective, with a view to monitoring budget allocations for children.**

### Cooperation with civil society

14. While noting the State party's rules and procedures to facilitate the registration of non-governmental organizations and its ongoing cooperation with civil society, the Committee is concerned that such cooperation is limited and that restrictions are reportedly imposed on certain non-governmental organizations. It is also concerned about the insufficient financial support provided to non-governmental organizations.

**15. The Committee recommends that the State party establish a clear mechanism and procedures at the national, provincial and territorial and district levels to strengthen cooperation with, and provide financial support to, civil society organizations.**

## B. Definition of the child (art. 1)

16. While it welcomes the 2013 amendments to the Sindh Child Marriage Restraint Act to increase the marriage age for both boys and girls to 18 years, the Committee remains

concerned about the disparity between the minimum legal age for marriage for boys (18 years) and that for girls (16 years) in all other provinces, and that the Zina and Hadood Ordinances (1979) provide a definition of a “girl child” that only covers girls up to the age of 16 years or puberty. It is also concerned about legal inconsistencies concerning the definition of a child at the federal, provincial and territorial levels, and disparities in that regard between secular and sharia law.

17. **The Committee reiterates its previous recommendation that the State party ensure the full harmonization of its legislation as regards the definition of the child so as to define a child as any human being below the age of 18 years. In particular, it recommends amending the Zina and Hadood Ordinances (1979) and the Child Marriages Restraint Acts in all its provinces, in order to align the age of marriage for boys and girls by raising the minimum age of marriage for girls to 18 years.**

### C. General principles (arts. 2, 3, 6 and 12)

#### Non-discrimination

18. The Committee remains extremely concerned about:

(a) Serious discrimination against girls in the State party and the persistent gender disparity in infant mortality rates and school enrolment rates, the persistence of early marriages and exchanges of girls for debt settlement, as well as domestic violence targeting girls;

(b) The status of girls under sharia law, whereby, for example, girls are entitled to only half of the inheritance provided to boys;

(c) Widespread discrimination against children belonging to religious and ethnic minorities, children with disabilities, children born out of wedlock, children living in poverty, children from Dalit communities, children living in rural or remote areas and lesbian, gay, bisexual and transgender children.

19. **The Committee urges the State party to take concrete measures to address and reduce the serious gender disparities and discrimination against girls prevailing throughout the State party. In particular, the Committee recommends that the State party take effective measures to review its legislation and practices in order to eliminate any gender disparities in entitlements through the implementation of comprehensive public education and awareness-raising programmes to combat and prevent discrimination against girls, aimed at local authorities, religious leaders, judges and prosecutors, and to inform children, especially girls, about their rights under the Convention. Furthermore, the Committee reiterates its previous recommendation that the State party take all appropriate measures, such as comprehensive public education programmes, to combat and prevent discrimination and negative societal attitudes and mobilize political, religious and community leaders to support efforts to eradicate traditional practices and attitudes that discriminate against children belonging to religious or other minority groups, children with disabilities, children living in poverty, children from Dalit communities, children living in rural or remote areas and lesbian, gay, bisexual and transgender children.**

#### Best interests of the child

20. The Committee notes that the principle of the best interests of the child is enshrined in some of the State party’s legislation. However, it is concerned that the implementation of legislation is not always in line with this principle, and, in particular, that the best interests of the child are often disregarded in the justice system.

21. **In the light of its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party strengthen its efforts to ensure that this right is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions, and in all policies, programmes and projects that are relevant to and have an impact on children. In this regard, the State party is encouraged to develop procedures and criteria to provide guidance to all relevant persons in authority on determining the best interests of the child in all areas and for giving it due weight as a primary consideration.**

#### **Right to life, survival and development**

22. The Committee is gravely concerned about the large numbers of children killed as a result of counter-terrorism activities and acts of terrorism and violence, such as the killing of 142 children in an attack on a school in Peshawar in 2014, as well as the deaths of children as a result of drought, including in Tharparkar, malnutrition or lack of maternal and neonatal care. The Committee also expresses serious concern about the reports that the number of infanticides targeting girls is increasing and that such crimes are rarely prosecuted.

23. **The Committee urges the State party to take immediate measures to:**

(a) **Prevent the killing of children as a result of counter-terrorism activities and acts of terrorism and violence, and improve the protection provided to schools and other areas with a high concentration of children;**

(b) **Prevent and combat malnutrition, especially among vulnerable and disadvantaged groups of children, such as those living in poverty, including Dalit children;**

(c) **Ensure that, in cases of drought, children are provided with immediate access to aid, including sufficient food and water, and closely monitor the delivery of such aid in order to avoid possible misappropriations;**

(d) **Provide easy access to quality maternal and neonatal care, especially in remote rural areas;**

(e) **Investigate, prosecute and punish perpetrators of infanticide, and those who have instigated such crimes, with sanctions commensurate with the gravity of the crime and raise public awareness of the need to report such crimes to the police.**

#### **Children sentenced to death**

24. The Committee is seriously alarmed by reports of the execution of several individuals for offences committed while they were under the age of 18 years, or where the age of the individual was contested following the lifting of the moratorium on the death penalty in December 2014, despite numerous calls from the international community and the United Nations in this regard. It is also seriously concerned that a large number of persons are currently on death row for crimes committed while they were under the age of 18 years and that these persons have limited access to procedures for challenging their sentence on the basis of their age. The Committee highlights the cases of Abdu-ur-Rehman, of Moinuddin and of Muhammad Anwar, among others, who are awaiting imminent execution for crimes committed while they were under the age of 18 years.

25. **The Committee urges the State party to take, as a matter of highest priority, measures to:**

(a) **Order a stay on all executions involving minors and launch a review of all cases where the death penalty was handed down to children or individuals who had committed a crime while under the age of 18 years and where there is, or was, any indication that they were juveniles, with a particular emphasis on how the age of the accused was determined and, where necessary, to reopen inquiries in relation thereto, with a view to either releasing the prisoner or commuting his or her sentence to a prison term. This should also apply to cases where the crime was committed before the entry into force of the Juvenile Justice System Ordinance of 2000;**

(b) **Establish effective age determination mechanisms in order to ensure that in cases where there is no proof of age, the child is entitled to a proper investigation to establish his or her age and, in the case of conflicting or inconclusive evidence, has the right to the rule of the benefit of the doubt;**

(c) **Ensure that all stages of cases involving children, even those concerning terrorism-related crimes or violations of sharia law, including arrest, detention (whether pretrial or post-trial) and trial, are overseen by juvenile courts, in compliance with the Convention and all applicable international standards;**

(d) **Provide data on the number of children, and the number of persons alleged to have committed a crime while under the age of 18 years, on death row.**

#### **Killings in the name of so-called honour**

26. The Committee is seriously concerned that, despite the adoption of the Criminal Law (Amendment) Act 2004, the practice of killing in the name of so-called honour is reportedly on the rise due to societal acceptance and the attitude of law enforcement agencies, which are either unaware of the law or knowingly ignore it. In addition, the Committee is concerned about the possibility of applying *qisas* and *diyat* under sharia law for such killings, under the provisions of which the perpetrator can be set free.

27. **The Committee urges the State party to apply a zero tolerance policy towards gender-based crimes committed in the name of so-called honour and ensure the prompt and effective investigation into all cases. In particular, the State party should:**

(a) **Ensure that perpetrators of gender-based violence and crimes committed in the name of so-called honour are prosecuted under the relevant provisions of the Penal Code, are not subjected to sharia law settlements and receive sanctions commensurate with the gravity of the crime;**

(b) **Undertake awareness-raising efforts targeting the general public, the media, religious and community leaders, law enforcement officials and judicial authorities, in order to eliminate all misogynistic attitudes relating to so-called honour;**

(c) **Ensure that effective protection, including shelter and other protection measures, is provided to women and children victims of crimes committed in the name of so-called honour, and to those at risk of falling victim to such crimes.**

### **D. Civil rights and freedoms (arts. 7, 8 and 13-17)**

#### **Birth registration**

28. The Committee welcomes the birth registration units and the optional chip-based card system introduced by the State party to encourage birth registration in all provinces. Nevertheless, it remains concerned that only around 30 per cent of children are registered at birth, with the lowest registration rates in Balochistan and the Federally Administered

Tribal Areas. The Committee is particularly concerned about the low level of public awareness, the complicated procedures and high fees for birth registration and the lack of effective measures to ensure the birth registration of children belonging to marginalized and disadvantaged groups, including children born out of wedlock and refugee and internally displaced children.

29. **Taking note of target 16.1 of the Sustainable Development Goals on providing a legal identity for all, including through birth registration, the Committee strongly urges the State party to:**

(a) **Promote the timely registration of births, especially among marginalized and disadvantaged communities, and educate the public at large about the consequences of non-registration;**

(b) **Remove all fees and simplify the procedures related to birth registration throughout the country, including through the introduction of mobile registration units;**

(c) **Undertake a survey to identify children lacking birth registration or identity documents and take immediate administrative and judicial measures to ensure retroactive birth registration and the issuance of documents for those children;**

(d) **Ensure that children lacking identity documents are not refused access to education, health and public services.**

#### **Freedom of religion**

30. The Committee is seriously concerned about the limited freedom of religion in the State party, the sectarian violence targeting children from religious minorities, such as Shia Muslims, Hindus, Christians and Ahmadis, and forced conversions. It is particularly concerned about the blasphemy laws that incur heavy penalties, including the death penalty, for “tainting” the Koran and insulting the Prophet Mohammed, and which are vaguely defined and frequently misused. Furthermore, the Committee is concerned at reports that religious intolerance is taught in schools, that non-Muslim students are forced to complete Islamic studies, and that some school textbooks include derogatory statements about religious minorities.

31. **The Committee urges the State party to:**

(a) **Protect the freedom of religion of all children, including Shia Muslim, Hindu, Christian and Ahmadi children, and ensure that children are able to choose their religion, or not to profess any religion at all, including in schools;**

(b) **Review and repeal its blasphemy laws to avoid their misuse or misinterpretation and ensure that children under the age of 18 years are exempt from criminal responsibility for such crimes;**

(c) **Remove all derogatory statements about religious minorities from school textbooks and promote the teaching of tolerance, non-discrimination and human rights.**

### **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

#### **Torture and other cruel or degrading treatment or punishment**

32. The Committee deplores the reports of systematic and widespread torture and ill-treatment of children in police stations and prisons in the country, including reports of torture of children by the Faisalabad district police. The Committee is seriously concerned

that sharia law allows children to be subjected to punishment for *hadood* offences that include amputation, whipping, stoning and other forms of cruel and degrading punishment.

33. **With reference to the Committee's general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and target 16.2 of the Sustainable Development Goals, the Committee urges the State party to launch without delay an independent inquiry into all alleged cases of torture and ill-treatment of children, in particular those committed by law enforcement officers, including the Faisalabad district police, and to ensure that those involved in carrying out, ordering, condoning or facilitating these practices are brought to justice and punished using penalties commensurate with the gravity of their crime. The Committee further recommends that the State party review its laws and practices and exempt all children below the age of 18 years from punishment for *hadood* offences, in particular penalties such as amputation, whipping, stoning or other forms of torture and cruel and degrading punishment.**

#### **Corporal punishment**

34. The Committee notes the efforts of the State party to eradicate corporal punishment in schools by implementing directives and establishing hotlines. However, it is concerned about the widespread use of such punishment in all settings.

35. **In the light of its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee urges the State party to eradicate and prohibit all forms of corporal punishment. It also recommends that the State party implement awareness-raising campaigns on the harmful impact of corporal punishment, with a view to changing the prevailing attitude towards this practice and in order to promote positive, non-violent and participatory forms of child-rearing and discipline.**

#### **Sexual exploitation and abuse**

36. The Committee is seriously concerned about:

(a) The large number of children falling victim to sexual abuse, exploitation, rape and abduction, including by the Taliban, in particular in the province of Khyber Pakhtunkwa, parts of the Punjab and in the Federally Administered Tribal Areas;

(b) Reports of children being sexually exploited for the purpose of child prostitution and child pornography;

(c) The lack of effective measures taken by the Government to prevent child sexual abuse and exploitation, prosecute perpetrators and provide justice to the victims, who are often stigmatized by society.

37. **The Committee urges the State party to take, as a matter of highest priority, measures throughout its territory to:**

(a) **Adopt appropriate laws that clearly and explicitly define and prohibit child sexual abuse and exploitation;**

(b) **Initiate a prompt, effective, accessible and child-friendly system for the mandatory reporting of cases of child sexual abuse and exploitation in the home, in schools, in institutions or in other settings, to investigate all reports and allegations of child sexual abuse and exploitation and to punish perpetrators by handing down sentences that are commensurate with the gravity of the crime;**

(c) **Conduct awareness-raising activities to combat the stigmatization of victims of sexual exploitation and abuse;**

(d) **Develop programmes and policies focusing on prevention and the recovery and social reintegration of child victims, in accordance with the outcome documents adopted at the world congresses against the commercial sexual exploitation of children.**

#### **Harmful practices**

38. The Committee welcomes the Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011, which lays down stricter punishments for traditional practices such as *vanni*, *swara* or *budla-i-sulha*, and the Khyber Pakhtunkhwa Elimination of the Custom of Ghag Act 2013, which criminalizes the practice of forced marriages in Khyber Pakhtunkhwa province. However, the Committee is concerned about the generally low level of public awareness of such laws, in particular among families and children, and the persistent practice of child marriage throughout the country. The Committee is particularly concerned that, although illegal, informal judicial systems (local *jirga*) continue to operate and take decisions about children's lives in violation of their rights. Furthermore, the Committee remains concerned about other inhuman customs and rituals threatening the lives and security of girls, such as burnings, acid attacks, mutilations, stripping and sexual harassment.

39. **The Committee urges the State party to immediately:**

(a) **Enforce legislation to prohibit child marriage throughout the country and investigate and prosecute persons, including members of local councils (*jirga*), who endorse harmful practices in violation of the State party's laws and its international obligations;**

(b) **Develop awareness-raising campaigns and programmes on the harmful impact of child marriage on the physical and mental health and well-being of girls, targeting families, local authorities, religious and community leaders, judges and prosecutors and inform children, especially girls, about their rights under the Convention, including the right not to be subjected to forced marriage;**

(c) **In the light of joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices (2014), take active measures to put an end to harmful practices against children, such as burnings, acid attacks, mutilations, stripping and sexual harassment and bring perpetrators to justice.**

#### **Freedom from all forms of violence**

40. **Recalling the recommendations of the United Nations study on violence against children of 2006 (A/61/299), taking into account its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and taking note of target 16.2 of the Sustainable Development Goals to end abuse, exploitation, trafficking and all forms of violence against and torture of children, the Committee recommends that the State party prioritize the elimination of all forms of violence against children. In particular, it recommends that the State party:**

(a) **Develop a comprehensive national strategy to prevent and address all forms of violence against children;**

(b) **Adopt a national coordination framework to address all forms of violence against children;**

(c) **Pay particular attention to and address the gender dimension of violence;**

(d) **Cooperate with the Special Representative of the Secretary-General on Violence against Children and other relevant United Nations institutions.**

**F. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20, 21, 25 and 27 (4))**

**Family environment**

41. The Committee is concerned about the insufficiency of the assistance provided to families with children living in poverty and the absence of psychosocial support and guidance for families in need, which lead to the abandonment and institutionalization of children. The Committee is also concerned about the persistent practice of polygamy in the country, which, although permitted by law, has a negative impact on children.

42. **Drawing the State party's attention to the Guidelines for the Alternative Care of Children, the Committee emphasizes that financial and material poverty — or conditions directly and uniquely attributable to such poverty — should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child's social reintegration. In this regard, the Committee recommends that the State party:**

(a) **Strengthen its efforts to provide financial assistance to families living in poverty and psychological and social support and guidance to help them fulfil their parental responsibilities, in order to prevent the abandonment and institutionalization of children;**

(b) **Review the Muslim Family Laws Ordinance of 1961 to ensure that all provisions that have a negative impact on children, particularly those which authorize polygamy, be repealed.**

**Children deprived of a family environment**

43. The Committee notes the establishment of national and provincial child protection centres, national rehabilitation centres for child labourers and the Pakistan Sweet Homes project, which aim to provide children with alternative care, but regrets that the State party does not provide foster care for children deprived of a family environment. It is concerned that many children without parental care reside in private orphanages, institutions, including religious institutions (madradas), and shelters that are sometimes registered with the national or provincial governments, but are not provided with any benchmarks for quality of care or monitored by the State party. Furthermore, the Committee is concerned that such institutions lack appropriate medical, psychological and educational facilities, and have no complaint mechanisms to ensure that children's rights are not violated.

44. **The Committee reiterates its previous recommendation that the State party:**

(a) **Strengthen its promotion of and support for family-type and community-based alternative care for children deprived of parental care, in order to reduce reliance on institutional care;**

(b) **Establish a clear regulation on alternative care for children, including provisions for quality care standards, a periodic review of placements and the right of the child to be heard at all stages of the procedure;**

(c) **Provide training for staff in care settings, provide children with accessible channels for reporting ill-treatment, including through complaints mechanisms, and implement measures to monitor and remedy the ill-treatment of children;**

(d) **Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services, as well as medical, psychological and educational services, in order to facilitate to the greatest extent possible the rehabilitation and social reintegration of children resident therein.**

**G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)-(3) and 33)**

**Children with disabilities**

45. The Committee is seriously concerned about reports of the frequent abandonment of children with disabilities due to their widespread stigmatization by society. While noting the State party's intention to provide inclusive education, it is concerned that large numbers of children with disabilities living in the State party have no access to education. It is also concerned that special education centres, attended by a small proportion (reportedly 0.04 per cent) of children with slight disabilities, do not meet the needs of those children and are totally absent in rural areas. The Committee is further concerned that the accessibility of schools, hospitals and the recreational infrastructure is limited for children with disabilities.

46. **In the light of its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to:**

(a) **Prevent and protect children with disabilities from abandonment by providing appropriate assistance and guidance to families with children with disabilities and implement awareness-raising campaigns aimed at government officials, the general public and families to combat the stigmatization of and prejudice against children with disabilities and to promote a positive image of such children;**

(b) **Encourage and ensure that all children with disabilities have access to inclusive education and ensure that inclusive education is given priority over the placement of children in specialized institutions and classes;**

(c) **Improve the infrastructure and facilities of schools, health-care centres and public buildings in order to provide barrier-free access to children with disabilities throughout the country;**

(d) **Organize the collection of data on children with disabilities and establish an efficient system for diagnosing disability, in order to put in place appropriate policies and programmes for children with disabilities.**

**Health and health services**

47. While noting some improvement in the State party's budget allocations for health care and the "lady health worker" programme, the Committee is concerned that State health-care services are insufficient and inadequate, especially in rural areas, where they are primarily provided by the private sector. In addition, the Committee is concerned about:

(a) The slow progress being made in reducing the child mortality rate and the increase in the rate of neonatal mortality;

(b) The increasing rate of polio infection, especially in the Federally Administered Tribal Areas, due to the ban on vaccination imposed by the Taliban and the killings of personnel providing vaccines for children, as well as large-scale and frequent outbreaks of measles;

(c) Inadequate health facilities and services, especially for internally displaced children from North Waziristan Agency in the Federally Administered Tribal Areas, almost half of whom are reported to have serious health conditions;

(d) A lack of access to safe drinking water and sanitation, and the problem of malnutrition, which reportedly leads to 35 per cent of deaths in children under 5 years of age and is attributed to, among other things, to the mismanagement of food aid for children in need.

**48. In the light of its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, and taking note of targets 3.2 and 3.8 of the Sustainable Development Goals, the Committee recommends that the State party:**

**(a) Increase budget allocations for health and expand the provision of quality health-care services, especially in rural areas;**

**(b) Take all necessary measures to significantly reduce the mortality rate among children under 5 years of age, to at least as low as 25 deaths per 1,000 live births, and neonatal mortality, to at least as low as 12 deaths per 1,000 live births, by 2030;**

**(c) Provide all children from birth to 5 years of age with a package of health services, which includes immunization against diseases such as polio and measles, throughout the country, especially in the Federally Administered Tribal Areas, and raise awareness in communities about the importance of vaccinations;**

**(d) Ensure that children throughout the country have access to adequate health facilities and quality medical services provided by trained medical professionals, paying particular attention to the children of internally displaced persons;**

**(e) Provide, as a matter of highest priority, access to water and sanitation and develop nutrition programmes to reduce problems such as stunted growth or other forms of malnutrition and implement an essential nutrition package in all health facilities, in particular targeting children affected by severe malnutrition;**

**(f) Seek financial and technical assistance from bodies such as the United Nations Children's Fund (UNICEF) and the World Health Organization, among others, in this regard.**

#### **Mental health**

49. The Committee is concerned about reports of suicide and attempted suicide among children and the lack of information concerning investigations into the reasons behind such suicides. The Committee is also concerned about the low number of mental health professionals in general, and the acute shortage of child psychiatrists (estimates suggest that there is 1 child psychiatrist for every 4 million children) and psychologists in particular. It is also concerned that the State party has not provided data on the overall situation with regard to children's mental health.

**50. The Committee recommends that the State party take urgent action to prevent suicide among children, including by increasing the provision of psychological counselling services and the number of social workers in schools and communities, and to ensure that all professionals working with children are adequately trained to identify and address early suicidal tendencies and mental health problems. The Committee also recommends that the State party collect data and adopt a comprehensive national child mental health policy, ensuring that mental health**

**promotion, counselling, prevention of mental health disorders in primary health care, schools and communities and child-friendly mental health services are integral features of the policy.**

#### **Adolescent health**

51. The Committee welcomes the establishment of mobile service units, which provide family planning and reproductive health services. However, it is concerned that the State party has not provided more details on the types, scope and coverage of such services, and that no information has been provided on the budget allocated for this purpose. In particular, the Committee is concerned about the low level of awareness of sexual and reproductive rights among young persons and the reported lack of access to sexual and reproductive health-care services for girls, especially in rural areas, due to social constraints. The Committee is also concerned about reports of large numbers of teenage pregnancies terminated using unsafe and clandestine abortion procedures and lack of access to legal abortion, especially for unmarried girls.

**52. In the light of its general comment No. 4 (2003) on adolescent health and development in the context of the Convention on the Rights of the Child, the Committee recommends that the State party:**

**(a) Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum and is aimed at adolescent girls and boys, paying special attention to preventing early pregnancy and sexually transmitted infections;**

**(b) Review its legislation with a view to ensuring that children, including unmarried girls, have access to contraception, safe abortion and post-abortion care services, and that the views of girls should always be heard and respected in abortion-related decisions;**

**(c) Develop and implement a policy to protect the rights of pregnant teenagers, adolescent mothers and their children and to combat discrimination against them.**

#### **HIV/AIDS**

53. While noting the national AIDS control programme, the Committee is concerned about the low level of awareness of HIV/AIDS, especially among adolescents. It regrets the lack of information and dearth of studies carried out to understand the risks and dynamics of the disease among children, especially vulnerable groups of children, such as those in street situations, working children, children who use drugs and those involved in prostitution. Furthermore, it is concerned that pregnant women with HIV/AIDS are not aware of their status and are not provided with anti-retroviral drugs to prevent mother-to-child transmission of the virus.

**54. In the light of its general comment No. 3 (2003) on HIV/AIDS and the rights of the child, the Committee recommends that the State party take measures to raise awareness among the general population, and in particular children, about HIV/AIDS and carry out a study of the risks and dynamics among children, especially among children in marginalized and disadvantaged situations. It also recommends that the State party put in place measures to prevent mother-to-child transmission of HIV/AIDS and provide anti-retroviral drugs to affected pregnant women. To this effect, the Committee recommends that the State party seek technical assistance from the Joint United Nations Programme on HIV/AIDS (UNAIDS).**

### **Drug and substance abuse**

55. The Committee notes the adoption of the 2010-2014 drug abuse control master plan, but regrets the lack of information on the measures taken to address the issue of drug abuse among children in general, and more specifically among those in vulnerable situations and those at risk. It also regrets the shortage of information on the treatment of drug-addicted children and the lack of standard ethical protocols for both State-run and private drug rehabilitation centres, where people are often subjected to inhuman and unethical treatment practices.

56. **The Committee recommends that the State party take appropriate measures to address the issue of drug abuse among children including by, providing children and adolescents with accurate and objective information and life skills education on preventing substance abuse — including tobacco and alcohol abuse — and by developing accessible and youth-friendly drug-dependence treatment and harm reduction services. It also recommends that the State party adopt standards applicable to rehabilitation centres, especially concerning the treatment of persons below the age of 18 years.**

### **Environmental health**

57. The Committee is seriously concerned about the negative effects of polluted air, water and soil on children's health and the insufficient measures taken to address that challenge.

58. **The Committee recommends that the State party conduct an assessment of the effects of polluted air, water and soil on children's health, as a basis for designing a well-resourced strategy to remedy the situation, and regulate the maximum concentrations of air and water pollutants.**

### **Standard of living**

59. The Committee is concerned that relative and extreme poverty levels in the country remain high, particularly among children, and that the State party's efforts to help families in need through projects such as the Benazir Income Support Programme, the Child Support Programme and the Zakat Programme are still insufficient and do not extend to the poorest in society.

60. **The Committee draws the State party's attention to target 1.3 of the Sustainable Development Goals on implementing nationally appropriate social protection systems and measures for all, and recommends that the State party strengthen its efforts to provide sufficient and adequate assistance to families with children living in poverty, in particular to those in marginalized and disadvantaged situations.**

## **H. Education, leisure and cultural activities (arts. 28-31)**

### **Education, including vocational training and guidance**

61. The Committee welcomes the Millennium Development Goal Acceleration Programme of 2013, which focuses on out of school children and the school infrastructure. However, it is concerned about:

- (a) The lack of a compulsory education law in Khyber Pakhtunkhwa and Gilgit-Baltistan, and poor enforcement of education laws in provinces where they do exist;

- (b) The large number of children (47.3 per cent of all children aged 5 to 16 years) not in formal education, of which the majority have never attended any school;
- (c) The high dropout rate for girls, which reportedly is as high as 50 per cent in Balochistan and Khyber Pakhtunkhwa and 77 per cent in the Federally Administered Tribal Areas;
- (d) Persistent, large-scale gender, regional and urban-rural disparities in the enrolment of children in schools;
- (e) The poor school infrastructure of schools damaged by natural disasters or armed groups and the lack of basic necessities, such as drinking water, toilets, electricity and walls;
- (f) The poor quality of education due to a shortage of qualified teachers and teacher absenteeism, among other reasons, as well as curricula content and teaching methods that promote gender-based and religious discrimination;
- (g) Large numbers of attacks on schools, especially secular and girls' schools, during the reporting period, including the targeted killing of teachers and the use of school buildings by armed groups;
- (h) The privatization of education, with a lack of measures to ensure the compliance of private schools with minimum educational standards, curriculum requirements and qualifications for teachers;
- (i) Limited and inadequate preschool education.

**62. In the light of its general comment No. 1 (2001) on the aims of education and taking note of Sustainable Development Goal 4, the Committee recommends that the State party:**

- (a) Ensure universal, free and compulsory primary education for all children in the country by adopting relevant laws and policies at the national, provincial and territorial levels;**
- (b) Prevent children from dropping out of school, including by facilitating access to schools and providing financial support to children from disadvantaged families, and emphasize the importance of education for girls by overcoming deeply rooted attitudes favouring boys and their well-being;**
- (c) Raise awareness and encourage communities and parents in particular to enrol children, especially girls and children living in underrepresented provinces and rural areas, in school;**
- (d) Prioritize the construction and reconstruction of school infrastructure, especially in schools affected by natural disasters or conflict, and allocate sufficient resources to provide basic necessities, including drinking water, toilets and heating;**
- (e) Improve the quality of education and provide quality training and incentives for teachers, with a particular emphasis on rural areas, and ensure that curricula and teaching methods are monitored, in order to prevent unlawful teaching content or behaviour;**
- (f) Take measures to protect schools, in particular secular and girls' schools, and prevent possible attacks, including those targeted at teachers, and the occupation of schools by armed groups;**
- (g) Prevent the privatization of schools and establish mechanisms to monitor the compliance of private schools with minimum educational standards, curriculum requirements and qualifications for teachers;**

(h) **Allocate sufficient financial resources for the development and expansion of early childhood care and education, on the basis of a comprehensive and holistic policy covering early childhood care and development.**

#### **Madrasas**

63. The Committee notes the increase in the number of madrasas registered during the reporting period following the 2011 agreement between the Ministry of the Interior and a coalition of major madrasas. However, the Committee is gravely concerned that, under the agreement, madrasas have been given total autonomy in designing the religious curriculum without the State's oversight and that children are reportedly being exploited, including for commercial purposes, by madrasa administrations. Furthermore, the Committee is concerned that private madrasas are often used for child recruitment and military training by non-State armed groups.

64. **The Committee urges the State party to monitor registered and unregistered private madrasas, using adequate mechanisms, in order to prevent any possibility of abuse and exploitation. In particular, it urges the State party to ensure that the curricula of madrasas follow the overall State curriculum and do not teach religious or sectarian intolerance, are designed in the spirit of human rights and include subjects on children's rights and international human rights instruments to which the State is a party. It also urges the State party to monitor non-State armed Groups and prohibit them from accessing educational facilities and to protect children from being exposed to recruitment and given military training by armed groups.**

### **I. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d) and 38-40)**

#### **Asylum-seeking, refugee and stateless children**

65. Although the Committee appreciates that the State party continues to host a large number of refugees, especially from Afghanistan, it regrets the lack of a legal framework for refugees and stateless persons. It also remains concerned that refugee children are often unregistered (especially those whose parents do not hold proof of registration cards), have no access to education, which forces them to join madrasas, live in harsh conditions and are subjected to child labour and early marriages, making them easy targets for abuse, trafficking and religious radicalization. Furthermore, the Committee is concerned that children from Bengali, Bihari and Rohingya communities remain stateless.

66. **The Committee recommends that the State party take all necessary measures to:**

(a) **Consider adopting a national refugee law in accordance with international standards and continue to host refugees, especially families with children and unaccompanied children;**

(b) **Ensure that all children born to refugees, including those who do not hold proof of registration cards, asylum seekers and stateless persons, are registered at birth;**

(c) **Integrate refugee and asylum-seeking children into national and provincial education systems on equal terms with nationals of the State party;**

(d) **Provide refugees, in particular families with children, with adequate housing and provide shelter to those who live in the streets;**

- (e) **Enforce legal measures against child and bonded labour involving refugee, asylum-seeking and stateless children;**
- (f) **Prevent and protect refugee, asylum-seeking and stateless children from falling victim to early marriage, abuse, trafficking or religious radicalization;**
- (g) **Ensure the equal implementation of its citizenship laws with a view to extending citizenship to Bengali, Bihari and Rohingya children;**
- (h) **Consider ratifying the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, as well as the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.**

#### **Internally displaced children**

67. The Committee notes that, since its previous concluding observations in 2009, the internal displacement of children has not ceased. It continues to take place as a result of natural disasters and ongoing law enforcement operations. The Committee is concerned that the State party has not taken sufficient measures to prepare a contingency plan and that many internally displaced children and their families live in harsh conditions with no access to shelter, sanitation and health-care or education services. The Committee is also seriously concerned about reports of sexual abuse, harassment, abduction and trafficking of internally displaced children following each emergency and the lack of measures to provide them with adequate security.

**68. The Committee, recalling its previous concluding observations, recommends that the State party:**

- (a) **Pursue efforts to address the immediate humanitarian needs and protect the human rights of internally displaced children in the country;**
- (b) **Take all necessary precautions and adapt its military tactics to limit civilian casualties in military operations;**
- (c) **Ensure that displaced children are provided with shelter, food, sanitation, health care and education, as well as with physical and psychological rehabilitation services, paying specific attention to particularly vulnerable groups, especially unaccompanied and separated children, children with disabilities and children suffering from malnutrition and disease;**
- (d) **Take special measures to protect internally displaced children from sexual abuse, harassment, abduction and trafficking following any emergency situation.**

#### **Children in armed groups**

69. The Committee is gravely concerned that children continue to be targeted for recruitment and training by armed groups for military activities, which include suicide bombing and detonating landmines, and are transferred to the front lines of conflict areas, where they are exposed to mortal danger and risk of physical harm, and that insufficient measures have been taken by the State party to prevent such recruitment. While noting the Sabawoon Centre, and other centres established for the rehabilitation of children recruited by armed groups, the Committee is concerned about the inadequacy of such centres as well as the lack of other measures to ensure the reintegration and rehabilitation of such children.

**70. The Committee urges the State party to take all necessary measures to prevent and prohibit non-State armed groups from recruiting children and using them in armed campaigns and terrorist activities, in particular suicide bombings. It also recommends that the State party strengthen its efforts to provide adequate**

**rehabilitation and reintegration structures and services and sufficient resources for all child victims and children who have taken part in hostilities.**

**Economic exploitation, including child labour**

71. The Committee welcomes the legislative acts passed in Punjab and Khyber Pakhtunkhwa provinces that prohibit the employment of children in certain hazardous occupations. However, the Committee remains seriously concerned about:

- (a) The extremely high number of children involved in child labour, including in hazardous and slavery-like conditions in domestic servitude and prostitution;
- (b) Reports of abuse and torture of working children, including child domestic workers, in some cases leading to the deaths of such children, mainly girls;
- (c) The continuing practice of bonded and forced labour affecting children from poor and vulnerable backgrounds, including Dalit children;
- (d) The absence of nationwide or provincial studies on the extent of child labour;
- (e) Insufficient programmes and mechanisms to identify and protect child victims of forced labour, particularly bonded labour and child labour in the informal sector, including domestic work;
- (f) The low minimum age for hazardous work, namely 14 years;
- (g) The inadequate number of sufficiently trained inspectors, their vulnerability to corruption and a lack of resources to inspect workplaces.

72. **The Committee urges the State party to:**

- (a) **Take appropriate measures to eradicate child labour, in particular the worst forms of child labour, by addressing its root causes, including poverty;**
- (b) **Establish mechanisms for the systematic and regular monitoring of workplaces that employ children, in order to prevent ill-treatment, abuse and exploitation;**
- (c) **Eradicate all forms of bonded and forced labour of children, in particular those from marginalized and disadvantaged groups, such as Dalit children, and bring those responsible, in particular employers, to justice;**
- (d) **Conduct a survey or study to assess the prevalence of child labour, including the worst forms of child labour such as bonded and forced labour, and inform the Committee about the findings in its next periodic report;**
- (e) **Develop programmes and mechanisms to identify and protect child victims of forced labour, particularly bonded labour, and child labour in the informal sector, including domestic work;**
- (f) **Strengthen the labour inspectorate by eradicating corruption and providing labour inspectors with all the support necessary, including child labour expertise, to enable them to monitor effectively, at the national and local levels, the implementation of labour law standards and to receive, investigate and address complaints of alleged violations;**
- (g) **Expedite the harmonization of the labour laws in order to establish minimum ages for employment in accordance with international standards, notably the International Labour Organization Minimum Age Convention, 1973 (No. 138), and vigorously pursue the enforcement of minimum age standards, including by**

requiring employers to possess, and to produce on demand, proof of the age of all children working on their premises;

(h) **Seek technical assistance from the International Programme on the Elimination of Child Labour of the International Labour Organization in this regard.**

#### **Children in street situations**

73. The Committee is alarmed by reports that a large number of children live in street situations and are deprived of their basic rights, including access to health care, education and shelter, and are subjected to hazardous forms of labour, sexual exploitation, abuse and trafficking. It is also concerned that children living or working on the streets, or whose parents are in conflict with the law, are often dealt with by the police rather than trained staff in child protection centres.

74. **The Committee reiterates its previous recommendation that the State party:**

(a) **Carry out a systematic assessment of children in street situations in order to develop and implement a comprehensive strategy, which should address the root causes of the problem, in order to prevent children from leaving families and schools for the streets;**

(b) **Ensure that children in street situations are provided with adequate protection and assistance, nutrition and shelter, as well as health care and educational opportunities, in order to support their full development;**

(c) **Respect the right of children in street situations to be heard when developing programmes and measures designed to protect and assist them.**

#### **Sale, trafficking and abduction**

75. The Committee is seriously concerned that the State party remains a significant source, destination and transit country for children trafficked for the purposes of commercial sexual exploitation and forced or bonded labour. In particular, it is concerned that children are bought, rented and sold into domestic servitude, bonded labour and sexual exploitation or forced marriages abroad and in Pakistan. The Committee regrets the lack of clarity in the State party's laws on internal trafficking and the lack of information about specific shelters for child victims of trafficking and prostitution.

76. **While taking note of target 16.2 of the Sustainable Development Goals to end abuse, exploitation, trafficking and all forms of violence against and torture of children, the Committee urges the State party to take all necessary measures to protect children from being trafficked or sold either within Pakistan or abroad by addressing the root causes of the sale and trafficking, including gender-based discrimination, poverty, early marriage and a lack of access to education and vocational training. It also recommends that the State party provide comprehensive social and psychological assistance to children who have been sold or trafficked in order to support their recovery and social reintegration. Furthermore, the Committee recommends that the State party clarify its laws on internal trafficking, take measures to ensure that all reports of trafficking and sale of children are promptly and effectively investigated, and that the perpetrators are prosecuted and punished.**

#### **Enforced disappearances**

77. The Committee is seriously concerned about reports of enforced disappearances of children in Balochistan, Khyber Pakhtunkhwa and the Federally Administered Tribal Areas, who were allegedly abducted by law enforcement agencies, which are authorized to arbitrarily detain any person, including those below the age of 18 years.

78. **The Committee urges the State party to review its security legislation in order to ensure that persons below the age of 18 years are not subjected to arbitrary detention and are instead handled by the juvenile justice system. It urges the State party to promptly and effectively investigate all cases of enforced disappearances.**

**Administration of juvenile justice**

79. The Committee deplores the worsening situation of juvenile justice in the State party and is seriously concerned about:

- (a) The low minimum age of criminal responsibility (10 years);
- (b) Death sentences and lengthy prison terms handed down to children by the judiciary, mostly for terrorism-related crimes or *hadood* offences under sharia law;
- (c) The inadequate implementation of the Juvenile Justice System Ordinance of 2000, which provides for juvenile courts, and the fact that children are tried as adults in sharia courts and special courts for drug and terrorism-related offences;
- (d) The lack of mechanisms and of any obligation to investigate the age of an accused person in the absence of a birth certificate, leading to situations where many children are tried as adults and sentenced to death;
- (e) The detention of children together with adults, especially in Balochistan and Khyber Pakhtunkhwa, leading to the abuse of children by other prisoners and prison staff;
- (f) The continued functioning of informal courts (*jirgas* and *panchayats*), which — although they are banned by law — decide on cases concerning honour killing and bride price, among others.

80. **In the light of its general comment No. 10 (2007) on children’s rights in juvenile justice, the Committee urges the State party to bring its juvenile justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State party to:**

- (a) **Revise, as a matter of the highest priority, its legislation and increase the minimum age of criminal responsibility to an internationally accepted level;**
- (b) **Review its legislation with a view to prohibiting cruel and inhuman punishments for any persons below the age of 18 years, including death sentences and lengthy prison terms;**
- (c) **Ensure that the Juvenile Justice System Ordinance of 2000 prevails over all other laws, including sharia law, paying particular attention to sections 11 and 12 (a) of the Ordinance, which both apply “notwithstanding anything to the contrary contained in any law for the time being in force”;**
- (d) **Introduce compulsory procedures and mechanisms to establish the age of a child, including a presumption of validity of official records such as birth certificates and placement of the onus on the State to prove adulthood beyond reasonable doubt;**
- (e) **Promote alternative measures to detention, such as diversion, probation, mediation, counselling or community service, wherever possible and ensure that detention is used as a last resort and for the shortest possible period of time, and that it is reviewed on a regular basis with a view to withdrawing it;**

(f) In cases where detention, including pretrial detention, is unavoidable, ensure that children are not detained together with adults and that detention conditions comply with international standards, including with regard to access to education and health services;

(g) Carry out systematic and regular monitoring of detention facilities where children are detained, investigate any reports or allegations of torture or ill-treatment of children and ensure that perpetrators receive punishments commensurate with the gravity of their crimes;

(h) Set up, in accordance with the Juvenile Justice System Ordinance of 2000, specialist juvenile courts staffed by specially trained juvenile judges, prosecutors, probation officers, defence advocates and other relevant personnel, and ensure that all persons below the age of 18 years are tried exclusively by such courts, without exception;

(i) Ensure the provision of free, qualified and independent legal representation to children in conflict with the law, from the outset and at all stages of the legal proceedings;

(j) Prohibit informal courts, such as *jirgas* and *panchayats*, and carry out prompt and effective investigations into decisions taken by such courts and, where appropriate, prosecute their members, in particular in cases of honour killing, under the relevant articles of the criminal law.

81. To that effect, the Committee recommends that the State party make use of the technical assistance tools developed by the Interagency Panel on Juvenile Justice and its members, including the United Nations Office on Drugs and Crime, UNICEF, the Office of the United Nations High Commissioner for Human Rights and non-governmental organizations, and seek technical assistance in the area of juvenile justice from members of the Panel.

#### **J. Ratification of the Optional Protocols to the Convention on the involvement of children in armed conflict and on a communications procedure**

82. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on the involvement of children in armed conflict and the Optional Protocol to the Convention on a communications procedure.

#### **K. Ratification of international human rights instruments**

83. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the core human rights instruments to which it is not yet a party, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance.

84. The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol on the sale of children, child prostitution and child pornography, for which the State party report has been overdue since 2013.

## **V. Implementation and reporting**

### **A. Follow-up and dissemination**

85. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the fifth periodic report, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

### **B. Next report**

86. The Committee invites the State party to submit its combined sixth and seventh periodic reports by 11 June 2021 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

87. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I) and paragraph 16 of General Assembly resolution 68/268.

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# Section 5

Combined sixth and seventh periodic reports  
submitted by Pakistan under article 44 of  
the Convention, due in 2021

– May 2015





# Convention on the Rights of the Child

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Committee on the Rights of the Child

## Combined sixth and seventh periodic reports submitted by Pakistan under article 44 of the Convention, due in 2021\*

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



## Abbreviations

ADP	Annual Development Plan
AJK	Azad Jammu and Kashmir
ALP	Alternate Learning Programme
ASRHR	Adolescent Sexual and Reproductive Health & Rights
ATU	Anti Trafficking Unit
ISP	Income Support Programme
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
Cr.PC	Code of Criminal Procedure
CRM	Child Rights Movement
CSOs	Civil Society Organizations
ECA	Employment of Children Act
ECE	Early Children Education
EFA	Education for All
EmONC	Emergency Obstetric and Newborn Care
EPI	Expanded Programme on Immunization
ESR	Education Sector Reforms
EVS	Education Voucher Scheme
FIA	Federal Investigation Agency
GDP	Gross Domestic Product
GJPP	Gender Justice and Protection Project
GoP	Government of Pakistan
GWA	Guardians and Wards Act
HDI	Human Development Index
ICT	Islamabad Capital Territory
ILO	International Labour Organization
INGOs	International non-governmental organizations

JICA	Japanese International Cooperation Agency
JJS	Juvenile Justice System
JJSO	Juvenile Justice System Ordinance
JJWG	Juvenile Justice Working Group
KP	Khyber Pakhtunkhwa
LHWs	Lady Health Workers
LJCP	Law and Justice Commission of Pakistan
SDG	Sustainable Development Goals
MNCH	Maternal and Newborn and Child Health
MoHR	Ministry of Human Rights
NADRA	National Database and Registration Authority
NCCWD	National Commission for Child Welfare and Development
NCHR	National Commission for Human Rights
NCHD	National Commission for Human Development
NCPC	National Child Protection Center
NCPP	National Child Protection Policy
NCRC	National Commission on the Rights of 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
NFE	Non-Formal Education
NGOs	Non-Government Organizations
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
PHC	Primary Health Care
PHWA	Protection against Harassment of Women at Workplace Act
PPC	Pakistan Penal Code
PSDP	Public Sector Development Programme
RHIA	Reproductive Health Initiative for Adolescent
SCPA	Sindh Child Protection Authority
SJA	Sindh Judicial Academy
SMC	School Management Committee
SWD	Social Welfare Department
UNDP	United Nations Development Program
UNHCR	Office of the United Nations High Commissioner for Refugees

UNICEF

United Nations Children's Fund

UNODC

United Nations Office on Drugs and Crime

## I. Introduction

1. This is the sixth and seventh combined periodic report of Pakistan, which has been prepared in accordance with article 44 (1) (b) of the United Nations Convention on the Rights of the Child (UNCRC) and revised treaty-specific guidelines. The report covers the period from June 2016 to June 2021.
2. Pakistan is the fifth most populated country in the world. According to Pakistan Economic Survey 2019-20, the population projected for 2019 was 211.17 million. The population falling in the age group of 0–4 years is 12.1 percent, and between 5–14 years is 22.1 percent. Pakistan has an extraordinary asset in the shape of youth bulge, meaning that the largest segment of our population is young people. The population falling in the age group of 15–59 years is 59 percent, whereas 27 percent is between 15–29. The Government has commenced different programs for improving employment opportunities for youth, such as the “Prime Minister’s Youth Entrepreneurship Scheme” and “Prime Minister’s Hunarmand Programme-Skills for All”, among others.
3. The federal government has adopted legislation in the area of child rights which includes: the Criminal Law (Second Amendment) Act, 2016; National Commission on the Rights of Child Act, 2017; the Hindu Marriage Act, 2017; ICT Child Protection Act, 2018; Juvenile Justice System Act, 2018, and Zainab Alert, Response and Recovery Act, 2020. Child Domestic Labour has been banned at the ICT level by inserting it in Part-I of the Schedule of the Employment Children Act, 1991. In addition, Pakistan has ratified the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC), and its initial report is being prepared. Similarly, provincial governments have also adopted various child rights legislations.
4. The Government is committed to achieving Goal 4 of SDGs, i.e., “Quality Education,”; which stipulates equitable education, removal of discrimination, provision and up-gradation of infrastructure, skill development for sustainable progress, universal literacy, numeracy, and enhancement of the professional capacity of teachers.
5. To ensure uniform education, the Government aims to introduce a uniform education system for all to ensure equitable access to quality education across Pakistan’s three schooling systems, i.e., public, private, and madrassa. Some of the critical elements of the government’s efforts to promote child education include (a) selection of a standard curriculum framework, (b) streamlining national teaching and learning standards, (c) ensuring a multilingual policy, (d) strengthening regulatory bodies to ensure coordination across the different school systems, (e) raising awareness about the quality of Government school education through campaigns, and (f) initiating reforms and by strengthening community action through the dissemination of educational information.
6. The Government is fully committed to increasing health coverage and providing good nutrition to meet the emerging demand, develop effective human capital, and promote child-wellbeing. The Government has initiated Ehsaas Nashonuma programme to address stunting in children.
7. The Expanded Programme for Immunization (EPI) is now providing immunization to children against Eight (08) vaccine-preventable diseases, i.e., childhood tuberculosis, poliomyelitis, diphtheria, pertussis, neonatal tetanus, measles, hepatitis b, and typhoid. Almost 40 million children, including 6.8 million at school-designated fixed points, were vaccinated in December 2019 through the National Immunization Day (NID) campaign nationwide. The number of children left out during the last NID campaign in April 2019 decreased from 1.8 to 0.5 million in December 2019 through the NID.
8. Pakistan has demonstrated high-level political commitment, including the Prime Minister’s inauguration of the campaign in December 2019, leading to an investment of 46.8 billion PKR for polio eradication activities during 2019–2021.
9. The federal and Provincial Governments have launched the Maternal and Child Health (MCH) Program to translate the National Health Vision (2016–2025) to provide better access and quality to mother and child health and family planning services through the provision of comprehensive Emergency Obstetric and Neonatal Care (EmONC) services in

275 hospitals/health facilities, provision of basic EmONC services in 550 health facilities and family planning services in all health outlets.

10. The Government of Pakistan initiated Ehsaas Nashonuma program (health and nutrition conditional cash transfer program) on August 13, 2020, which aims to address stunting in children under 23 months of age. The Programme has been launched as a pilot project in 9 country districts in the first phase, which has been selected based on high stunting rates and in consultation with the Provincial health departments.

11. Under this program, 33 Ehsaas Nashonuma Marakiz/Centers are being established at the Tehsil level to provide all the services under one roof. A Nutrition program, i.e., “Tackling Malnutrition Induced Stunting in Pakistan,” costing 312 billion PKR, aims to address malnutrition and stunted growth among children and has been developed for 67 high-burden malnutrition districts of the country.

12. Stunting Reduction Programme, Human Capital Investment Programme, and Ehsaas Nashonuma Programme are under implementation in Punjab. Khyber Pakhtunkhwa (KP) Stunting Prevention and Rehabilitation Integrated Nutrition Gain is under implementation in 4 districts. A new project, “Integration of Health Services Delivery,” costing 7.0 billion PKR, is under implementation throughout the province. An Accelerated Action Plan for Stunting Reduction and Malnutrition with the cost of 5.6 billion PKR has been implemented in 23 districts of Sindh and Balochistan. The Nutrition Programme for Mothers & Children has been implemented in 7 Balochistan districts and is now completed.

13. A new project titled “Pakistan National Social Protection Programme (NSPP)” was launched on 28 April 2017, having a total budget of US\$ 100 million. The main objective of this project was to strengthen Benazir Income Support Program’s (BISP) service delivery and enhance access of the vulnerable segment of society to complementary services.

14. The rapid spread of COVID-19 since February 2020 has brought economic activity to a near halt, besides undermining children’s access to education and livelihoods, especially for people living in extreme poverty. With the support of development partners, the government took unprecedented steps to counter and minimize the impact of the COVID-19 pandemic, save lives, and protect the poor and vulnerable people from the economic effects of the pandemic.

## **II. General measures of implementation (arts. 4, 42 and 44 (6)) Committees’ concluding observations on Pakistan’s 5th periodic report**

### **Follow-up information relating to paragraph 5 of the concluding observations (CRC/PAK/CO/5)**

15. The Government of Pakistan has taken various necessary measures to address the Committee’s previous recommendations. In this regard, the National Commission on the Rights of Child (NCRC) has been established, which monitors the child rights situation in the country. Two children (one male and one female) have been given representation in the Commission. As recommended by the Committee, the Convention has been disseminated among the relevant stakeholders, and training workshops on UNCRC and child protection have been conducted at national and provincial levels.

### **Legislation**

#### **Follow-up information relating to paragraphs 7–9 of the concluding observations**

16. The Government has adopted most of the pending bills mentioned in its 5th Periodic Report and enacted several other laws to harmonize its legislation with provisions of the CRC. In 2017 the NCRC was enacted, and the Sindh Government passed the Sindh Prohibition of Employment of Children Act. The Criminal Law (Second Amendment) Act of 2016 punishes those responsible for child sexual abuse, exposure to seduction, and child pornography.

17. In 2017, it enacted the Hindu Marriage Act to bring the age of marriage of Hindu boys and girls to 18. In 2018 the Government enacted the ICT Child Protection Act and the Juvenile Justice System Act (JJSA). In 2020, it passed the Zainab Alert, Response, and Recovery Act (ZARRA). The ICT Rights of Persons with Disability Act 2020 was enacted to place a legal and institutional framework to protect the rights of persons with disabilities, women, and children.

18. The Government has scrutinized existing legislation at the federal and provincial/territorial levels and has attempted to bring them in conformity with the Convention. The Juvenile Justice System Act 2018 has been enacted to replace the Juvenile Justice System Ordinance 2000. Child Domestic Labour (CDL) has been banned at the ICT level and inserted in Part-I (Occupation) of the Schedule of the Employment Children Act, 1991, as a prohibited occupation. The National Assembly has passed the ICT Prohibition of Corporal Punishment Bill 2021, and will be tabled in the Senate. This Bill will prohibit the infliction of corporal punishment on children in educational institutes.

19. Significant progress has also been achieved at provincial levels. The Government of KP has enacted the Private Schools Regulatory Authority Act, 2017; Free Compulsory, Primary & Secondary Act, 2017; the Child Protection and Welfare (Amendment) Act, 2018; Legal Aid Act, 2019; School Bags (Imitation of Weight) Act 2020. In 2020, the KP Government enacted the Vagrancy Restraint Act to establish Darr-ul-Kafala for the care, education, training, skill development, and maintenance of vagrants and their dependents. The KP Rehabilitation of Minorities (Victims of Terrorism) Endowment Fund Act, 2020, has been enacted. It establishes an endowment fund for the welfare and well-being of minority victims (including children) of terrorism and their family members. The KP Child Protection & Welfare Amendment Rules 2019 have been framed. In 2018, the KP Commission proposed amendments to the Child Protection and Welfare Act 2010. To harmonize the issue of the age of the child to 18 years, the KP Commission, with input from public departments, civil society organizations, gynecologists, and religious scholars, reviewed the existing Child Marriage Restraint Act 1929, considering laws adopted in some of the other OIC countries to finalize the draft KP Child Marriage Restraint Bill. The Bill is under process with the Cabinet.

20. In Sindh, the Reproductive Healthcare Rights Act 2019 was enacted to create public awareness and reduce maternal deaths. The Act protects against sexually transmitted diseases such as HIV/AIDS, rape, sexual assault, sexual abuse, sexual harassment, and other forms of gender-based violence. It promotes the right to reproductive healthcare information by including reproductive health education in the secondary and higher secondary school curriculum as “life skills.” It also mandates public awareness of the prevalence and impact of morbidity and mortality.

21. In Punjab, the Punjab Domestic Workers Act 2019 has been enacted to protect the rights of domestic workers, including children, regulate their terms of employment and working conditions, provide them with social protection, and ensure their welfare. In collaboration with UNWOMEN, Punjab has reviewed child-related laws and identified the implementation and normative gaps.

22. The Balochistan Child Protection Act, 2016, has been enacted, which protects children from all forms of physical or mental violence, including injury, neglect or negligent treatment, maltreatment or exploitation, and sexual abuse. It also provides for establishing a Commission to monitor the implementation of Article 19 of the CRC in Balochistan.

## **Coordination and devolution of powers**

### **Follow-up information relating to paragraph 11 of the concluding observations**

23. The Ministry of Human Rights (MoHR) is coordinating implementation of human rights conventions and preparation of Pakistan periodic reports on their implementation. The National Commission on the Rights of Child has been established, which monitors the child rights situation in the country and coordinates with all child rights bodies at the national level. Moreover, Treaty Implementation Cells (TICs) have been established at federal and

provincial levels to oversee the implementation of human rights conventions, including the CRC. PKRs 20 million were provided to NCRC for the financial year 2020–21. Besides, technical and human resources have been provided to NCRC, which comprises officers, officials, and technical staff. 19.260 million PKR were provided to the Punjab TIC during 2018–2019. The other provinces have also equipped their respective TICs with sufficient human, financial, and technical support.

## Allocation of resources

### Follow-up information relating to paragraph 13 of the concluding observations

24. The Government continuously increases budgetary allocations for protecting children's rights, including girls, refugee and temporarily dislocated children, religious and ethnic minorities, children without parental care, children with disabilities, and children in street situations. The health-related expenditure was 145.97 billion PKR in 2016–17, which has increased to 482.3 billion PKR in 2019–20. The education-related expenditure was 663.36 billion PKR in the financial year 2016 and increased to 611.0 billion PKR in 2019–20. Federal Government is committed to investing 46.8 billion PKR for polio eradication activities during 2019–2021. BISP budgetary allocation has been increased from 102 billion PKR in FY2016 to 180 billion PKR in FY2020. Under the Ehsaas Programme, the 80 billion PKR Education Conditional Cash Transfer (CCT) program has been expanded and massively reformed under Ehsaas to bring 5 million deserving primary school children into its fold from across all 154 districts of Pakistan over a 4-year duration. An eighty billion PKR Education Conditional Cash Transfer (CCT) program has been expanded and massively reformed under Ehsaas to bring 5 million deserving primary school children into its fold from across all 154 districts of Pakistan over a 4-year duration.

25. The Government of Punjab allocated 496.783 million PKR for Child Protection & Welfare for the financial year 2020–21. Punjab increased its expenditure on Annual Development Plans (ADPs) on education in 2018–19 to 371.8 billion PKR compared to 340.8 billion PKR in 2017–18, which shows an increase of 9.1 percent. It allocated 196.987 million PKR for the Elimination of Bonded Labour in 4 Districts of Punjab (October 2012 to June 2020). Similarly, 212.589 million PKR have been allocated for Provincial Child Labour Survey (Sep 2015 to December 2020). Punjab has also allocated a budget for development projects for specialized healthcare and medical education for FY2020, which is 64,891.26 million PKR. This helped smooth and timely implementation of 62 development projects, including 58 ongoing projects.

26. The Government of KP has increased expenditure on education to 152.7 billion PKR, compared to 142.6 billion PKR last year, which shows an increase of 7.1 percent in 2018–19. The health expenditures increased by 10.5 percent. As a percentage of GDP, health expenditure has improved from 0.91 percent in 2016–17 to 0.97 percent in 2017–18. The KP Government has earmarked 241.705 million PKR for child labor surveys in the province.

27. The Government of Baluchistan has increased its expenditure in the Education Sector from 52.8 billion PKR in 2017–18 to 55.3 billion PKR in 2018–19, which shows a growth of 4.8 percent. It has allocated an amount of 7.1 billion PKR for 63 ongoing and 93 new health projects in the ADP 2020–21, spread over all the sub-sectors of health, namely Primary Health, Curative Health, and General Health, to enhance health infrastructure/facilities across the province.

28. The Government of Sindh's expenditure on education stood at Rs 162.6 billion in 2018–19. It has allocated 114.14 billion PKR for the health sector in the budget for FY2020. For FY2019, 13.5 billion PKR was allocated for 170 schemes, and by June 3, 2019, 4.61 billion PKR was expended against a release of 8.01 billion PKR.

## Cooperation with civil society

### Follow-up information relating to paragraph 15 of the concluding observations

29. The Government is proactively working to implement child rights in the country in collaboration with civil society organizations. Pakistan Bait-ul-Mal (PBM) is providing Grant-in-aid to registered Non-Governmental Organizations (NGOs) with all its operational parameters and functional responsibilities to enable broader and extensive participation in welfare projects by NGOs at the national level.

30. SCPA has signed MoUs with different NGOs/INGOs working to implement child rights and is strengthening cooperation with CSOs to protect children's rights. KP Commission & Social Welfare Department coordinate with civil society organizations by giving them membership in the Executive Boards to strengthen cooperation, coordination and networking on child rights issues.

31. At the ICT level, the MoHR coordinates with the Child Rights Movement (CRM) (a consortium of NGOs working on Child Rights). MoHR also works with the National Action Coordinating Group on Violence against Children (NACG) (a consortium of NGOs working to protect children from violence and abuse).

32. The Government of the Punjab, Human Rights and Minority Affairs (HR&MA) Department is working in partnership with civil society to promote human rights in the province. The CSOs are consulted during Provincial and national consultations. The Government duly investigates violations of human rights reported by CSOs to provide redress to the victims.

33. The Balochistan Social Welfare Department has registered various CSOs and works with them in multifaceted fields. Sixty Rural Community Centres are providing vocational training techniques to trainees in remote areas with the support of CSO. Technical and vocational skills are being imparted to the youth, including girls and boys with certain minimum academic qualifications, and bringing positive changes in their lives by helping them acquire the capability to earn and support their families.

## III. Definition of the child (art. 1 of the Convention)

### Follow-up information relating to paragraph 17 of the concluding observations

34. Several laws have been enacted to harmonize the definition of a child with the internationally accepted definition.

35. In the wake of the 18<sup>th</sup> Constitutional amendment, the subject of minors has been devolved to provincial governments, and accordingly, respective governments are taking legislative reforms in this regard. The Punjab Destitute and Neglected Children Act 2004 defines a child as a natural person who has not attained the age of eighteen. The KP Child Protection Welfare Act, 2010 defines a child as someone who has not attained the age of 18 years. The Sindh Child Protection Authority Act, 2011 defines a child as someone who has not attained the age of 18 years. The JJSA 2018 also defines a child as a person below the age of 18 years. The Balochistan Child Protection Act, 2016, Section 2(e) defines the child as a person, either girl or boy, below 18.

36. The Hindu Marriage Act, 2017 prohibits marriage of male and female persons below 18, extends to ICT, Punjab, KP, and Balochistan. This is like the Sindh Hindu Marriage Act 2016, which prohibits the solemnization of marriage between parties under 18 years of age.

37. The Government of Sindh has enacted a law that provides for solemnizing marriage at the age of 18 and above for both girls and boys.

38. Punjab's Local Government & Community Development Department placed a summary with the Standing Committee of the Cabinet on Legislative Business to amend the minimum age of marriage from 16 to 18 years for girls. The Committee directed that the matter be consulted with other stakeholders and resubmitted to the committee.

39. The KP Child Marriage Restraint Bill 2020, which raises the minimum age of marriage to 18 years for both girls and boys, is pending before the Cabinet. The Federal Government is also considering amending the Child Marriage Restraint Act of 1929 to extend the girl child age to 18.

## **IV. General principles (arts. 2, 3, 6, and 12 of the Convention)**

### **Non-discrimination**

#### **Follow-up information relating to paragraph 19 of the concluding observations**

40. The Government has taken legislative, administrative, and programmatic measures for addressing the issues of infant mortality, out-of-school, early marriage, debt settlement, and domestic violence without discrimination.

41. To address the issue of infant mortality, Pakistan has taken dedicated actions without discrimination. Pakistan's Infant Mortality Rate (IMR) has declined from 62.1 deaths per 1,000 live births in 2015 to 55.7 in 2019. The new immunization policy envisages Pakistan's Vision 2025 by addressing its crucial goal to reduce infant mortality rate from 74 to less than 40 (per 1000 births) and reduce the maternal mortality rate from 276 to less than 140 (per 1000 births) and continue reducing the infant mortality rate through immunization targets and activities to achieve SDG 3. Besides, Pakistan's Multi-Sectoral Nutrition Strategy includes provisions for adolescent girls' nutrition, including micronutrient supplementation, regulation of foods marketed to adolescents, addressing gender equality issues, and health and nutrition education. Moreover, Pakistan Infant and Young Child Feeding Strategy, 2016–2020, is being implemented in the country.

42. To enroll out-of-school children without discrimination, the Government is specifically focusing on the enrolment of the girl child and addressing the school dropout issue. In this regard, the Waseela-e-Taleem program has been launched, which aims to encourage BISP beneficiary families with children (girls & boys) in the age group of 5 to 12 years to send their out-of-school children to schools for Primary Education in return for cash transfers with the long-term prospects of human capital formation. The government is providing stipends of 250 PKR per child per month. In total stipend, worth 2.4 billion PKR has been disbursed to these poor families against the enrolment of 1.3 million children in primary schools.

43. The Punjab Government earmarked 60% of the Punjab Education Sector Reforms Program to provide missing facilities for girls' schools, including toilets and boundary walls. Free textbooks are provided in public schools, while curricula are revised to include gender equality and human rights. About 70% of jobs in primary education have been allocated to female teachers. About 20,181 institutions for non-formal education have been established across Punjab, and 2,124,300 students study in these centers; 90% of the teachers and more than 50% of students in these institutes are female. A special scheme, 'Parrho Punjab Barro Punjab' (Educate and Uplift Punjab), ensures 100% enrolment of children by providing a stipend of Rs. 1000/- per month to girl students. The Punjab Education Sector Reform Programme also offers stipends to girls from grades (6–10) to improve enrolment, retention and reduce gender disparity. Punjab Education Foundation (PEF) provides incentives to low-income students and teachers. Currently, the PEF operates a network of 6,500 partner schools and manages 461 schools for girls where 825,854 girls (45% of total beneficiaries) are enrolled.

44. The Government of Sindh disbursed 7.5 million textbooks from classes 1–12 and provided stipends to 420,000 girls to encourage girls' education. The amount was increased from 1000 PKR to 2500 PKR and 2400 PKR to 3500 PKR at DSP Talukas. The Sindh Education Policy, 2016 emphasizes strengthening education management and governance and enhancing gender equity.

45. The Government of KP disbursed about 1,100 million @200 PKR/ month among 442,030 girls' students in 2014–15, which increased girls' enrolment by 2%. The allocation was increased during the fiscal year 2015–16, and a stipend was disbursed to 465,000 girl

students. Free textbooks costing 2.05 billion PKR were distributed among 5,415,662 students. Similarly, 3000 scholarships were given to girls' students of Torghar and Kohistan districts. Stoori Da Pakhtunkhwa Scholarships were awarded to 1,226 students with Secondary School Certificate and KP Higher Secondary School Certificate. Out of 27,506 schools, 39% of schools are for females. Education Sector Reform Unit (ESRU), KP has brought numerous reforms to attract female teachers and increase female students' enrollment in far-flung areas.

46. Directorate of Social Welfare, Zakat & Ushr, Special Education, Women Empowerment Department Merged Areas, initiated focused activities on Girls' rights to Education piloted at District Kurram & Orakzai, Merged Areas (erstwhile FATA) of Khyber Pakhtunkhwa. Formation of adolescent groups at Primary and Middle schools and communities at the village level. Capacity building of the selected adolescent groups for five days on Child rights and girls' rights to education. Trained adolescents will be disseminating key messages learned during five days of training on Child rights and girls' rights to education further in their joint family system and surrounding communities. Since April 2021 total of 1092 (380 Boys – 712 Girls) adolescents were trained. Capacity-building training of public authorities (Government officials) was conducted at the district level on girls' rights to education.

47. The Government of Balochistan is implementing the Balochistan Compulsory Education Act 2014. Besides, Education Management Information System (EMIS) has been set up. Based on the evidence of the EMIS, the District Education Plan (2016–2017 to 2020–2021) has been implemented.

48. To address the issue of child marriages without discrimination, the SCPA has broadcasted programs on “Social & Economic Issues of Child Marriages” to discourage child marriages, especially marriages of the girl child, on Radio FM 105.4. The KP Government disseminated on electronic media (1121 & Mobile plate form) 511600 text messages on Child protection, including preventing girl-child marriages in the general masses at three districts. Similarly, 318000 voice messages have been disseminated among three districts' general masses. The Governments of Punjab and Balochistan are discouraging child marriages by registering criminal cases against the accused, and accordingly, an investigation is completed with due care.

49. To address the issue of the exchange of girls for debt settlement, Section 310 (A) has been inserted in the Pakistan Penal Code, 1860 through the Criminal Law (Amendment) Act, 2004, which is intended to punish the “giving” of girls and women in marriage as part of a compromise to settle a dispute between two families or clans. Anyone convicted of this offense may receive ‘rigorous punishment’ for 3 to 10 years. Besides, the KP Elimination of Customs of Ghag Act, 2013 has been enacted, which declares the custom of ghag (forced marriage of women) under which the violators would face up to seven years imprisonment and 500,000 PKR fine or both.

50. The Domestic Violence (Prevention and Protection) Act, 2013, is being implemented in Sindh. Under the Act, an offender is punishable with imprisonment of a minimum of six months or with a fine to be paid as compensation to the aggrieved person, which will not be less than ten thousand rupees or with both. The Act defines all acts of gender-based and other physical or psychological abuse committed by a respondent against women, children, or other vulnerable persons with whom the respondent is or has been in a domestic relationship.

51. The Balochistan Domestic Violence (Prevention and Protection) Act, 2014, is being implemented. Under the Act, aggrieved persons, including women/girls, apply to the Court for relief. The Act defines Domestic Violence as all intentional acts of gender-based or other physical or psychological abuse committed by an accused against women, children, or other vulnerable persons with whom the accused has been in a domestic relationship.

52. The KP Government has recently enacted “Khyber Pakhtunkhwa Domestic violence against women (prevention and Protection) Act, 2021, to ensure the prevention and protection of women, including girls, from different kinds of abuses. The KP Government has recently enacted “The KP Home-based Worker Welfare and Protection Act, 2021, for the protection & recognition of the rights of home-based workers. The said legislation is a crucial step for promoting & protecting the rights of children working as home-based workers.

53. To protect the rights of girl child, one of the landmarks TV shows titled “Qanoonboltahai” is being telecast on Pakistan Television (PTV) to create awareness regarding the rights of girls under the national and national obligations and also provide legal awareness to girls/women under the supervision of highly qualified lawyers. Moreover, PTV has dedicated 30% of its time to gender-based advocacy through advertisements, sitcoms/dramas, and talk shows. The Government of Punjab launched a massive media campaign to raise awareness about inheritance rights. The Government has recently strengthened the National Commission for Minorities (NCM), which protects minorities’ rights. The Commission comprises members representing all minority communities living in the country. The Government has provided welfare services to children living in rural areas, including children of minorities. The Ministry of Human Rights has established child welfare centers that provide social welfare services to children in rural areas of ICT.

54. In KP, 9,145 girls were empowered to take positive action to protect themselves through life skills-based education. A total of 105(80 Men – 25 Women) Government officials, including Social Welfare, Education, Health, Local Govt& rural development, and District Administration Officials, were trained on Girls’ rights to education and protection. Capacity building of the religious leaders, teachers, community elders, and decision-makers on Girl’s rights to education and protection. Total 589(192 Men – 397 Women) were trained. The KP Government has increased the allocation of budget 70/30 (Girls/Boys) policy for increasing the enrolment and retention of Girls in schools.

55. Despite limitations on face-to-face interaction due to the pandemic, the Government of Sindh’s doctors provided online training to manage the care of children living with HIV. As a result, 1,339 children living with HIV enrolled in antiretroviral therapy centers. In five flood-affected Sindh districts, 111,772 people, of whom 28 percent were children under five, received integrated health, immunization, and nutrition services through 20 mobile teams. While following an assessment of COVID-19 impacts on children, the Government of Balochistan prevented and responded to violence against children. The alternative care services linked with the Child Protection Case Management and Referral System protected 42 girls and 161 boys. The Government of Balochistan has declared 10,000 primary schools as ‘gender-free.’

## **Best interests of the child**

### **Follow-up information relating to paragraph 21 of the concluding observations**

56. Generally, the child’s best interest is taken as the primary consideration in all matters about the child. Specifically, the Juvenile Justice System Act of 2018 defines the “best interest of the child” as the basis for any decision taken regarding the child to ensure fulfillment of his/her fundamental rights and needs, identity, social well-being, physical, emotional, and psychological development. Moreover, all orders passed by the Juvenile Court to release juveniles or diversion proceedings will be made in the child’s best interest.

57. The ICT Child Protection Act, 2018 also includes provisions for determining the best interests of a child, which include child protection and care, well-being and safety of a child; physical and emotional needs of a child; religious and cultural views of a child; level of education and educational requirements of a child; considering the family as a preferred environment for the care and upbringing of a child; and effect on a child, of delay in making a decision. The Act also provides for an investigation by the Child Protection Officer before returning a child to the same alternative care that the child fled from. The Act also provides for the child’s right to identity privacy in all media reports, save for reasons to be recorded in writing by the Court.

58. The National Child Commissioner and Federal Ombudsman Secretariat are regularly strengthening the capacity of Provincial Governments through orientation sessions and workshops arranged for civil servants on safeguarding the child’s best interests in all decisions. Moreover, the Commission examines international instruments, undertakes a periodical review of existing policies and programs on child rights, and makes recommendations for their effective implementation in children’s best interests.

59. SCPA has developed special lectures and training programmes for capacity building of officials, NGOs, and stakeholders and is organizing them regularly for the guidance of relevant persons in authority to protect the child's best interests.

60. The Government of KP has approved the Provincial Awareness Plan to protect children against child abuse. Establishing a well-equipped Child Protection Case Management and Referral Mechanism in KP is being processed. The ToRs of the District Coordination Working Group have been amended. The Minimum standards for Humanitarian Action with the help of stakeholders have been contextualized and approved.

61. KP has also adopted and enacted the KP Child Protection and Welfare (KPCP) Act, 2010, for the maintenance, protection, welfare, and reintegration of at-risk children. Child Protection Courts have also been established to provide justice and protect children from violence, maltreatment, and abuse. KP Child Protection & Welfare Commission is closely coordinating with relevant stakeholders to safeguard children's best interests in all decisions related to children. Exclusive Child Protection Courts were established in seven divisional headquarters under section 15 of the KPCP Act 2010, considering the evidence data provided by KP Child Protection & Welfare Commission.

62. Under the Balochistan Child Protection Act, 2016, all state bodies, agencies and organizations, public and private social welfare institutions, and civil society organisations are mandated to safeguard and promote the best interests of the child in need of protection. These institutions consider the child's best interests in need of protection as the primary consideration while making any decision.

63. Under the Punjab Destitute and Neglected Children Act, 2004, a Fund for the care, protection, and rehabilitation of destitute and neglected children and ensuring the child's best interest has been created. Under this law, a Child Protection Officer shall take a destitute and neglected child into custody and produce him before the Court within twenty-four hours.

## **Right to life, survival, and development**

### **Follow-up information relating to paragraph 23 of the concluding observations**

64. The Government has taken various steps to protect children from acts of terrorism and counterterrorism activities. from acts of terrorism and counterterrorism activities as and when received.

65. The Government of KP is implementing a project in the newly emerged district: "Strengthen the protective environment for the adolescents and children aiming towards self-empowerment and meaningful participation to reduce child protection rights violations" since 2018 with the technical and financial support of UNICEF. The key activities of the project are empowerment of adolescents through Life Skills Based Education; Protection of children and Adolescents from all forms of abuse for the provision of protective environment for the families, communities and decision makers; capacity building of the public authorities and service providers ; delivery of information, communication and awareness packages, on Mine Risk Education Session to children and communities; provision of recreational activities to all children (both girls and boys) below the age of 18 years; Delivery of activities from the "Sticks and Stones – The Involvement of Children in their Protection" manual for all children and their caregivers, in accordance with age and gender needs and cultural sensibilities; coordinate access for children to birth registration service; provision of steepen to secondary school girl's student in some rural areas, especially for New merged district (EX-FATA) in KP province; provision of missing facilities for all the schools including polarization, boundary walls, wash rooms etc. for the welfare of children and introducing girls' community schools to facilitate girls' enrolment in schools. The KP government has approved 07 child protection units (including home-based care to orphans) in Merged Areas (erstwhile FATA). Those Units will be established for the welfare and protection of children.

66. The government is committed to ensuring adequate security measures in all educational institutions. The Punjab Government has released a set of school requirements, including installing closed-circuit cameras, raising the boundary walls of schools, and

topping them with razor wire. Five security agencies collectively inspect the schools to gauge their compliance with the security guidelines.

67. Child-Centred Disaster Risk Reduction (CCDRR) has been identified as a critical priority. The National Disaster Management Authority (NDMA), through its Gender and Child Cell (GCC), has pursued this objective since 2010. The National Disaster Risk Reduction Policy (NDRRP) was the first step in this direction, followed by several interventions to meet the standards of the GCC Framework.

68. Recognizing the immense significance of the safety of schools, NDMA has formulated the Pakistan School Safety Framework (PSSF). The primary purpose of the PSSF is to provide policy guidance and set a standard for implementing comprehensive School Safety at national, provincial, district, and school levels. It is an effort to contribute towards Disaster Risk Reduction (DRR) and Disaster Risk Management (DRM) of children. To effectively implement PSSF, the NDMA and Provincial Disaster Management Authorities (PDMAs) have taken various measures.

69. The NDMA identifies and selects all new school sites based on a child-inclusive natural hazard and security risk assessment. The safety and security risk assessment has become the basis for determining whether the school will be safe in the identified location. Such assessment is based on data on children's population, and their level of well-being/deprivation in a given location.

70. Other tools are continuously being developed for making risk assessments more child inclusive. Pakistan uses the UNICEF-promoted Child Centred Risk Assessment (CCRA), which includes different indicators of child deprivation, child population, and hazards in a spatial mapping exercise, to identify various regions where children are exposed to risk. All schools are assessed for multi-hazard safety against all types of natural calamities and security against man-made hazards to undertake retrofitting and/or enhanced measures as needed to minimize potential harm to students and school staff. NDMA also ensures that all schools are equipped to ensure the security of the school population against bomb threats and terrorist attacks.

71. To mitigate the nutritional issues at national and Provincial levels, a Multi-Sectoral National Nutrition Action Plan has been drafted to address all forms of malnutrition through short, medium, and long-term approaches. The National Nutrition Awareness Programme costing Rs 1,050 million, has been prepared to create nutritional awareness among the population for behavioral changes. Pakistan Dietary Guidelines for Better Nutrition have been revisited, and the revised version has been launched along with an e-learning course for guiding the masses on adopting healthy dietary behavior and lifestyle. The Food Composition Table (FCT) has been revised, having updated nutritional information (macro and micro) on raw & cooked foods from 12 agroecological zones. The researchers will utilize the data for context-specific guidelines to be adopted by the general masses.

72. The Nutrition Management Information System (NMIS) is being launched at the national level to mitigate nutrition data gaps (both nutrition-specific and nutrition-sensitive) for policy planning and programming. National Guidelines on Adolescent Nutrition and Supplementation have been prepared and launched with the consultation of federal and Provincial stakeholders. Stunting Reduction Programme and Nutrition Programme are implemented for eleven districts of southern Punjab with a focus on improving the nutritional status of pregnant and lactating women, newborns, children under the age of 5, and adolescents, mainly focusing on those belonging to marginalized groups.

73. The Programs provide screening & growth monitoring of children below 5; provision of multiple micronutrients (MMS); Infant and Young Child Feeding (IYCF) counseling and awareness at community & health facility level; promotion of early initiation, exclusive and extended breastfeeding; bi-annual Vitamin A supplementation of children between 6–59 months; establishing breastfeeding corners and Child Nutrition clinics; establishing of 1717 Out Patient Therapeutic Program (OTPs) centers and 58 Stabilization Centers (SCs) for the treatment of malnourished children; emergency management of Diarrhea and Pneumonia through 24/7 BHUs; interventions for the control of diarrhea; provision of ORS and Zinc Syrup; promotion of hand washing/ sanitation and personal hygiene; and prevention of intestinal parasitic infections by biannual deworming of children of 24–59 months.

74. An Accelerated Action Plan for Stunting Reduction and Malnutrition in Sindh is being implemented. In Balochistan, the Balochistan Nutrition Programme for Mothers & Children (7 districts), Food for Peace (5 districts), and the targeted Supplementary Feeding Programme (9 districts) is being implemented in the province. The KP Stunting Prevention and Rehabilitation Integrated Nutrition Gain (KP SPRING) was approved for three years, costing Rs 2,217 million for four districts. KP Health Department addresses malnutrition issues in children through the KP Health Nutrition Program with the support of the relevant UN agencies and under the Integrated Health Project (IHP) Khyber Pakhtunkhwa by integrating the Nutrition, EPI, MNCH, and LHW Programs in the province.

75. In response to the drought, the Government of Sindh has launched a comprehensive Accelerated Action Plan to reduce Stunting and Malnutrition (2016–2021) to improve mother and child health significantly. Under this, timely and equitable distribution of food and water aid is monitored.

76. The perpetrators of infanticide are brought to justice under sections 328 and 329 of the Pakistan Penal Code (PPC). Section 328 of the PPC provides a punishment of seven years imprisonment or a fine for parents of children under 12 years who expose or leave such child in any place to abandon such a child wholly. Section 329 of the PPC punishes those who secretly bury or dispose of the dead body of a child or intentionally conceal or endeavor to conceal the birth shall with two-year imprisonment, a fine, or both.

## **Children sentenced to the death penalty**

### **Follow-up information relating to paragraph 25 of the concluding observations**

77. After the enactment of JJSA, no person who was a juvenile offender at the time of the commission of an offense shall be awarded the punishment of death. Consequently, no juvenile has been sentenced to death.

78. Section 8 of JJSA provides that where a person alleged to have committed an offence physically appears to be or claims to be a juvenile for this Act, the officer in charge of the Police Station or the investigation officer shall inquire to determine the age of such person based on his birth certificate, educational certificates, or any other pertinent documents. In the absence of such documents, the age of such accused person may be determined based on a medical examination report by a medical officer.

79. Moreover, when an accused person who physically appears to be a juvenile for this Act is brought before a Court under section 167 of the Code, the Court, before granting further detention, shall record its findings regarding age based on available records, including the report submitted by the police or medical examination report by a medical officer.

80. According to JJSA, only the Juvenile Court shall have exclusive jurisdiction to try cases where a juvenile is accused of commissioning an offence. All cases of juveniles pending before a trial Court shall stand transferred to the Juvenile Court having jurisdiction.

81. The Government has established six pilot child courts in Pakistan, while four more are being established. Institutionalizing child participatory processes contributes to strengthened justice for children. The notification of 9 Juvenile Justice Committees (JJC) is improving the alignment of the Pakistani regulatory framework with international child safeguarding standards. The capacity building of 160 actors of justice is leading to groundbreaking child-sensitive jurisprudence, which contributes to promoting child rights in alignment with SDGs 16.2: 5, 3.3 & 17. Children in conflict with the law tried in the pilot child court(s) were 992, with 3% girls and 97% boys; from December 2017 – March 2021, 70 children availed of diversion.

## **Killings in the name of so-called “honor”**

### **Follow-up information relating to paragraph 27 of the concluding observations**

82. The Criminal Law (Amendment) (Offences in the name or pretext of Honour) Act, 2016 has been enacted to amend the Pakistan Penal Code, 1860, and the Code of Criminal

Procedure, 1898, to deter and prevent offences in the name or pretext of honour in Pakistan. This Act has amended sections 290, 302, 309, 310, 311, 338E, and 345 of the PPC. *Fasad-fil-arz*, a concept used to decide the severity of punishment awarded, including the offender's past convictions, extreme nature of the offence, and the offender being a danger to the community, now includes offences committed in the name of honour. Additionally, murder committed in the name of honour is punishable with death or imprisonment for life. Even if the victim's Wali or other family members pardon the accused, the Court may still punish the accused with imprisonment for life.

83. The MoHR provides shelter and free psychological counseling services through its Family Protection & Rehabilitation Centre for Women (FPRC). The Center protects women and children at risk or who are already victims of violence through refuge, rehabilitation, and legal and medical support. Victims of violence can share their sufferings in strict confidentiality through psycho-social counseling. Through trained and professional staff, Shelter Home assists victims of violence round the clock.

84. The Punjab Commission on the Status of Women launched the Commission's helpline for complaint redressal, including honour killing and awareness raising. It has been a fundamental tool for the Commission to address inquiries and complaints, including honour killings from women across Punjab.

85. The Government of Punjab has expanded the Dar-ul-Amans network to every district. It has systematically introduced measures to deliver services aligned with international best practices, mainly through revised standard operating procedures, guidelines, minimum standards of compliance, and robust referral and complaint mechanisms.

86. Transitional Housing Scheme for Women Victims of Violence project aims to facilitate socio-economic independence among survivors of violence. Residents are expected to stay for six months to one year and must establish personal goals to achieve economic independence and financial stability.

87. A Project, namely, "Prevention and Protection of Women from Violence through Access to Justice, Services and Safe Spaces" (2016–20), has been implemented in Punjab, Sindh, and Balochistan Knowledge products developed for Police and Justice Sector stakeholders to build their capacity on EAW & GBV.

88. In collaboration with UN Women, the Government of Sindh has established Women Protection Units in Karachi and Khairpur to support survivors of Gender-Based Violence. The KP Social welfare department has provided shelter to all victim women in crisis centers. This Resource Pack for the Orientation of Justice Sector Stakeholders has been developed in collaboration with UN Women Pakistan to orient justice sector officials in Pakistan to understand the process of legal aid/ assistance/ advice, client handling, and management of cases of Gender-Based Violence for better dispensation of justice.

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

### **Birth registration**

#### **Follow-up information relating to paragraph 29 of the concluding observations**

89. Child Registration Certificate is a registration document used to register minors under the age of 18 years. Besides, a juvenile card is an identity card issued to children under the age of 18 years. This chip-based card is distinguished from the Child Registration Certificate as it is an 'entitled document' carrying multiple facilities. A child's parents or blood relatives holding a valid identity card are required to be physically present for providing the biometrics.

90. The National Database and Registration Authority (NADRA) introduced the Civil Registration Management System (CRMS) in all provincial local governments and cantonment boards across the country to increase the percentage of birth registration in Pakistan. From July 2016 to December 2020, 28,235,045 children have been registered with

NADRA. The number of children registered through CRMS at local Councils / Cantonment Boards is 16,450,138.

91. Due to the Government's collaboration with UNICEF and public-private partnerships, advocacy campaigns, and investments in technological solutions, birth registration of 784,432 children (71%) was accomplished in 2020. This has been a drastic improvement from Pakistan's historically low birth registration rates, which was 34 % in 2012/2013 and 42.2 % in 2017/2018.

92. To achieve universal birth registration by 2024, the Government also scaled up birth registration systems by using an innovative digital/paper model through a public-private partnership with Telenor, a telecom company. The digital system enables quick and cost-free birth registration, saving parents the time and money they previously required in purchasing forms and submitting them to several offices after waiting in long lines. Under this project, UNICEF is imparting training to the relevant staff on using Android-based mobile phones and tablets for birth registration through a door-to-door digital registration process.

93. Since July 2016, the KP Commission has established 180 Child Protection Committees in twelve districts of KP to create awareness regarding child protection issues including birth registration, and to facilitate families with birth registration processes.

94. The Punjab Local Government and Community Development Department (LG&CD) has introduced a mobile and desktop application in collaboration with Punjab Information and Technology Board (PITB) to enable citizens of Punjab to obtain e-birth and death certificates. The Punjab Social Welfare Department is implementing social mobilization on birth registration in collaboration with UNICEF to create awareness of the importance of birth registration, focusing on girl childbirth registration.

95. The model was scaled up in 2018 to five additional districts and two cities in Punjab and Sindh. Local Government staff has been trained on effective registration in Punjab, Sindh, Balochistan, and KP. Social Welfare Departments are undertaking social mobilization drives to increase demand.

96. In KP, the Village Council or Neighbourhood Council is mandated to register births, deaths & marriages under the KP Local Government Amendment Act, 2019.

97. KP Health department conducts surveys regarding Infant Mortality Rate, Maternal Mortality Rate (MMR), and Skilled Birth Attendance (SKBA) and keeps a record of children born at hospitals. It also issues vaccination cards to children giving them an immunization record and date of birth (DOB) registration.

98. In Sindh, a CRVS unit was established by Government A partnership among NADRA, local Government, and health departments developed systems to ensure that children born in hospitals are registered at birth. The Government of Balochistan is making all its efforts to increase childbirth registration.

## **Freedom of religion**

### **Follow-up information relating to paragraph 31 of the concluding observations**

99. Pakistan's constitution guarantees religious freedom to all religious minorities, including Christians, Hindus, Sikhs, and Ahmadis. All children, including Hindus and Christians, enjoy the freedom of religion in and outside of schools.

100. No discrimination against religious minorities or derogatory statements/material exists in children's textbooks. The textbooks are sensitive to religious, national, social, and other aspects. They are free from religious, sectarian, ethnic, regional, cultural, sexual, occupational, socioeconomic, prejudices, hate material, and gender biases. The textbooks promote harmony and peaceful co-existence through respect for diversity and tolerance and promote positive images of girls and women. Furthermore, the content is aligned with the international human rights conventions on human rights and Sustainable Development Goals.

101. The Single National Curriculum (SNC) is in the development stages and will be implemented throughout Pakistan by 2023; encourages religious tolerance and freedom by

allowing students from minority religions to be exempted from Islamic education and taught religious education coinciding with their religious beliefs.

102. Pakistan is also fully committed to preventing misuse or abuse of the blasphemy law. The procedure has been amended, and the District Police Officer now carries out the preliminary inquiry in blasphemy cases. Section 211 of the PPC states that a person who intentionally initiates a false criminal case or puts false charges on any other person for an offence without any lawful ground shall be imprisoned for two years, fine, or both. He may also be imprisoned for seven years and fined if the punishment for such a falsely charged crime is death, imprisonment for life, or seven years or more. However, children are already exempted from criminal responsibility under the JJSA 2018.

## **VI. Violence against children (arts. 19, 24, para.3, 28, para. 2, 34, 37 (a) and 39)**

### **Torture and other cruel or degrading treatment or punishment**

#### **Follow-up information relating to paragraph 33 of the concluding observations**

103. All children are exempted from punishment for Hadood offences, which involve amputation, whipping, stoning, and other forms of torture and cruel and degrading treatment since the enactment of the JJSA 2018.

104. The officers/officials involved in torture are being prosecuted under the relevant provisions of the law. Strict measures have been taken to avoid torture by the police. Women and children-friendly policing, including women-friendly police and establishing women police stations, are also underway.

105. In Punjab, a branch works efficiently with the nomenclature of the Internal Accountability Branch (IAB) at the regional level and CPO Headquarters Lahore, where applicants' grievances are being redressed. Moreover, 8787 is a forum where an aggrieved person can call/complain, which is inquired thoroughly and impartially. The officers/officials found guilty during inquiry proceedings are being proceeded against departmentally and legally by initiating proceedings under the relevant civil services laws, E&D rules, and according to the gravity of charges. Criminal proceedings are also initiated against them according to penal provisions.

106. In 2019, 8420 cases of Police Torture/Death in Police Custody were reported. However, no case was registered in which women or children were victims.

107. The Police Order of 2002 imposes penalties, including fines or imprisonment for up to five years, on police officers who torture or abuse a person, including children, in their custody.

108. The Sindh High Court, in one of its judgments, stated that "No child would be charged with or tried for an offence together with an adult, and the child would have the right of legal assistance at the expense of the state." In this regard, the District & Sessions Judges have been empowered to constitute a panel of lawyers to provide free legal aid to Juvenile inmates. Besides, national and provincial helplines have also been set up that extend legal advice and counseling services to women and children. The Government of Punjab is initiating action against the accused on the receipt of information/complaints regarding torture and other cruel treatments, especially against children.

### **Corporal punishment**

#### **Follow-up information relating to paragraph 35 of the concluding observations**

109. To prohibit corporal punishment, the federal and provincial governments are taking steps to address the challenge of corporal punishment. Prohibition of corporal punishment is a norm in all Special Education Centers working under the umbrella of the Directorate General of Special Education (DGSE). Provincial Governments have also enacted legislation

that prohibits corporal punishment, including the Punjab Prohibition of Corporal Punishment Bill, 2020, Sindh Prohibition of Corporal Punishment Act, 2016, KP Child Protection, Welfare Act, and the Baluchistan Child Protection Act, 2016 and GB Prohibition of Corporal Punishment Act, 2016, etc.

110. The National Institute of Special Education (NISE), National Mobility & Independence Training Centre (NM&ITC), and Vocational Rehabilitation & Employment of Disabled Persons (VREDP) regularly organize training sessions to sensitize parents and guardians to non-violent forms of discipline and raise awareness on the harmful effects of corporal punishment. Effective institutional mechanisms also exist to ensure compliance.

111. In Punjab, slogans to promote non-violent forms of child-rearing and discipline have been displayed outside schools, along with contact numbers of district and provincial management to report violations.

112. To prohibit corporal punishment against children in ICT at the workplace and in all educational institutions, including formal, non-formal, and religious, both public and private, and in childcare institutions, including foster care, rehabilitation centers, and any other alternative care settings, both public and private and in the juvenile justice system, the Islamabad Capital Territory Prohibition of Corporal Punishment Act has been enacted.

113. The Government of Sindh has enacted the Sindh Prohibition of Corporal Punishment Act 2016. Section 3 of the Act provides that the child has the right to be shown respect for his personality and individuality and shall not be made subject to corporal punishment or any other humiliating or degrading treatment. Section 4 (1) of the Act provides that whoever violates the provisions of section 3 of this Act shall be liable to the punishments prescribed for the said offences in the Pakistan Penal Code, 1860, and other respective laws. In addition, minor and major penalties will apply to persons who violate the provisions of section 3 of this Act in educational, care, and penal institutions and other alternative care settings.

114. The Balochistan Child Protection Act, 2016, protects children from all forms of physical or mental violence, injury, neglect or negligent treatment, maltreatment, or exploitation, including sexual abuse and matters.

115. The KP Government has enacted Child Protection and Welfare Act. Section 4(h)(i) prohibits physical and corporal punishments of any kind which may endanger the child's life, physical, mental, spiritual, moral, or social development, both within the family and in any institution. Section 34 of the Act provides that whosoever causes or permits to cause corporal punishment, through omission or commission, in any form, under any circumstances or for any purpose, to a child, shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to fifty thousand rupees, or with both.

## **Sexual exploitation and abuse**

### **Follow-up information relating to paragraph 37 of the concluding observations**

116. The Government has adopted laws that clearly and explicitly define and prohibit child sexual abuse and exploitation. The Criminal Law (2nd Amendment) Act, 2016, has been enacted whereby Sections 377-A, 377 B, 292B, and 292A have been inserted in the PPC. Section 377 defines child sexual abuse as engaging the child in fondling, stroking, caressing, exhibitionism, voyeurism, or any obscene or sexually explicit conduct with or without consent where the age of the person is less than 18 years. Section 377-B provides for punishment extendable to seven years and liable to a fine which shall not be less than Rs. 500,000 or both. Similarly, Section 292-A penalizes those responsible for exposing a child to seduction. Section 292-B penalizes Child pornography and defines it as producing a film, video, or picture that involves the use of a minor boy or girl engaging in obscene or sexually explicit conduct and punishment with imprisonment of not less than two years and may extend up to seven years.

117. Similarly, Section 18 of the ICT Child Protection Act 2018 gives a Child Protection Officer authority to remove a child from parents or legal guardians' custody if the child is either subjected to or there's a threat of her/him being subjected to abuse and exploitation.

The Zainab Alert, Response and Recovery Agency (ZARRA, 2020) has been enacted, which protects missing and abducted children by raising an alert with law enforcement agencies to recover the child promptly and save her/him from sexual abuse and exploitation.

118. The KP Child Protection & Welfare Act defines sexual abuse clearly and explicitly. It punishes perpetrators with imprisonment for a term which may extend to fourteen years and shall not be less than seven years and shall also be liable to a fine which shall not be less than ten hundred thousand rupees. Under this law, 288 cases were facilitated through twelve district child protection units.

119. Balochistan Child Protection Act, 2016 and Sindh Child Protection Authority Amendment Act 2021 also explicitly define child abuse and protect children from all forms of abuse and exploitation.

120. At the Federal level, the NCRC monitors the child rights situation in the country and inquiries into child rights violations in all settings. The MoHR has a child-friendly toll-free helpline, 1099, where incidents of child rights violations can be reported and dealt with by a competent team that provides free legal aid and referral services. Child abuse cases reported from homes, schools, institutions, and all other settings are taken up by the Ministry, and perpetrators are punished with sentences commensurate with the gravity of the crimes.

121. In Sindh, KP, and Balochistan, child rights violations are monitored through their respective Commissions. Child Protection Officers follow the reported child abuse and exploitation cases and provide free legal aid, psycho-social support, financial assistance, and residents' facility.

122. The Pakistan Electronic Media Regulatory Authority (PEMRA) has aired public service messages on child's right to education and the issue of child abuse, child labor, child abduction, and use of drugs in educational institutions on TV and Radio. Child Commissioner, Federal Ombudsman has conducted need-based child Protection Training of Teachers "Meri Hifazat" (My protection) for awareness raising and capacity building campaign.

123. The Government recognizes commercial sexual exploitation of children as a fundamental violation of children's rights. In this regard, programs and policies for the prevention, recovery, and social reintegration of child victims have been developed in accordance with the outcome documents adopted at the World Congress against Commercial Sexual Exploitation through the Child Protection Welfare Commission, Child Protection and Welfare Bureau, and Child Protection Authority.

124. The National Child Commissioner (NCC) initiated a project in 2017 in the aftermath of the Zainab case in Kasur for the protection and rehabilitation of victims of child abuse. NCC has established a window Child Protection and Rehabilitation Center at the District Headquarters Hospital, Kasur. The center has been functional since 2019 and supports child victims of sexual violence and abuse. SOPs have been developed in consultation with relevant stakeholders for internal and external referral of child abuse cases. Psychological Counseling and psychiatric treatment have also been provided to juvenile prisoners at the district jail.

125. A total of 491 teachers (male and female) of both public and private schools were trained in three separate training sessions on child protection and identifying threats, dangers, and risks in their schools. Moreover, broad-based consultations on strengthening institutional mechanisms for child protection were held in Islamabad, Lahore, and Quetta.

126. KP Health Department supports the legal justice system through medico-legal services. These medicolegal services include assessing, treating, and psychologically rehabilitating victimized children and their parents. The Health Department works in collaboration with other departments, i.e., social welfare and education departments, for the prevention of sexual assaults and the protection of children's rights.

## Harmful practices

### Follow-up information relating to paragraph 39 of the concluding observations

127. The MoHR provides rescue services through its helpline, women's crisis centers, and the NCRC to protect children from harmful practices including burning, acid attacks, mutilations, stripping, and sexual harassment throughout the country and by prosecuting perpetrators through relevant legislation.

128. The Hindu Marriage Act, 2017, which extends to ICT, Punjab, KP, and Balochistan has been enacted to protect children of the Hindu community from child marriage, safeguard their legitimate rights and interests and have a consolidated law providing for the solemnization of marriages by Hindu families. The Sindh Hindu Marriage Act 2016 is being implemented, and investigations are carried out to prosecute persons, including members of local councils (jirga), who decide and endorse harmful practices.

129. Efforts to implement various legislative measures already enacted for addressing the issue of child marriages and prosecution of perpetrators are also underway. The State Party is using the Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011, the Criminal Law (Amendment) Act, 2004, the Khyber Pakhtunkhwa Elimination of Custom of Ghag Act, 2012, the Sindh Child Marriage Restraint Bill, 2013 and Punjab Marriage Restraint (Amendment) Act 2015 to prosecute those responsible for conducting child marriages. The harmful traditional practice like the exchange of girls for debt or enmity settlement (Swara) are declared criminal offences and prohibited under KP Child Protection & Welfare Act 2010.

130. The Mohr launched a digital film festival in August 2020 to promote awareness of the rights of different groups of individuals, including women and children, through short informational videos in all regional languages. The topics included child marriage and sexual abuse, among others.

131. The NCSW, in collaboration with NCHR and Child Right Movement, organized a national consultation to raise awareness on the issue of child marriages in 2017. It was part of implementing the Regional Action Plan on Ending Child Marriages in South Asia (2015–18). In 2018, NCSW, in collaboration with Shirkat Gah, organized a National Dialogue on ending child marriages wherein critical insights of the three years (2015–18) study, "Hamsathi" were shared. NCSW has also initiated awareness through media on ending violence against women and girls. NCSW, in collaboration with Kashf Foundation, launched a drama serial on the trafficking of girls. Weekly radio programs have also been run to create awareness of women's and girls' rights.

132. KP Commission has been working to educate the public on child rights issues, including early forced marriages and harmful practices, through coordination with all human rights institutes and district child protection units at the provincial, district, and grass-root community levels. Several training workshops for judges on violence against women and girls and women's rights were conducted by the Punjab Judicial Academy during 2017–2019.

133. In 2018, Pakistan introduced another piece of legislation to increase further punishments for the crimes of child pornography and sexual abuse.

134. Child Protection & Welfare Bureau provides round-the-clock rescue services to destitute and neglected children through different procedures and mechanisms. The Bureau has rescued 24983 children, and 23523 children were reunited with their families.

## Freedom from all forms of violence

### Follow-up information relating to paragraph 40 of the concluding observations

135. While recalling the recommendations of the United Nations study on violence against children of 2006 (A/61/299), the Government, considering its General Comment No. 13 (2011) and taking note of Sustainable Development Goal 16.2, has taken various measures. National Policy for Empowerment of Persons with Disabilities is under process, whereas the ICT Rights of Persons with Disability Act 2020 addresses all forms of violence against children with disabilities.

136. To address all forms of violence against children, NCRC has been established under the NCRC Act 2017, which monitors the child rights situation throughout the country and is the national point of contact for addressing all forms of violence against children. NCRC coordinates with all other commissions at the provincial levels to amalgamate efforts to address and prevent all forms of violence against children. A girl child has also been given representation in the NCRC to highlight the rights of the girl child and issues of violence against the girl child.

## **VII. Family environment and alternative care (arts. 5, 9–11, 18 (paras. 1 and 2), 20–21, 25 and 27 (para. 4))**

### **Family environment**

#### **Follow-up information relating to paragraph 42 of the concluding observations**

137. The Government has taken every possible measure to safeguard the family as a fundamental unit of society. It provides financial assistance to families living in poverty, psychological and social support, and guidance in fulfilling their parental responsibilities to prevent abandonment and institutionalization of children. A family with two or more special needs children has been declared a “special family” and benefits from Rs 25,000/- annually, whereas a family with one special child receives financial assistance of Rs 10,000/- per annum.

138. Sehat Sahulat Programme is a flagship program of social health protection and a milestone towards attaining Universal Health Coverage through which identified underprivileged citizens across the country can access their entitled medical health care swiftly and dignifiedly without any financial obligations. General financial assistance to families living in poverty is provided through Benazir Income Support Programme (BISP).

139. In Punjab, PSPA provides financial assistance to families/individuals having other vulnerabilities, e.g., disability (unconditional cash transfer program for persons with disabilities (PWDs)) and old age (Ba-himmat Buzurg Programme, which is a social pension program). It encourages sending girls to schools (under PSPA’s Zevar-e-Taleem Programme) and provides health services to pregnant and lactating women (under the upcoming Punjab Human Capital Investment Project (PHCIP)). The program also supports the graduation of poor families from financial assistance through micro-credit and asset transfer. In FY 2020-21, PSPA aims to initiate a financial assistance program (‘Sarparast’) for widows and orphans. A program for the assistance of special children, conditional to school attendance, is also being planned.

140. In Punjab, The Punjab Muslim Family Laws (Amendment) Act, 2015 was enacted, which requires filling in all provisions of the nikahnama and penalizes persons who are not licensed to solemnize a Nikah. Additionally, penalties for polygamy without permission of the existing wife have been enhanced. The PCSW also trained Nikah Registrars to sensitize them to these changes.

141. Pakistan Bait-ul-Mal (PBM) also provides wheelchairs to children with a disability which helps families to look after children with special needs.

### **Children deprived of a family environment**

#### **Follow-up information relating to paragraph 44 of the concluding observations**

142. To provide support for family and community-based alternative care for children deprived of parental care, PBM has established 51 Dar-ul-Ehsaas Institutions in the country and is constantly making efforts to improve the service delivery of these institutions. PBM has recently launched a family-based Orphans and Widows Support Programme (OWSP) for matriculated children of Dar-ul-Ehsaas. It will enable children to stay within their families and continue their education by providing financial support. Through OWSP, PBM is providing a stipend of 8000 PKR to families having one college/university going Dar-ul-

Ehsaas child and 16000 PKR to families having two or more college /university going Dar-ul-Ehsaas children to strengthen support for community and family and alternative care for children and reduce institutional care.

143. PBM has also launched Waseela-e-Taleem program in 50 districts of the country and will further expand the program coverage to an additional 50 districts in Pakistan. The overall objective of this program is to incentivize primary education through regular cash transfers to needy families with children to discourage abandonment and institutional care. Moreover, the Punjab Social Protection Policy 2021 & Child Protection Policy are under process.

144. Under section 32 of PDNC Act, 2004, a child ordered to be admitted to a child protection institution shall be kept in such custody until he reaches eighteen years old. For children who cannot be placed in a safe, family-like environment, CP&WB has established standardized alternate care institutions.

145. Furthermore, the Child Protection Court grants temporary custody and guardianship rights of the abandoned child primarily to childless couples for the upbringing the child under section 28 of the PDNC Act. It considers the views of the child in all such decisions.

146. Training programs on case management for capacity building of officers and officials of Government Departments have also been conducted. The KP Government, through the KP Commission, provides training to relevant staff on protocols for dealing with children along with reporting mechanisms as part of the consolidated SOPs, which are under process and expected to be notified soon.

147. The MoHR has a fully functional toll-free helpline where children can easily report rights violations. The NCRC is mandated to inquire into complaints of child rights violations and has the power to take suo-moto on serious violations. Children can easily approach child members of the NCRC to report violations of their rights and ensure remedial actions through the NCRC and MoHR. By December 2020, 1645, individual complaints made by children through NCRC were handled and remedial actions were taken.

148. The Governments of Punjab, KP, and Sindh are also operating helplines through CP&WB and their respective Commissions where violations of children's rights are reported and remedial measures are taken.

149. The ICT Child Protection Institute has provided 3.5 million PKR and 1.6 million PKR to the National Child Protection Center. The Provincial Governments have increased the number of child protection units and accordingly increased the budgetary allocation to provide medical, psychological, and educational services and to facilitate rehabilitation and social reintegration of children.

## **VIII. Disability, basic health, and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1–3) and 33)**

### **Children with disabilities**

#### **Follow-up information relating to paragraph 46 of the concluding observations**

150. The Government has taken various measures for the welfare and protection of children with disabilities. The ICT Rights of Persons with Disability Act 2020 has been enacted to put a legal and institutional framework to protect the rights of persons with disabilities, women, and children as provided under the UNCRPD.

151. Unconditional Cash Transfer for PWDs is being implemented. Under this program, children with disabilities from poor families can receive 2,000 PKR per month if they cannot work and 1,500 PKR if they can.

152. The Special Education Department creates awareness among children, parents, and the community by launching awareness-raising campaigns to promote and protect the rights of persons with disabilities / special needs. Recently, the Special Education Department

launched an awareness campaign under ADP 2019–2020 in all districts of Punjab using social, print & electronic media.

153. As per School Management Counsel (SMC) Policy, 2010, School Management Counsel (SMC) is established in all special education institutions comprising parents, teachers & General Members of the Community who actively participate in the process of service delivery and program design for the welfare of children with special needs. With the involvement and support of SMC, each special education school initiates awareness-raising campaigns to educate students, parents, and the community at large to foster respect for the rights and dignity of persons with disabilities and to make society inclusive at all levels.

154. A Pilot Project for Inclusive Education for Children with disabilities in Public & Private Schools at ICT has been launched for FY 2020–21 to accommodate all children with disabilities in schools under the Federal Directorate of Education (FDE). Punjab Special Education Policy 2020 has been launched, which emphasizes the social inclusion, rehabilitation, and economic empowerment of persons/children with disabilities (PWDs) to make them productive and respected citizens.

155. Special Education Department, Government of Punjab, launched the “Punjab Inclusive Education Project (PIEP)” (2015–2017) as a pilot project in Bahawalpur and Muzaffargarh districts. The project aimed to identify and mainstream children with mild disabilities by providing them with formal school opportunities. Punjab Special Education Department launched a “Voucher Scheme” (2015–2018) for inclusive education with the collaboration of PEF Schools to mainstream special needs children.

156. Under the Ehsaas Undergraduate Scholarships Program, needs-based undergraduate scholarships will be awarded to 50,000 students from low-income families, with 2 percent of the quota fixed for persons with disabilities. The four-year program commenced in November 2019 for the academic year 2019–20.

157. The Pakistan Accessibility Code 2006 outlines public infrastructure standards. It seeks to ensure easy and safe access for PWDs by laying down comprehensive space standards, design guidelines, and building bylaws and applies to public and privately-owned buildings meant for public use. To provide barrier-free access to children with disabilities, the Pakistan Council of Architects and Planners (PCATP) and Pakistan Engineering Council (PEC) have been taken on board in the light of “Accessibility Code of Pakistan-2006” and “Design Manual & Guidelines for Accessibility-2007” by DGSE.

158. Punjab Special Education Department launched School Information System (SIS) in 2017, wherein data regarding the number of children with special needs is available. SIS helps manage students’ records and information and assists administrators in formulating strategic policies and programs that correspond to their individual needs.

159. The Government of KP has established an MIS for collecting data from all the institutions through specially designed questionnaires for Special Education Institutions in consultation with all stakeholders. The data was incorporated into the MIS and used to design a report on the number of children with disabilities.

160. Since July 2016, the KP Commission has registered 280 cases of children with disabilities who required assistive aids such as crutches, wheelchairs, etc, which were provided through different development partners.

161. Disability is diagnosed through a medical checkup arranged by the Social Welfare Department of each province at a government hospital associated with the Health Department, following which a disability certificate is issued. NADRA issues Special CNICs to persons who possess a disability certificate without any service charges.

162. The Government of Balochistan has enacted the Balochistan Persons with Disabilities Act, 2017. Section 6 of the Act (1) provides that the Government will take special measures to ensure that such women, children, and elderly people are fully protected under the law in enjoying their rights”. Moreover, Section 6(2) provides that the Government will also take necessary measures to ensure the development, advancement, and empowerment of women, children, and senior citizens with disabilities.

163. The Government of Balochistan has taken various steps to rehabilitate persons with disability especially blind, hearing impaired, physically handicapped, and mentally retarded children. Apart from schools and vocational training centers, the Department also offers facilities for printing of Braille books, pre-service teachers training leading to B.Ed. and M.Ed. in Special Education, in-service teachers training for teachers of special education, screening services for students in general education institutions, provision of special aids like cochlear implants, and inclusive education through mainstreaming of special children with mild disabilities into the general education schools.

#### **Follow-up information relating to paragraph 48 of the concluding observations**

164. The Government has taken various measures to ensure access to health services for children. Cumulative health expenditures by federal and provincial governments in FY2019 increased to 421.8 billion PKR from 416.5 billion PKR last year, showing a growth of 1.3 percent. The government of Pakistan has supported various programs and projects through the PSDP development portfolio to fulfill the global commitment to the Sustainable Development Goals (SDG) agenda of improving the health status of people and reducing the burden of communicable and non-communicable diseases (NCDs). During FY2020, PSDP allocations of 23,975.926 million PKR were made for 62 health sector projects, and 11,483.979 million PKR were released to enhance the healthcare system's access and quality. The Government of Pakistan is fully cognizant of the access to quality healthcare facilities for children, especially in rural areas.

165. Several measures have been taken to reduce the rate of under-5 child mortality to at least 25 per 1,000 live births and to reduce neonatal mortality to at least 12 per 1,000 live births by 2030. The Maternal & Child Health (MCH) Programme has been implemented by the federal and Provincial departments of Health to implement the National Health Vision (2016–2025) by providing better access and quality to mother and child health and family planning services.

166. Emergency Obstetric and Neonatal Care (EmONC) services are available in 275 hospitals/health facilities, and basic EmONC services in 550 health facilities across Pakistan. Improvement is also observed in the Infant Mortality Rate (IMR) to 62 per one thousand from 66 per one thousand in 2015. Measures are being taken to reduce the number of clandestine procedures and their negative consequences by increasing grounds for a legal basis for safe abortion and improving access to safe abortion services.

167. The Government has taken various measures to provide immunization to every child with services and raise awareness in communities about the importance of vaccinations. The Expanded Programme for Immunization (EPI) has now risen to 60 to 70 percent in rural areas. Measures are being taken to address constraints for improving vaccine coverage through better program management, monitoring, and evaluation (M&E), upgraded performance in service delivery, logistics control, human resources management (HRM), and financing.

168. Almost 40 million children, including 6.8 million at schools, were vaccinated during December 2019 through the National Immunization Day (NID) campaign nationwide. The number of children missed during the last NID campaign in April 2019 decreased from 1.8 million children to 0.5 million children in December 2019 NID. The Federal Government has invested 46.8 billion PKR for polio eradication activities during 2019–2021.

169. Pakistan has also taken various measures to provide children with health facilities and quality medical services by trained medical professionals through NDMA and PDMA.

170. To mitigate the nutritional issues at national and provincial levels, a Multi-Sectoral National Nutrition Action Plan has been drafted to address all forms of malnutrition through short, medium- and long-term approaches. Two high-level bodies/forums have been constituted, i.e Pakistan National Nutrition Coordination Council under Ehsaas Programme and National Nutrition Forum in Planning Commission. These forums are being used for coordination, review, and resolving all the nutrition-related issues in the country, including resource mobilization.

171. The Government launched Ehsaas Nashonuma in August 2020, a health and nutrition conditional cash transfer program to address stunting in children under 23 months. The

National Nutrition Awareness Programme costing 1,050 million PKR, has been prepared to create nutritional awareness among the population for behavioral changes. Pakistan Dietary Guidelines for Better Nutrition have been revisited, and the revised version has been launched along with an e-learning course for guiding the masses on adopting healthy dietary behavior and lifestyle.

172. The Nutrition Management Information System (NMIS) will be established at the national level to mitigate nutrition data gaps (both nutrition-specific and nutrition-sensitive) for policy planning and programming. Stunting Reduction Programme and Nutrition Program are under implementation in 11 districts of southern Punjab. KP Stunting Prevention and Rehabilitation Integrated Nutrition Gain (KP SPRING) was approved for three years with a total cost of Rs 2,217 million for four districts of Khyber Pakhtunkhwa. An Accelerated Action Plan for Stunting Reduction and Malnutrition in Sindh is being continued. In Balochistan, the Balochistan Nutrition Programme for Mothers & Children (7 districts), Food for Peace (5 districts), and the targeted Supplementary Feeding Programme (9 districts) is being implemented in the province.

173. In collaboration with WHO, UNFPA, and UNICEF, the government is scaling up the globally recommended training strategies for improving reproductive, maternal, newborn, and child health.

174. During FY2021, the Government of Punjab allocated 22.2 PKR and 11.5 billion PKR for specialized healthcare & medical education departments and primary & secondary healthcare departments, respectively. The government of Punjab is also scaling the Sehat Insaf Card Programme aiming to provide health insurance to 30 million families in the province by December 2021.

175. The government of Sindh has allocated 28.9 billion PKR for 141 ongoing and 51 new health schemes under ADP 2020-21. Efforts are being made to strengthen, upgrade, and rehabilitate teaching hospitals and establish new primary healthcare facilities in the province.

176. The Health Department of KP (including merged districts) has a network of 106 RHCs, 940 BHUs, nine teaching hospitals, 30 DHQs, and 22 THQs. It has initiated/executed the up-gradation process of several BHUs to RHCs level in the province. The Government adopted a multi-year Accelerated Implementation Programme (AIP) 2019–2022 to address the key developmental gaps in the Merged Areas.

177. The government of Balochistan has allocated an amount of 7.1 billion PKR for 63 ongoing and 93 new health projects in the ADP 2020–21, spread over all the sub-sectors of health, namely Primary Health, Curative Health, and General Health, to enhance health infrastructure/facilities across the province.

178. A School screening program has been conducted to identify the major health-related problems of children that hinder their studies. Based on the screening, a School Health Programme will be launched to improve access to education and enhance children's learning outcomes by addressing their problems.

179. Health kits have been provided to children studying in Schools lagging behind districts under response, recovery, and resilience in education projects with financial support from Global Partnership for Education.

## **Mental health**

### **Follow-up information relating to paragraph 50 of the concluding observations**

180. The President of Pakistan launched the President's Programme to promote the Mental Health of Pakistanis on Oct 10, 2019, on World Mental Health Day. The program emphasizes the role of early-life interventions that promote mental health and prevent mental illness. It calls for a phased implementation of two evidence-based interventions: a) the WHO Thinking Healthy Programme, a psychosocial intervention delivered by community health workers to high-risk mothers in low-resourced settings, and b) the WHO School Mental Health Programme, a teacher training program on mental health to promote early recognition and management of mental health problems. These interventions, to be implemented in one

district in the first year, are planned to be rolled out across all four provinces of Pakistan within five years.

181. Mental health services provided to children primarily include diagnosis of neurotic, stress-related, somatoform disorders, and mood disorders, and psychological counseling services are provided through mental health facilities accordingly.

182. The Government of Sindh is organizing community awareness sessions to prevent suicide and advising parents to create a friendly environment in homes so that children feel comfortable discussing problems related to mental health with their parents.

183. In Punjab, CP&WB psychologists function through psychometric assessment, counseling, and therapeutic interventions focusing on behavior modification, cognitive restructuring, and rehabilitating destitute and neglected children. The aim is to address the significant factors and issues children face and resolve these at individual and group levels. Child psychologists initiate efforts to enable children to face and handle difficult and alarming situations skillfully and resiliently. Psychological Support has been provided to 20536 children during 2016–2020.

184. The Government of KP enacted the KP Mental Health Act 2017, through which a special program has been launched for children called Mental Health Psychosocial Support Services (MHSPSS), which gives psychological support to children, adolescents, and older adults in districts of KP. Besides providing psychological counseling services, the KP Commission closely monitors the issue of psychological counseling services during emergencies to ensure children's best interests. During the reporting period since July 2016 till date, a total of 1316 (803 male and 513 female) children have been registered for counseling services.

## **Adolescent health**

### **Follow-up information relating to paragraph 52 of the concluding observations**

185. National Health Vision 2016–25 has been adopted to improve the health of all Pakistanis, particularly women, and children, through universal access to affordable quality essential health services, including sexual and reproductive health, and to deliver a resilient and responsive health system.

186. The Family Planning and Primary Health Care (FP&PHC) program has been expanded through Ehsaas Programme and strives to control the population through modern contraception and prevent unsafe abortions. Lady Health Workers (LHWs) have been engaged to support these efforts by increasing awareness of improved sanitation, birth spacing, iron supplementation, and vaccination, and through the provision of Ante-Natal Coverage (ANC) and Post-Natal Coverage (PNC) of pregnant women.

187. In Punjab, awareness of sexual and reproductive health education for youngsters (Boys & Girls) is disseminated through pamphlets. A plan for making sexual and reproductive health education a part of the mandatory school curriculum under the SNC is under process.

188. The KP Health Policy 2018 provides a strategic direction for improving family planning. It focuses on the provision of family planning services through the health facilities network, and community-based Lady Health Workers and Midwives work with the Population Welfare Department to enhance the provision and coverage of family planning services to avoid early pregnancies and STIs and educate the masses about sexual and reproductive health in general.

189. The Government has planned to set baseline minimum level criteria for establishment of Family Welfare Centers (FWCs), Reproductive Health Centers (RHS), Mobile Service Units (MSU), ToR's for Lady Health Workers, and Village-based Family Planning Workers. This mechanism will ensure the standardization of basic facilities so that population welfare facilities may be uniformly extended to potential clients.

190. Moreover, the Reproductive and Healthcare Rights Act 2013 was enacted to provide sexual reproductive health care services. To implement the provisions of this Act, the Government has evaluated all policies and programs to effectively promote reproductive rights and health with a particular focus on protecting the rights of adolescent mothers and pregnant teenagers and combating discrimination against them.

191. The Government, in collaboration with UN Agencies, civil society, and young people, is providing better youth-friendly health services; these include setting up adolescent counseling centers; developing service protocols; sensitizing communities, and building the capacity of health facilities, civil society organizations, and young peer educators. In collaboration with UNFPA, the government has piloted four adolescent counseling centers. More than 9,000 adolescents and young people accessed services in the past two years.

## HIV/AIDS

### Follow-up information relating to paragraph 54 of the concluding observations

192. The Government is implementing an HIV/AIDS program that provides services to high-risk population groups, including treatment of STIs, supply of safe blood for transfusions, and capacity building of various stakeholders. A health sector project sponsored by Science Foundation is being implemented to analyze Population-Specific Epitope and Drug-resistance Mutations in HIV-1 in Pakistan.

193. The Ministry of National Health Services, Regulations, and Coordination has established children-specific HIV Treatment Centers in Sindh and Punjab. Training sessions were also organized for HIV Physicians working with children. The National Aids Control Programme (NACP) regularly conducts awareness sessions for children and adolescents on HIV/AIDS in universities and colleges, madrasahs, schools, and communities, focusing on Larkana and Ratodero in Sindh. In Larkana, 1044 children are on ARV lifelong treatment.

194. Testing and counseling have also been conducted on household members of HIV/AIDS-positive cases (pre and post-test counseling). NACP also conducted an integrated Biological Behavioral Surveillance survey in 23 cities of Pakistan in 2017 to determine the prevalence and behavior among a vulnerable population segment, i.e., sex workers, drug abusers, gay men, transgender persons, etc.

195. On World AIDS Day, various sessions were conducted to create awareness of HIV/AIDS throughout Punjab. MoUs have also been signed with all leading Universities of the Punjab in this regard. 2113 HIV-positive Children are on ARVs (lifelong treatment) medicines across Pakistan till December 2020. Punjab AIDS Control Program has taken measures to create mass awareness through print, electronic and social media. P&SHD and PACP have developed baseline informative material for children about HIV/AIDS to be included in their school curriculum.

196. Prevention Parent-to-Child Transmission (PPTCT) centers provide service delivery to pregnant women. Anti-Retroviral is available in all ART centers of the Punjab AIDS Control Program.

197. The KP HIV/AIDS Control Program has established 08 HIV Family Care and Treatment Centers at the divisional level across KP to provide free of cost anti-retroviral therapy (ARVs medicine), to carry out focus group discussions, and has conducted multiple awareness sessions with students at Government colleges between 2017–19.

198. Prevention of Mother-Child Transmission (PPTCT) is ensured by providing free Surgical Equipment and Safety Kits by KP HIV Program. A total of 40 antenatal examinations have been conducted at PPTCT Centers in Hayatabad Medical Complex Peshawar with Zero HIV transmission rate.

199. HIV/AIDS *Integrated Biological & Behavioral Survey* (IBBS) is carried out every five years across the country with the support of UNAIDS. It includes relevant indicators on the risks and dynamics of HIV/AIDS among key populations, adolescents, and children. The Round-V of IBBS was conducted between 2016–17.

## **Drug and substance abuse**

### **Follow-up information relating to paragraph 56 of the concluding observations**

200. An Anti-Narcotics Policy is being implemented to mobilize the people of Pakistan, especially youth and institutions (national/international, private/public), to ensure their active participation in eradicating drugs. Mass awareness about the harms of drugs is being created through lectures and debates in schools and colleges. Students and heads of various institutions were invited to drug-burning ceremonies in Karachi, Lahore, Peshawar, Quetta, and Islamabad. There are three rehabilitation centers at the Government level run by the Anti-Narcotics Force (ANF), one each in Islamabad, Karachi, and Quetta.

201. According to the Prevention of Drugs in Educational Institutions Act 2018 and Compulsory Drug Test of Student Act 2018, students who test for drugs twice will be referred to a drug rehabilitation center, with the Government bearing the costs for students unable to afford the fee.

202. Policy, Strategic and Planning Unit (PSPU), P&SH Department has developed a mobile phone application called School Health Nutrition App. It has synchronized it with School Department software named SIS which mentions children's credentials concerning class and school name. School Health Nutrition Supervisors also visit Union Council Level Schools and check nutrition status, with a drug addiction parameter to prevent drug abuse among children. PSPU is working on designing a program on the rehabilitation of drug addicts, paying special attention to drug abuse among children.

203. SCPA is continuously organizing awareness sessions on the impact of drug abuse on children. The KP Commission, through trained psychologists at twelve district child protection units (CPUs), also addresses the issue by conducting community awareness sessions and individualized counseling sessions with families and children. The CPUs have identified 168 boys and referred them for drug addiction services to relevant public & private organizations.

204. Provincial Health Departments provide curative services in all Government hospitals for the treatment and rehabilitation of drug abusers and collaborate with Social Welfare Departments for long-term rehabilitative services to People Who Use Drugs (PDUD) and control of transmission of diseases in People Who Use Injectable Drugs (PWID).

## **Environmental Health**

### **Follow-up information relating to paragraph 58 of the concluding observations**

205. The Government of Pakistan will assess the effects of polluted air, water, and soil on children's health to provide a basis for devising a strategy to address such issues. However, according to estimates from the WHO Global Health Observatory, about 200 deaths per 100 000 population are attributable to environmental factors in Pakistan.

## **Standard of living**

### **Follow-up information relating to paragraph 60 of the concluding observations**

206. BISP was introduced in Ehsaas, to reduce poverty and inequality and protect the most vulnerable and poor in Pakistan. Through BISP, more than 5 million deserving families have received support through cash transfer (current quarterly stipend: 6,000 PKR per household). 3.6 billion US dollars have been disbursed so far.

207. Owing to BISP, social protection expenditure increased from 0.1 percent of GDP in 2008 to 0.9 percent in 2011 and reached 2 percent in 2018.

208. Pakistan has been running an Education Conditional Cash Transfer for primary school-going children called Waseela-e-Taleem since 2012 in selected districts which has been expanded nationwide. Children of the poorest families are provided conditional cash

grants of 1,500 PKR for a boy and Rs. 2,000 per quarter for a girl on attainment of 70% attendance in school.

209. Pakistan Bait-ul-Mal has recently launched a family-based Orphans and Widows Support Programme (OWSP), (a conditional cash transfer program) for matriculated children of Dar-ul-Ehsaas, as an exit strategy. It will enable children to stay within their families and continue their education.

210. PSPA is strengthening the social protection system in Punjab by using better poverty targeting mechanisms, introducing new social protection programs, improving payment mechanisms, and monitoring and evaluating social protection initiatives of all Government organizations, details of which have been mentioned earlier.

211. KP Vagrancy Restraint Act, 2020 and the KP Rehabilitation of Minorities (Victims of Terrorism) Endowment Fund Act, 2020, have been enacted to extend social protection to vulnerable families by establishing a fund and voluntary donations.

## **IX. Education, leisure, and cultural activities (arts. 28, 29, 30, and 31)**

### **Education, including vocational training and guidance**

#### **Follow-up information relating to paragraph 62 of the concluding observations**

212. National and provincial laws have been enacted to protect and uphold the right to education enshrined in Article 25-A of the Constitution. These laws aim to ensure universal, free, and compulsory primary education for all children in the country. They include the [ICT Free and Compulsory Education Act 2012](#), [Punjab Free and Compulsory Education Act 2014](#), the Sindh Rights of Children to Free and Compulsory Education Act 2013, Balochistan Compulsory Education Act 2014, and the KP Free Compulsory Primary and Secondary Education Act, 2017.

213. The Government has taken various measures to prevent children, particularly girls, from dropping out of school and to facilitate their access to schools along with providing financial support to children belonging to disadvantaged families through the following initiatives already detailed in the report: Ehsaas Undergraduate Scholarships initiative, Waseela-e-Taleem program, Advancing Quality Alternative Learning (AQAL), Punjab Education Sector Reform Programme, Punjab Education Foundation (PEF) stipends, technical and financial support to educational institutions through the Sindh Education Foundation (SEF), KP Stoori Da Pakhtunkhwa Scholarships etc.

214. In February 2019, the MoHR launched a nationwide campaign against child abuse to sensitize the public to all forms of child abuse and spread awareness about the importance of education for children.

215. The Punjab School Education Department (SED) has launched the Universal Primary Enrollment (UPE) Campaign 2018, aiming to enroll 95% of children. It also set up special teams for monitoring and door-to-door campaigns.

216. The Punjab Government earmarked 60% of the Punjab Education Sector Reforms Program (PESRP) to provide missing facilities for girls' schools, including drinking water, toilets, boundary walls, heating, etc. Punjab Government also provided funds through the ADP scheme for the construction/reconstruction of school infrastructure for installing missing infrastructure in institutions especially affected by natural disasters or conflicts.

217. To improve the quality of education, the Government focuses on improving teacher management while ensuring the continuous professional development of teachers for the purpose of multi-grade teaching. This is accomplished by implementing a meritocracy in the teacher's placement process, ensuring implementation of early childhood education, ensuring the availability of teaching and learning resources and their utilization in schools, and increasing access to information about nutrition and stunting for mothers and students.

218. The country has 206 teacher training institutions, with an enrolment of 722,728. Out of the total teaching training institutions, 155(75%) are in the public sector. Public sector teacher training institutions throughout the country provide pre-service and in-service training to teachers.

219. The Punjab Government In-Service Training College for the Teachers of Disabled Children has been established in Lahore to enhance teachers' capacity in teaching. Curricula and teaching methods are being monitored through CEOs (DEA) across Punjab.

220. Moreover, the Alternate Learning Programme (ALP) offers more flexible hours than formal schools. Students can study an accelerated curriculum and still have time to help with household chores, encouraging girls from rural areas to pursue their education.

221. The Government has taken various measures to protect schools from terrorist attacks, all over Pakistan. These include the installation of barbed wires on the boundary walls, deploying special security guards, maintaining the movement register, guarding the main entry gate, installing CCTV cameras, and building boundary walls.

222. Private schools' authorities in all four provinces have the authority to regulate private schools and monitor their compliance with minimum educational standards. These include capping the annual increase in fees, engaging in the development of an SNC to be adopted by private and public schools to provide uniform quality education to all children, etc., in compliance with Article 25-A of the Constitution and SDG 4 that ensures inclusive and equitable quality education and promotes lifelong learning opportunities for all.

223. Pre-Primary education is the basic component of Early Childhood Education (ECE). Prep classes are for children between 3 to 5 years of age. An increase of 9.9 percent in Pre-Primary enrolment (12.6 million) in 2017–18 compared to 2016–17 (11.4 million) was observed.

224. The provincial governments have provision of ECE at the Primary level and strengthening of Provincial Institutes of Teacher Education (PITE). In Punjab, in PSPA's upcoming programs, the following categories of children will be directly targeted: Special Children to be given conditional cash transfers, infants (below two years of age) of poor lactating women (under PHCIP), children of grade one to three under social inclusion component of Punjab Human Capital Investment Project, which aims to strengthen early childhood education.

225. UNICEF has been working with the Government to help more children access ECE, including those from underprivileged backgrounds, fulfill their right to quality education, and promote the child's intellectual development and growth.

226. During 2020–21, the Government of Punjab allocated 34.6 billion PKR for 110 ongoing and 29 new development projects in the education sector. Of these, 27.6 billion PKR has been allocated for school education, 3.9 billion PKR for higher education, 0.6 billion PKR for special education, and 2.5 billion PKR for literacy and non-formal education.

227. During 2020–21, the Sindh Government allocated 23.4 billion PKR for 399 ongoing and 11 new development projects in the education sector. Of these, 15.5 billion PKR has been allocated for School Education & Literacy. The school clustering Policy has been notified for upgrading the integration of schools and retention of enrolment. Human rights have been included in all syllabuses of all class levels. An initiative has been taken to bring digital learning solutions for girls and the most marginalized children aged 10–14 in 10 selected schools in Karachi and Hyderabad. Another initiative has been taken to rapidly scale up the success of digital learning to all students in Sindh Province through the introduction of a Learning Passport.

228. The KP Government has allocated 30.1 billion PKR in 2020–21 for 188 ongoing and 61 new development projects. Of these, 6.3 billion PKR has been allocated for primary education, 9.7 billion PKR for secondary education, and 9.0 billion PKR for higher education. This amount is 94 percent higher than last year's allocation.

229. In partnership with international donors, the KP government has rebuilt 179 schools across the province that were damaged by conflict. There has been a 30%–40% increase in enrolment at reconstructed schools due to increased capacity and better facilities.

230. The Balochistan Government allocated 9.1 billion PKR for 108 ongoing and 176 new development projects in 2021. Out of the total allocation, 1.1 billion PKR has been allocated for primary education, 0.7 billion PKR for middle education, 2.1 billion PKR for secondary education, and 4.1 billion for college education.

231. The Government of Balochistan has developed the 2<sup>nd</sup> Education Sector Reform Plan 2020–25, which has identified two key policy-focused areas after conducting a comprehensive Education Sector Analysis. In addition, the Secondary Education Department is implementing activities of the Project, namely, “Strengthen the performance of inclusive and response education” with the support of the Federal Ministry of Education and Professional Training in 22 lagging behind districts through improving infrastructure, learning material, access to education through multi-modal approach and training of teachers.

232. Through the Public Sector Development Programme, the Government of Balochistan provides buses in 141 Government Higher Secondary Schools to pick and drop students and teachers with an estimated 500 million PKR. The overall aim of the intervention is to improve access to education for students living in remote and far-flung areas.

233. The Government of Balochistan is also introducing a school nutrition program in 132 Primary Schools in remote areas with an estimated cost of 100 million PKR to improve access to primary education for children from low socio-economic strata and learning outcomes.

234. The Single National Curriculum (Phase-I Pre-Grade-I-V) is being implemented this academic year, commencing on 1st March 2022. The distribution of new books has been completed across Balochistan. The Secondary Education Department, in collaboration with the Ministry of Federal Education and Professional Training, is working on a program to orient all primary school teachers to Single National Curriculum so that they can implement the new curriculum as per its spirit.

## **Madrassas**

### **Follow-up information relating to paragraph 64 of the concluding observations**

235. In 2019, the Government initiated an effort to register and monitor madrassas to prevent the possibility of abuse, exploitation, and incitement of violence, following which 295 madrasahs applied for Government registration. In 2020 The ICT Waqf Properties Act 2020 was passed in the National Assembly for the management, supervision, and administration of waqf properties, including madrasahs.

236. As part of the effort, the Government decided to mainstream all madrasahs and ensure that other subjects were also taught along with modern religious education, including human rights education and life skills-based education. The SNC will ensure equality in quality across the three schooling systems in Pakistan, i.e., public, private, and madrassa.

## **X. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d), 38, 39 and 40)**

### **Asylum-seeking, refugee, and stateless children**

#### **Follow-up information relating to paragraph 66 of the concluding observations**

237. The Government has approved a new National Policy on Afghan Refugees focusing on effectively implementing the Solutions Strategy for Afghan Refugees to Support Voluntary Repatriation, Sustainable Reintegration, and Assistance to Host Countries (SSAR). It promoted creating conducive conditions for voluntary repatriation and sustainable reintegration, enhancing refugee education and livelihood opportunities, supporting host communities, providing alternative stay arrangements for those remaining, facilitating resettlement to third countries, and developing a national refugee law. The Policy also provides for developing a national refugee law.

238. The Government is registering all children at birth, including those born to refugees. In addition, during the Afghan Citizen Card Project (July 2017–Feb,2018), the Ministry of SAFRON, in collaboration with NADRA, has identified and documented 188,199 Afghan Children under the age of 5 years.

239. All Afghan children have access to basic services such as primary education and health services in Pakistan. UNHCR has also been working with the Government to give refugees access to shelter, health, and education services, strengthen social cohesion between refugees and their host communities and help refugees who decide voluntarily to return home.

240. Pakistan is committed to preventing and protecting refugee and asylum-seeking children from falling victim to abuse and ensuring access to all rights enshrined in the Constitution of Pakistan and CRC. Pakistan is also bound by customary international law to protect the rights of refugees, asylum seekers, and stateless children.

241. The principal legislation determining citizenship in Pakistan is the Pakistan Citizenship Act 1951. Persons, who are born parents or grandparents born in the territories now included in Pakistan before the commencement of the Act, are citizens of Pakistan. Children born to Pakistani mothers and foreign national fathers after 18th April 2000 are also treated as citizens of Pakistan.

242. From the 1.4 million registered Afghan refugees (holding PoR cards), some 4.4 million Afghan refugees have returned to Afghanistan under the UNHCR-facilitated voluntary repatriation operation since 2002. Pakistanis are also bound by a tripartite agreement executed with Afghanistan and UNHCR in 2003, which, while facilitating repatriation, accords Afghan refugees their rights and privileges.

## **Internally Displaced Children**

### **Follow-up information relating to paragraph 68 of the concluding observations**

243. As a result of law enforcement actions in Pakistan, many people were dislocated in KP. These people are called Temporarily Dislocated People. The Federal and Provincial Governments, in collaboration with UN agencies and NGOs, are responding to the immediate humanitarian needs and protecting the human rights of Temporarily Dislocated People, including their safe return to their homes and the well-being of children per international humanitarian standards.

244. The Ministry of SAFRON is leading the response to the needs of these dislocated people supported by NDMA and its provincial partners. The Chief Commissioner for Afghan Refugees (CCAR) has established a technical working group. The response includes conducting protection, monitoring, reporting, advocacy, and interventions to support the humanitarian response.

245. Moreover, it also includes strengthening access to assistance and services with specific needs, providing tents and non-food items, family kits that include emergency shelter material, upgrading facilities at collective centers, finding alternative accommodation options through the extension of existing camps and establishment of new camps, and providing technical support on camp management and coordination. Humanitarian communication mechanisms have also been strengthened to inform Temporarily better-dislocated People of available support/services and registration processes.

246. The Government, in collaboration with UN Agencies, IOs, and NGOs, is protecting the human rights of children by establishing Child-Friendly Spaces (CFS) where children are oriented on how to protect themselves from abuse, exploitation, etc. Besides, the Protection Cluster ensures Cluster actors' effective contributions relating to humanitarian communication, registration, and verification support towards Grievance Desks, child protection, gender-based violence response, and prevention.

247. In emergencies, the Social Welfare Department has issued registration cards to protect dislocated, unaccompanied, separated children and children with disabilities to ensure their safety from sexual abuse, harassment, abduction, and trafficking.

248. In KP, helpdesks have been established to conduct awareness sessions with the local community and ensure protection and response in the affected areas with the support of PDMA.

249. The Government is taking all possible measures to limit civilian casualties in military operations and ensure the protection of their right to life and survival through domestic and international laws. Reference to earlier responses can be made.

## **Children in armed groups**

### **Follow-up information relating to paragraph 70 of the concluding observations**

250. Non-State actors cannot legally recruit anyone, including children, because private military organizations are prohibited under Article 256 of the Constitution. Forming such an organization is also punishable under the Private Military Organizations (Abolition and Prohibition) Act 1973. The Government is making utmost efforts to prevent the recruitment of children by terrorists and extremist groups. National Counter Terrorism Authority (NACTA) has been established, striving for peace and safety by countering terrorism and extremism in all its forms. NACTA has taken the lead role in regulating cash movement across land and other routes in collaboration with stakeholders to combat terrorist financing effectively.

251. Pakistan's militant rehabilitation program was launched in September 2009 in Swat district for detained militants. The program is called the 'De- Radicalization and Emancipation Programs (DREPs). Based on the age of the beneficiaries, *Sabawoon* (First Ray of Dawn) and *Rastoon* (Place of Right Path) is for juveniles between 12 and 18 years of age; and Sparlay Center is for militants' families to create awareness about aftercare initiatives for rehabilitated individuals, particularly children, and adolescents. These centers are run as learning places rather than as prisons. The programs are run within a public-private partnership framework, although the overall supervision is with the Pakistan Army.

252. The Hum Pakistan Foundation (HPF), an umbrella body of local civil society and non-governmental organizations in Swat, assists the army in managing these programs. Moreover, the Swat programs are supported by a dedicated team of doctors, psychologists, religious clerics, and other professionals. The programs have four components: psychological rehabilitation, religious counseling, formal and vocational training, and social reintegration. The programs also include meeting with parents and encouraging the beneficiaries to participate in sports, cultural events, and festivals.

## **Economic exploitation, including child labour**

### **Follow-up information relating to paragraph 72 of the concluding observations**

253. The Federal and Provincial Governments have taken various measures to eradicate child labour, particularly the worst forms of child labour. Child Domestic Labour has been inserted in Part-I (Occupation) of the Schedule of the Employment of Children Act, 1991, at the Federal level.

254. Punjab Prohibition of Child Labour and the Punjab Restriction on Employment of Children Act, 2016, have been enacted. CP&WB Punjab has proposed an expansion plan by establishing child protection units in thirteen districts of Punjab in Phase-I and the remaining 12 districts in Phase II.

255. In KP, the KP Prohibition of Employment of Children Act, 2015, has been enacted to prohibit the employment of children in any establishment and to regulate the hours and other conditions of workers in commercial establishments. The KP Government has also formulated The KP Child Labour Policy, 2018. The KP Commission has developed close coordination with relevant stakeholders for the eradication of child labour and ensures the protection of children involved in labor.

256. Balochistan has enacted the Balochistan Child Protection Act 2016, to protect children from physical or mental violence, injury, neglect or negligent treatment, maltreatment or exploitation, and sexual abuse.

257. The Government of Sindh has enacted the Sindh Prohibition of Employment of Children Act, 2017, to prohibit the employment of children and to regulate the employment of adolescents in certain occupations and work.

258. Pakistan Bait-ul-Mal has established 159 Centers for Rehabilitation of Child Laborers wherein the children withdrawn from workplaces are given free education and stipend, etc. More than 15,000 students (ex-child workers) are enrolled in these Centers, and more than 5000 students have passed the examination. Among the passing children, more than 4500 have been admitted to Government institutions for higher education. During 2020–21, the number of passed-out children/students was 31,137.

259. In collaboration with UNICEF and DFID, the government is implementing a five-year (2018–22) program, AAWAZ II, which will empower and protect Pakistan's youth, women, girls, and boys who are too often exploited and left behind.

260. According to the Bonded Labour System (Abolition) Act 1992, employers who use bonded labour risk punishment of imprisonment for a term of at least two years and a maximum of five years, or a fine of at least 50,000 PKR or both.

261. A National Child Labour Survey was initiated in March 2019 by MoHR in collaboration with UNICEF. The study's findings will provide information for enacting evidence-based policies and legislative and programmatic measures for eradicating child labour.

262. The Domestic Workers Bill 2021 is under the legislative process at the ICT level. This bill regulates domestic workers' employment terms, sets the minimum employment age at sixteen years, and prohibits employment under the bonded labour system to protect children from abuse and exploitation.

263. The Punjab Domestic Workers Act 2019 has also been passed. Awareness seminars, workshops, walks, etc., are being arranged by various functionaries of the Department in close coordination with the social partners to promote and facilitate the registration of domestic workers and employers. So far, over 30,000 domestic workers have been registered.

264. In KP, Social Mobilisers employed in the Child and Bonded Labour Unit (C&BLU) help educate parents, families, and key stakeholders on the detrimental effects of child labour. The Workers Education Wing in the KP Labour Department is also engaged in education and awareness raising on human rights, child labour, occupational safety, health, etc.

265. The Industrial Relations Institute and Saeed Ahmad Awan Center for the Improvement of Working Conditions and Environment (SAACIWCE) are also working to build the capacity of Labour Inspection Staff, employers and workers, and trade union representatives in the areas of occupational safety and health, labor laws and improvement of the working environment in industries. These institutions also provide counseling and advisory services and develop training/information materials for promoting awareness of the issues of Labor Rights.

266. IPECL has been assisting the Government of Pakistan in eliminating child labour. Pakistan has agreed to enforce laws based on the ILO conventions, including the Minimum Age Convention, 1973, and the Worst Forms of Child Labour Convention, 1999.

267. In Punjab during the Jan 2019– April 2020, under the Punjab Prohibition of Child Labour at Brick Kiln Act, 2016, 12058 inspections were made wherein 1239 child labour were found, and 859 FIRs were registered against the perpetrators. Similarly, under the Punjab Restriction of Employment of Children Act, 2016, 39620 inspections have been made wherein 2361 child labour were found, and 1969 FIRs were registered.

268. The Government of KP has established a regular monitoring mechanism in the industrial sector in each district. Regular inspections are made by inspecting staff notified under relevant labour law in the industry to eliminate the menace of child labour. In 2020

and 2021, 8982 and 9186 inspections were carried out in industrial and commercial establishments by the inspection team, respectively. Besides, prosecution carried out were 156 and 48, cases decided by courts were 134 and 43, and fines imposed by courts were Rs. 360500 and 109500, respectively. KP, a Home-Based Workers (Welfare and Protection) Act 2021, has been enacted to benefit Home-Based Workers.

## Children in street situations

### Follow-up information relating to paragraph 74 of the concluding observations

269. The Federal and Provincial Governments have established various child protection centers for street children, providing services like protection, shelter, health care, and educational opportunities. The Child Protection Institute was inaugurated in June 2021, providing such services at the ICT level. 113 street children have been provided with various services.

270. In the wake of the 18th Constitutional amendment, the subject of minors has been devolved to provinces for taking measures to address the issue of street children. Moreover, the Government has launched Ehsaas Programme, which, inter alia, includes inflation-adjusted BISP / Ehsaas Kafaalat cash transfers, an asset ownership program for graduation out of poverty, access to finance for the youth, graduate and undergraduate scholarships for the poor and needy students. Besides, the Government has introduced a Relief Package of 144 billion PKR, in the backdrop of COVID-19, to provide immediate cash relief of 12,000 PKR per household for four months to almost 12 million poor families under Ehsaas Programme.

271. Panagahs (protection centers) have been constructed in major cities to provide shelter for the homeless. The conditional Cash Transfer (CCT) Programme (Waseela-e-Taleem) has been extended to another 50 districts during 2020, which involves a cash transfer of 750 PKR and 1000 PKR per quarter to boys and girls, respectively. Besides, capitalized Telehealth and Tele-Education Facilities to expand health and education coverage.

272. The Government of Punjab has initiated a program worth 62 billion PKR to fill many coverage gaps in social protection. PSPA has initiated “Sarparast Program,” social assistance and financial support to the families of poor and vulnerable widows to improve their well-being and social status. Sarparast program will provide dignified social assistance specially designed for the poor widows of Punjab. The program will help reduce the poverty rate amongst beneficiary households by directly supplementing monthly household income to reach out to the poor and vulnerable segments of society and promote the well-being of children.

273. The Government of Balochistan has developed a District Education Plan from 2016–2017 to 2020–2021 to enroll street children in schools. The district plans included specific actions for each prioritized area and target, indicators for implementation and monitoring, a steering and management structure at the district level, and reporting mechanisms for both the district and Provincial levels. The Director of Education Schools, through prioritization, planning, execution, and monitoring, has brought improvement in Quality Education, the establishment of new schools, real-time monitoring and complaint cells in all district education offices, and connecting all offices and schools through advanced technology.

274. SCPA started Anti Beggary drive with effect from 26th January 2021 to address the root causes of beggary and children in street situations.

275. The KP Commission regularly monitors the issue of street children through twelve district child protection units. A Street children-related project has been implemented from April 2019–March 2020 in Peshawar. During the project period, 1681 children (164 girls and 1517 boys) have been registered. 3190 children (268 girls and 2922 boys) benefited from adequate protection services. 694 children (3 girls and 691 boys) benefited from psychosocial, legal, and information counseling in the protection and information center, whereas 2029 children were provided counseling and recreational services at outreach by social mobilizers and sports coaches.

## **Sale, trafficking, and abduction**

### **Follow-up information relating to paragraph 76 of the concluding observations**

276. To address the issue of child trafficking, Section 369-A has been inserted in the PPC through the Criminal Law (Second Amendment) Act, 2016.

277. The MoHR regularly conducts awareness sessions on the sale and trafficking of children to sensitize stakeholders about the issue's root causes and educate them about remedial measures.

278. Pakistan enacted Trafficking in Persons Act in 2018 to combat the menace of human trafficking, especially women and children. It provides that "anyone who commits the offense of trafficking in person is liable to be punished with imprisonment of up to seven years or fine up to one million PKR or with both and punishment may be extended up to ten years."

279. FIA and UNODC jointly prepared the National Action Plan 2021–2025 for undertaking various anti-human trafficking-related activities during 2021. The plan provides a blueprint that the Agency will use to coordinate actions and track results against human trafficking. It will provide a structure and a sequence of actions to achieve the goals outlined by the agency in conjunction with the recommendations from international partners. The P5 Strategy (Prevent, Protect, Partner, Pursue, and Prosecute) will enable FIA to clearly illustrate its primary objectives, key performance indicators, and commitment to a victim-centered approach, with a clear mandate to pursue and prosecute criminals, traffickers, and migrant smugglers, both in Pakistan and internationally.

280. The Government continued to use sections of the PPC that criminalized some forms of human trafficking. For example, Sections 371A and 371B criminalized the buying and selling of a person for prostitution and prescribed penalties of up to 25 years imprisonment and fines. Section 374 criminalized unlawful compulsory labor and prescribed penalties of up to five years imprisonment, a fine, or both. Section 366A criminalized the procreation of a "minor girl under 18" and prescribed penalties of up to 10 years imprisonment and a fine. Section 370 criminalized buying or disposing of any person as a slave and prescribed penalties of up to seven years imprisonment and a fine. Section 371 criminalized habitual dealing in slaves and prescribed penalties of up to life imprisonment and a fine if the imprisonment was less than ten years. Law enforcement and judiciaries investigated 800 sex trafficking cases, initiated prosecutions in 756 cases, and convicted 91 sex traffickers. These efforts have helped in combating child trafficking and holding perpetrators accountable for the sale of children and child pornography.

281. The Provincial Governments, on receiving complaints regarding internal trafficking, initiate criminal action under the relevant provisions of the Prevention and Trafficking in Person Act 2018 to eradicate such types of illegal activities.

282. KP Commission, CP&WB also provide comprehensive social and psychological assistance to child victims of sale and trafficking for their recovery and social reintegration.

## **Enforced disappearances**

### **Follow-up information relating to paragraph 78 of the concluding observations**

283. The Government has introduced a Bill in the National Assembly to criminalize enforced disappearances, which is undergoing the legislative process. The missing person cases are being handled by the Commission of Inquiry on Enforced Disappearances and dealt with under the Pakistan Commission of Inquiry Act, 1956 and regulation there under "Commission of Inquiry on Enforced Disappearances, Regulation, 2011. When a case or application is received, the Commission and Home Departments in respective provinces constitute a Joint Investigation Team (JIT) to investigate and trace the missing person. Subsequently, FIR is registered by the concerned Police Station. The Joint Investigation Team regularly holds meetings to resolve the case and reports to the Commission.

284. Mostly, these cases are heard by the Commission twice a month, and a representative of the Home Departments attends the hearing conducted by the Commission. Provincial Task

Force (PTF) considers cases presented to them of missing persons that remain un-traced despite efforts made by the JIT and Convener of Joint Investigation Team (JIT). PTF submits its report to the Commission by giving a specific viewpoint on the case.

285. The Provincial Governments adhere to the provisions of the Juvenile Justice System, 2018, if a person arrested is found under the age of 18 years during registering FIR.

## **Administration of juvenile justice**

### **Follow-up information relating to paragraph 80 of the concluding observations**

286. The Criminal Law (Second Amendment) Act 2016 has been enacted to harmonize our laws with the provisions of the UNCRC with amendments in Sections 82 and 83 of the PPC.

287. Under JJSA, no person who was a juvenile offender at the time of the commission of an offence shall be awarded the punishment of death. According to JJSA, the Juvenile Court shall have exclusive jurisdiction in cases in which a juvenile is accused of commission of an offence. All cases pending before a trial Court in which a juvenile is accused of an offence stand transferred to the Juvenile Court having jurisdiction that is staffed by specially trained juvenile judges, prosecutors, probation officers, and other relevant staff. The JJSA 2018 also provides a mechanism for the determination of the age of juveniles and further protection for juveniles. It allows children in conflict with the right to seek legal assistance from a qualified legal practitioner appointed by the Government or by the Juvenile Court with at least seven years standing at the Bar. No juvenile may be charged with and tried for an offence with an adult. In compliance with international standards, the JJSA provides for establishing educational institutions, monitoring the performance of such institutions through the Juvenile Justice Committee, conducting investigations and observation at homes instead of Police Stations, and ensuring access to health services.

288. Furthermore, JJSA 2018 provides for disposing of cases through diversion and social reintegration of child offenders. To report to the Juvenile Court or Juvenile Justice Committee on measures being taken for social reintegration, health, education, or other conditions of the inmates, a medical officer, a member of the Committee, with the prior approval of the head of the Committee or an officer authorized by the Government may inspect an Observation Home or a Juvenile Rehabilitation Centre.

289. The Supreme Court in 2019 observed that jirgas and panchayats may not work within the parameters of the law and Constitution and held that the way they function violated articles of the Constitution. According to the Constitution, they may operate within the permissible limits of the law to the extent of acting as arbitration, mediation, negotiation, or reconciliation forums for civil disputes only.

290. Section 8(1) of the JJSA provides that where a person alleged to have committed an offence physically appears to be or claims to be a juvenile for this Act, the officer in charge of the Police Station or the investigation officer shall inquire to determine the age of such person based on his birth certificate, educational certificates, or any other pertinent documents. In the absence of such documents, the age of the accused person may be determined based on a medical examination report by a medical officer.

291. Section 399 of the CrPC provides those youthful offenders, instead of being imprisoned in a criminal jail, may be confined in reformatories established by the Provincial Governments where they can be given suitable education and vocational training. The Juvenile prisoners are kept in separate barracks, while in the central prisons, adolescent facility centers are provided. For instance, in Haripur Central Prison, in KP Province, basic education facilities, such as computer courses, a library, teaching facilities up to 10th class, religious teaching facilities, and basic recreational facilities are being provided in partnership with NGOs.

292. Pakistan's domestic law also considers special protections for women and children under Article 25(3) of the Constitution. The law prohibits pursuing criminal charges against children under a certain age. The CrPC also allows for crimes not punishable by death or imprisonment for life committed by persons under the age of fifteen to be tried under the

scope of the Reformatory Schools Act 1897. Women are meant to be arrested and searched by female law enforcement officials. They must also be segregated from male prisons, inmates, and officials.

293. The Government of Punjab Home Department has declared the Borstal Institute, Bahawalpur, Borstal Institute Faisalabad, and Juvenile wards in the Punjab jails as Juvenile Rehabilitation centers under section 20 of JJSA wherein all facilities admissible under the rules are being provided to the juvenile prisoners, including education, health, technical education, and religious education, etc. The Prison Department, in collaboration with the Literacy and & Non-Formal Education Department, has established literacy centers in all jails of Punjab. MoU has been signed with TEVTA and Punjab Prisons for providing technical education and vocational training courses, including different skills for male and female prisoners and juveniles confined in the jails of Punjab. In this regard, 12139 prisoners have qualified for different technical courses. 17 psychologists and 15 junior Psychologists have been working at different jails to rehabilitate prisoners, including juvenile prisoners. Moreover, they are responsible for several behavior modifications and risk prevention. Their main responsibilities are to address all the psychological needs of offenders undergoing prison rehabilitation programs. The Provincial Governments have set up special enclosures for keeping juveniles under trial prisoners in jails. Children are not detained with adults in prisons.

## **XI. Ratification of the Optional Protocols on the Involvement of Children in Armed Conflict and a Communications procedure**

### **Follow-up information relating to paragraph 82 of the concluding observations**

294. Pakistan ratified the Optional Protocol on the Involvement of Children in the Armed Conflict (OPAC) on 17th November 2016.

## **XII. Ratification of international human rights instruments**

### **Follow-up information relating to paragraphs 83–84 of the concluding observations**

295. Pakistan's Initial Report to the Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography (OPSC) has been submitted to UN Committee on the Rights of the Child in November 2020.

## **XIII. Implementation and reporting**

### **Follow-up and dissemination**

296. The recommendations of the Committee were disseminated among the relevant stakeholders for implementation and submitting progress reports. Progress has been incorporated into the present report.

## **Conclusion**

297. Pakistan remains committed to implementing its obligations under the Convention on the Rights of the Child. The Government is pursuing measures to further align its policies with the Convention and assure its commitment to operationalising the rights of the child as enshrined in the Convention.



# Section 6

List of issues in relation to the  
combined sixth and seventh periodic  
reports of Pakistan

– October 2024





# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### List of issues in relation to the combined sixth and seventh periodic reports of Pakistan\*

1. The State party is requested to submit in writing additional, updated information, of 10,700 words maximum, by 15 February 2025. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

#### Part I

2. Please explain the measures taken or envisaged:

(a) To address the remaining gaps in legislation with regard to the legal age of marriage for girls, child protection and civil registration and to implement its legislation providing for the rights of children, including the Juvenile Justice System Act, 2018, the National Commission on the Rights of the Child Act, 2017, and the Zainab Alert, Response and Recovery Act, 2020, throughout the entire territory of the State party;

(b) To address the concerns raised in the Committee's concluding observations on the fifth periodic report of the State party with regard to the implementation of sharia law under the Sharia Nizam-e-Adl Regulation, 2009, in large areas of Khyber Pakhtunkhwa, the Zina and Haddood Ordinances,<sup>1</sup> and the Committee's concern about the Criminal Law (Amendments) Act, 2017, as all of those pieces of legislation are in conflict with the principles and provisions of the Convention;

(c) To ensure effective coordination of activities for the implementation of children's rights without undue overlap in mandates at the federal and local levels, especially among the Ministry of Human Rights, the National Commission on the Rights of the Child and the Treaty Implementation Cells, and to provide them with sufficient authority and adequate resources to enable them to carry out their tasks effectively;

(d) To adopt a comprehensive child rights strategy and corresponding action plan that cover all areas under the Convention and the Optional Protocols thereto;

(e) To track the State's budget from a children's rights perspective at the federal, provincial and territorial levels and to ensure an increase in budgetary allocation for social sectors, in particular education, health and social protection, aimed specifically at the children in marginalized and disadvantaged situations mentioned in the Committee's previous concluding observations;<sup>2</sup>

(f) To ensure systematic collection and analysis of quality and complete data disaggregated by age, sex, geographical location, ethnic, religious, national and

\* Adopted by the pre-sessional working group on 20 September 2024.

<sup>1</sup> CRC/C/PAK/CO/5, paras. 8 and 9.

<sup>2</sup> Ibid., paras. 12 and 13.



socioeconomic background on the implementation of children's rights and to make such data public;

(g) To guarantee the independence of the National Commission on the Rights of the Child, including with regard to its funding, mandate and immunities, so as to ensure its full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

(h) To establish and implement regulations to ensure that the business sector complies with international and national human rights, labour, environmental and other standards, particularly with regard to children's rights.

3. Please explain the measures taken:

(a) To eradicate discrimination, negative perceptions and stereotypes concerning the role of girls and women in society, particularly in the areas of education and child marriage;

(b) To adopt a comprehensive anti-discrimination law at the federal level aimed at eradicating discrimination against, inter alia, children belonging to religious and ethnic minorities, children with disabilities, children living in street situations, children living in poverty, migrant, asylum-seeking and refugee children, and lesbian, gay, bisexual, transgender and intersex children;

(c) To implement its legislation providing for the concept of the best interests of the child, including the Juvenile Justice System Act, 2018, the Islamabad Capital Territory Child Protection Act, 2018, and other laws at the provincial level, and to ensure that the right of children to have their best interests taken as a primary consideration is integrated into, and consistently interpreted and applied in, all legislative, administrative and judicial proceedings and decisions;

(d) To prevent the killing of children as a result of counter-terrorism activities and acts of terrorism and violence and to improve the protection provided to schools, including by implementing the Pakistan School Safety Framework, and other areas with a high concentration of children;

(e) To implement the prohibition of the death penalty for children or individuals who committed a crime while under the age of 18 years and to reopen inquiries in relation thereto, with a view to either releasing the prisoner or commuting his or her sentence to a prison term;

(f) To apply a zero-tolerance policy towards gender-based crimes, including killings, committed in the name of so-called "honour" and to ensure the prompt and effective investigation into all such cases;

(g) To promote meaningful participation of all children within their families, communities and schools and to include children in decision-making in all matters relating to them.

4. Please describe the measures taken:

(a) To address the alarmingly high numbers of unregistered children under 1 and 5 years of age and to ensure universal birth registration for all children by updating the relevant legislation, facilitating late birth registration and removing fees;

(b) To protect the freedom of religion of all children, to ensure that children are able to choose their religion, to repeal its blasphemy laws and to ensure that children under the age of 18 years are exempt from criminal responsibility for such crimes;

(c) To guarantee the right of the child to freedom of expression, including the freedom to receive, seek and impart information.

5. Please explain the measures taken:

(a) To implement its legislation prohibiting the sexual abuse and exploitation of children, to adapt its laws to address sexual offences against boys, and to initiate a child-friendly system for the mandatory reporting of cases of child sexual abuse and exploitation,

including those committed online, to investigate all reports and allegations of such abuse and exploitation and to punish the perpetrators;

(b) To enforce its legislation criminalizing all forms of violence against women and girls, including domestic violence, marital rape and crimes committed in the name of so-called “honour”;

(c) To adopt a strategy to address and prevent all forms of violence against children and to strengthen the child protection infrastructure at the local level to respond to all forms of violence against children;

(d) To amend its legislation legitimizing corporal punishment by parents, guardians and teachers, in particular section 89 of the Penal Code, the Punjab Destitute and Neglected Children Act, 2004, and the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010, and to explicitly prohibit corporal punishment in all setting both at the federal and local levels;

(e) To amend its legislation at the federal, provincial and territorial levels to set the marriage age for boys and girls at 18 years and to take measures to prevent child marriage, *watta satta* and other practices that are harmful to children, including burning, acid attacks, mutilation, stripping and sexual harassment;

(f) To implement the Juvenile Justice System Act, 2018, which exempts children below the age of 18 years from punishment for *hadood* offences, and to launch an independent inquiry into all allegations of torture and ill-treatment of children, in particular those committed by law enforcement and security officers.

6. Please provide information on the measures taken or envisaged:

(a) To ensure that financial and material poverty is never the sole justification for removing a child from parental care and to strengthen financial assistance and psychological and social support for families living in poverty, as well as guidance to help them fulfil their parental responsibilities;

(b) To secure children’s right to grow up in a family environment where parents have equal rights in all matters relating to marriage and family relations, in particular to amend the Muslim Family Laws Ordinance, 1961, in order to ensure that all provisions that have a negative impact on children are repealed;

(c) To promote family-type and community-based alternative care for children deprived of parental care, in order to reduce reliance on institutional care, and to establish a clear regulation on alternative care for children, including provisions for quality care standards and periodic review of placements;

(d) To provide for monitoring of the situation of children under the guardianship system.

7. Please explain the measures taken or envisaged:

(a) To implement the Islamabad Capital Territory Rights of Persons with Disability Act, 2020, and to ensure that all the rights of children with disabilities and their access to all services are guaranteed throughout the State party’s territory;

(b) To adopt a national strategy specific to the rights of persons with disabilities, paying particular attention to children, and to combat the stigmatization of and prejudice against children with disabilities by promoting a positive image of such children;

(c) To organize the collection of data on children with disabilities and to establish an efficient system for diagnosing disability, early intervention and prevention and to put in place appropriate policies and programmes for children with disabilities.

8. Please inform the Committee of the measures taken:

(a) To strengthen the implementation of the maternal and child health programme and to reduce neonatal, infant and under-5 mortality rates throughout the State party, including by improving the quality of and access to antenatal and postnatal services and improving the quality of and expanding preventive interventions in primary healthcare;

(b) To strengthen immunization against diseases such as poliomyelitis throughout the country, especially in some areas of Khyber Pakhtunkhwa, Balochistan and Sindh provinces, and to raise awareness in communities about the importance of vaccination;

(c) To address malnutrition and stunting, especially among children under 5 years of age, and to improve access to water and sanitation services for all children throughout the country;

(d) To provide access to mental health services and to sexual and reproductive health services and education to all adolescent girls and boys, as well as access to contraception and safe abortion services and counselling for adolescents throughout its territory.

9. Please describe the measures taken:

(a) To guarantee an adequate and sustainable standard of living for all children within the territory of the State party, with a particular focus on children in the most marginalized and disadvantaged situations, and to improve social benefits and security schemes for poor families with many children;

(b) To improve preparedness for natural disasters, such as floods, and to adopt legislative and administrative measures to address the adverse effects of environmental degradation and climate change on the enjoyment of children's rights.

10. Please describe the measures taken:

(a) To implement its national and provincial laws mentioned in the State party report aimed at ensuring universal, free and compulsory primary education,<sup>3</sup> and to guarantee access to free secondary education for all children, including asylum-seeking and refugee children, in the State party's territory;

(b) To address the alarmingly high and increasing number of out-of-school children in the country and to increase school enrolment and retention of children, especially girls, by tackling sociocultural practices and other barriers to education;

(c) To ensure that all children with disabilities have access to inclusive education by improving facilities and the accessibility of schools;

(d) To improve school infrastructure, especially in schools affected by natural disasters or conflict, to provide basic necessities, including drinking water, toilets and heating, and to inform the Committee of the outcome of the resource allocation in various provinces mentioned in the State party report;<sup>4</sup>

(e) To improve the quality of education and to provide quality training and incentives for teachers, with a particular emphasis on rural areas, and to ensure monitoring of the school curricula and teaching methods, including in madrasas.

11. Please inform the Committee of the measures taken:

(a) To adopt a national refugee law and to establish a national asylum system in order to register and provide long-term solutions to refugee children, especially those from Afghanistan, and to provide them with access to all services, including the social protection system;

(b) To uphold the principle of non-refoulement and stop the implementation of the Illegal Foreigners' Repatriation Plan, which poses serious risks for children, especially Afghan children who have been obliged to return to Afghanistan and children who are separated from their families;

(c) To grant citizenship to children, in particular children from Bengali, Bihari and Rohingya communities who would otherwise be stateless, and to provide such children with all services available to Pakistani nationals, including access to health, education and social protection services.

<sup>3</sup> CRC/C/PAK/6-7, para. 212.

<sup>4</sup> Ibid., paras. 226-233.

12. Please inform the Committee about the efforts made:

(a) To combat discrimination and hate crimes against children belonging to ethnic and religious minority groups, in particular Ahmadi children, and to guarantee their economic, social and cultural rights;

(b) To implement federal and provincial laws that prohibit child labour, including domestic child labour, and to combat the high prevalence of child labour across the country, especially among refugee children, including through effective labour inspections and other enforcement mechanisms;

(c) To carry out an assessment of children in street situations in order to develop and implement a comprehensive strategy, which should address the root causes of the problem, in order to prevent children from leaving their families and schools for the streets;

(d) To implement section 369 of the Penal Code and the Prevention of Trafficking in Persons Act, 2018, to combat trafficking in children;

(e) To adopt the bill to criminalize enforced disappearances, to ensure that persons below the age of 18 years are not subjected to arbitrary detention and to investigate promptly and effectively all cases of enforced disappearances of children.

13. Please explain the measures taken or envisaged:

(a) To implement the Juvenile Justice System Act, 2018, and to ensure that juvenile courts have exclusive jurisdiction in all cases in which a child is accused of having committed an offence, including security-related offences;

(b) To increase the minimum age of criminal responsibility to at least 14 years of age, in line with Committee's general comment No. 24 (2019);

(c) To prohibit informal courts, such as jirgas and panchayats, and to carry out prompt and effective investigations into decisions taken by such courts;

(d) To implement non-custodial measures to deprivation of liberty, such as diversion, probation, counselling, mediation, community service or suspended sentences, wherever possible;

(e) To prevent and prohibit non-State armed groups from recruiting children and using them in armed campaigns and terrorist activities, in particular suicide bombings;

(f) To prevent attacks on schools, especially girls' schools, and other areas with a high concentration of children.

## Part II

14. The Committee invites the State party to provide a brief update, of no more than three pages, on the information set out in its report with regard to the following:

(a) New bills or laws and their respective regulations;

(b) New institutions and their mandates or institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

## Part III

### Data, statistics and other information

15. Please provide consolidated information for the past three years on the budget lines regarding children and the social sectors, indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographical allocation of those resources.

16. Please provide updated statistical data, for the past three years, if available, disaggregated by age, sex, ethnic origin, national origin, geographical location and socioeconomic status, on the following:

- (a) Cases of imposition and execution of the death penalty on persons under the age of 18 at the time of the alleged offence;
- (b) Children on death row;
- (c) Cases of investigations, prosecutions and sanctions handed down to perpetrators, including security officials, of torture, ill-treatment and enforced disappearance of children;
- (d) Cases of abuse and violence perpetrated against children, including all forms of corporal punishment, domestic violence, sexual violence and abuse, sexual harassment, marital rape and crimes committed in the name of so-called "honour", as well as investigations, prosecutions and sentences handed down in the State party in such cases;
- (e) Cases of child marriage and prosecutions and sentences handed down in the State party in such cases;
- (f) Children living in poverty;
- (g) Asylum-seeking, refugee and migrant children;
- (h) Children in street situations;
- (i) Cases of child labour.

17. Please provide data, for the past three years, disaggregated by age, sex, socioeconomic background, ethnic origin, national origin and geographical location, on the situation of children deprived of a family environment who are or who have been:

- (a) Separated from their families, including the duration of the separation;
- (b) Placed in institutions, including the number of institutions and the number of children in each institution;
- (c) Placed with foster families;
- (d) Living with relatives.

18. Please provide data, for the past three years, disaggregated by age, sex, type of disability, ethnic origin, national origin and geographical location, on the number of children with disabilities who are or who have been:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending day care;
- (d) Attending preschool;
- (e) Attending primary schools;
- (f) Attending secondary schools;
- (g) Receiving individualized support;
- (h) Attending special schools;
- (i) Out of school;
- (j) Abandoned by their families.

19. Please provide updated statistical data, for the past three years, if available, disaggregated by age, sex, type of offence, ethnic origin, national origin, geographical location and socioeconomic status, on children alleged to have, accused of or recognized as having infringed criminal law who have been:

- (a) Arrested;

- (b) Referred to diversion programmes;
- (c) Held in pretrial detention;
- (d) Detained with adults;
- (e) Convicted and serving a sentence in detention, with data further disaggregated by the length of the sentence.

20. Please provide updated statistical data, for the past three years, if available, disaggregated by age, sex, type of offence, ethnic origin, national origin, geographical location and socioeconomic status, on asylum-seeking, refugee and migrant children, including children entering the State party from areas where children may have been recruited or used in hostilities.

21. Please provide information on how a children's rights-based approach is integrated into the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals, including with regard to the participation of children and data collection, and on how those measures promote the realization of children's rights under the Convention.

22. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.

23. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.

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# Section 7

Replies of Pakistan to the list of  
issues in relation to its combined  
sixth and seventh reports

– April 2025





# Convention on the Rights of the Child

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**Committee on the Rights of the Child**  
**Ninety-ninth session**  
Geneva, 5–23 May 2025  
**Consideration of reports of States parties**

## **Replies of Pakistan to the list of issues in relation to its combined sixth and seventh reports\*, \*\***

[Date received: 17 March 2025]

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

\*\* The annexes to the present document may be accessed from the web page of the Committee.



## Part one

### Replies to the list of issues (CRC/C/PAK/Q/6-7)

#### Reply to paragraph 2 (a)

1. To address legislative gaps regarding the legal age of marriage of girls, child protection, civil registration of children and implementation of the laws, significant measures have been undertaken by the government of Pakistan in consultation with parliamentary committees, NHRIs, provincial governments, UN partners and CSOs. The Ministry of Human Rights (MoHR) conducted consultative sessions with all stakeholders to develop a consensus on legal age of marriage as 18 for both boys and girls. The government also supported a Private Member Bill related to child marriage at ICT level which was introduced in Parliament in **2024**. The MoHR also urged the provincial governments to amend existing laws across provinces to harmonize the response to child marriages. Accordingly, the provincial governments are pursuing legislation for a standard minimum marriage age as 18 years.

2. Through the Sindh Child Marriage Restraint Act 2013, Sindh became the first province in Pakistan to set the minimum legal age for marriage at 18 for both sexes. This was further supported by the Sindh Child Marriages Restraint Rules 2016, which outline procedures, definitions and penalties. The Sindh Child Protection Authority (SCPA) Act 2011 (amended in 2021) established the SCPA to safeguard children's rights and enhance stakeholder coordination. Additionally, the draft Sindh Child Protection Policy, aimed at preventing abuse, neglect and exploitation, is ready for cabinet approval. Efforts to improve birth registration processes have also been undertaken to ensure accurate age documentation, preventing underage marriages.

3. The draft Punjab Child Marriage Restraint (Amendment) Bill 2024 was considered by the Provincial Cabinet during its 17th meeting on October 8, 2024. The Cabinet considered and referred the matter for further discussion and constituted a committee comprising of Senior Ministers tasked with submitting recommendations to end discrimination in the age of marriage for both boys and girls.

4. In Khyber Pakhtunkhwa (KP), the proposed KP Child Marriage Restraint Bill aims to raise the legal age of marriage for girls to 18 years. The bill requires age verification through CNICs or birth documents, with strict penalties for violations. The bill is being processed for approval of the Cabinet.

5. In Balochistan, the Child Marriage Restraint Bill 2024 is under consideration of the Balochiostan Assembly.

6. The Juvenile Justice System Act 2018 is being enforced nationwide with designated juvenile courts, legal aid provisions and child-friendly procedures. Additionally, the Zainab Alert, Response and Recovery Act 2020 has been implemented to expedite the response to cases of missing and abducted children, with the Zainab Alert system linked to police and emergency services for immediate action.

7. Furthermore, the Ministry of Human Rights has set up several initiatives to address human and child rights violations. The Helpline for Legal Advice on Human Rights Violations (Helpline 1099) receives complaints including 1,036 related to child abuse and refers them to the appropriate authorities, with ongoing efforts to standardize data collection nationwide. In addition, the Child Protection Institute (CPI) '1121' Helpline, launched in 2023, has received 6922 complaints concerning child rights violations. The CPI, established under the Islamabad Child Protection Act 2018, focuses on rescuing children, providing safe shelter, offering psycho-social services and facilitating reunification and referral services; it has rescued 380 children and currently houses 9 children.

**Reply to paragraph 2 (b)**

8. There is effective coordination among the Ministry of Human Rights, the NCRC and the Treaty Implementation Cells in accordance with their respective prescribed functions and mandate, ensuring the seamless implementation of child rights without any overlap in mandates at the federal and local levels.

**Reply to paragraph 2 (c)**

9. To adopt a comprehensive child rights strategy and action plan in line with the Convention on the Rights of the Child (CRC) and its Optional Protocols, significant initiatives have been undertaken across Pakistan. At federal level, the ICT Child protection Act 2018 serves as a comprehensive policy document which is being enforced for protection of rights of children engaging the LEAs, ZARRA, CSOs and CPI. Moreover, the MoHR in collaboration with UNICEF and government organizations has finalized a draft ICT Child Protection Policy encompassing prevention, protection, redressal and rehabilitation of vulnerable children. In Punjab, the Child Protection and Welfare Bureau (CPWB) has developed a draft Child Protection Policy addressing child begging, exploitation and abandonment and is also collaborating with UNICEF to enhance child protection services by establishing Child Protection Units across the province. In Khyber Pakhtunkhwa, the Khyber Pakhtunkhwa Child Protection and Welfare Commission (KPCPWC) has formulated a holistic child rights strategy aligned with the UNCRC. This includes operationalizing Child Protection Units in 12 districts to provide psycho-social counseling, legal aid and emergency support. District and Union Council-level Child Protection Committees have been set up to address child protection issues at the grassroots level, supported by a toll-free Child Protection Helpline (1121). Awareness campaigns, capacity building initiatives and the establishment of Child Protection Courts in eight divisional headquarters and the Newly Merged Districts ensure accessible, child-friendly justice mechanisms. Sindh Child Protection Authority (SCPA) under the Sindh Child Protection Authority Act 2011 (Amended 2021) has drafted a comprehensive Child Protection Policy. The policy focuses on preventing abuse and exploitation, strengthening the legal framework, capacity building, public awareness and fostering collaboration among government bodies, NGOs and international organizations. In Balochistan, efforts to promote child rights are guided by the Balochistan Child Protection Act 2016, which provides a legal framework for safeguarding children from abuse, exploitation and neglect. The establishment of the Balochistan Child Protection Bureau has been instrumental in coordinating child protection initiatives across the province. The Bureau is working to operationalize Child Protection Units in key districts, ensuring that vulnerable children have access to psychosocial support, legal aid and emergency assistance. Awareness campaigns are being conducted to educate communities on child rights and protection mechanisms, particularly in rural and marginalized areas.

**Reply to paragraph 2 (d)**

10. Measures to track the State's budget from a children's rights perspective are being adopted at both federal and provincial levels. In the fiscal year 2024–2025, significant funds have been allocated for child-focused sectors. Punjab has set aside Rs 669.74 billion for education and Rs 539.1 billion for health, a 25% increase from the previous year, while also supporting programs such as stipends for female students, free textbooks and initiatives like AAGHOSH, BUNYAD, and Zevar-e-Taleem. Khyber Pakhtunkhwa has allocated Rs 362.7 billion for education and Rs 228.8 billion for health, including Rs 34 billion for a health card program and has strengthened its child protection system with community-based measures and district committees. Sindh has budgeted Rs 454 billion for education and Rs 300 billion for health, with oversight provided by the Sindh Child Protection Authority. Balochistan, with a total budget of Rs 930 billion, has allocated Rs 146.9 billion for education and Rs 67.3 billion for health.

11. In addition to these budgetary allocations, each province has undertaken targeted initiatives to protect and support children, particularly those in vulnerable situations. In

Punjab, CPWB operates multiple sections that rescue children from abuse, provide legal oversight, deliver health and psychological services and offer family tracing and immediate assistance. The Bureau also manages Open Reception Centers, Child Protection Institutions and the Child Protection Court and collaborates with the Punjab Vocational Training Council (PVTC) to equip children with vocational skills. Sindh has strengthened its social protection systems by establishing the Sindh Social Protection Authority (SSPA) and launching the USD 230 million Strengthening Social Protection Delivery Systems project in partnership with the World Bank. This initiative includes the Mother and Child Support Program (MCSP), which improves maternal, newborn, and child health through conditional cash transfers. Khyber Pakhtunkhwa has enhanced its child protection framework by devolving essential services to local offices under the LG&RDD system and by supporting CPUs with funding from both the provincial government and UNICEF. In Balochistan, the government has focused on improving access to education, health and child protection services in remote areas to establish CPUs and address challenges such as child labor and early marriages.

### **Reply to paragraph 2 (e)**

12. To ensure the systematic collection and analysis of quality and complete data disaggregated by age, sex, geographical location, ethnicity, religion and socioeconomic background on the implementation of children's rights, the provincial governments of Pakistan have launched Child Protection Management Information Systems (CPMIS). These systems are designed to facilitate the real-time tracking of child protection cases, ensure centralized data storage and enhance decision-making capabilities. By capturing detailed and comprehensive data, CPMIS ensures that interventions are timely and targeted, addressing the specific needs of children based on these disaggregated factors. The Punjab's CPWB is working to develop a full-scale CPMIS. In Khyber Pakhtunkhwa (KP), the KP Child Protection and Welfare Commission (KPCPWC) has implemented a fully functional CPMIS, integrating data from Child Protection Units (CPUs) across the province. Similarly, Sindh has launched a comprehensive CPMIS to better track cases and enhance service delivery in child protection. In Balochistan, Child Protection Units have been established, while efforts are underway to further strengthen the province's child protection infrastructure.

### **Reply to paragraph 2 (e)**

13. The NCRC was established by the Government of Pakistan under the National Commission on the Rights of Child Act, 2017. The Commission holds a comprehensive mandate to promote, protect and fulfill children's rights in alignment with international obligations and the NCRC Act, 2017. The primary aim is to ensure that the rights of children are safeguarded across various domains, including education, health, protection from exploitation, and access to justice. To uphold the independence of the Commission, special measures have been put in place regarding its funding, mandate, and immunities. These provisions are designed to ensure that the NCRC operates without external influence and is able to effectively carry out its responsibilities.

### **Reply to paragraph 2 (g)**

14. National Action Plan (NAP) on Business and Human Rights, launched in December 2021, addresses child labor within the framework of Human Rights Due Diligence (HRDD). The plan requires businesses to identify and mitigate child labor risks within their supply chains, taking proactive steps to eliminate exploitative practices. MoHR is playing a key role in integrating child labor prevention into national policies, collaborating with both the public and private sectors to enforce legal frameworks and raise awareness. Capacity-building initiatives are also being undertaken to enhance the understanding and implementation of HRDD, ensuring that businesses comply with child protection standards and contribute to a responsible business environment.

15. The Employment of Children Act, 1991, prohibits child labor for those under the age of 14, with an amendment to the law that includes domestic work at the ICT level. The ICT

Domestic Workers Act 2022, further strengthens this by prohibiting the employment of children under the age of 16 in domestic work. Additionally, the ICT Child Protection Act, 2018 aims to prevent child abuse and exploitation, offering protections for children and providing shelter through the Child Protection Institute.

16. In Punjab, the Labour & HR Department enforces the Punjab Restriction on Employment of Children Act, 2016, the Punjab Prohibition of Child Labour at Brick Kilns Act, 2016 and the Prevention of Trafficking in Persons Act 2018. These laws prohibit the employment of children under 15 years in commercial and industrial establishments to ensure their education, health and safety. The legislation aligns with Article 32 of the United Nations Convention on the Rights of the Child (CRC) and International Labour Organization (ILO) Conventions C138 and C182, prohibiting hazardous labor for children under 18. Programs like the Aaghosh and Zevar-e-Taleem provide education and financial incentives for families, ensuring children remain in school instead of engaging in labor.

17. In Sindh, post 18th Amendment several labor laws were enacted to address child employment issues, including the Sindh Prohibition of Employment of Children Act, 2017, the Sindh Shops and Commercial Establishments Act, 2015, and the Sindh Factories Act, 2015. These laws prohibit child labor and hazardous employment under the age of 18 and focus on safeguarding children from exploitation in the workforce.

18. In Khyber Pakhtunkhwa, the Labour Department enforces the Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015 which prohibits child labor and hazardous labor. Inspectors regularly monitor compliance, with over 29000 inspections conducted between 2022 and 2024, resulting in fines and prosecutions for violations. The province adopted the Khyber Pakhtunkhwa Child Labour Policy 2018 and established the Child & Bonded Labour Unit (C&BLU) to coordinate efforts and mobilize societal support against child labor. The province completed the Khyber Pakhtunkhwa Child Labour Survey 2023, which provides critical insights for revising policies and strengthening implementation.

19. In Balochistan, the provincial government is working to address child labor through ongoing legislative and administrative reforms, focusing on improving enforcement mechanisms and creating awareness about children's rights. Efforts are underway to harmonize provincial labor laws with national and international standards, with particular attention to eradicating child labor in hazardous industries. In Balochistan, in 2023, 11,153 general labour inspections were conducted and 919 cases were registered against violators. Of these, 592 cases were resolved, while 319 cases remain pending. The fines imposed from these inspections totaled Rs. 956,900.

20. The Child Labour Survey has been completed in Punjab and KPK provinces and GB, while being underway across the rest of the country.

### **Reply to paragraph 3 (a)**

21. Pakistan has implemented various measures to eradicate discrimination, negative perceptions, and stereotypes concerning the role of girls and women in society. At the federal level awareness campaign led by MoHR has focused on promoting child rights through its comprehensive Human Rights Awareness Program. During this period, the Ministry conducted numerous awareness sessions on child rights, including distribution of 12,000 posters and broadcasting public service messages on television and radio. Training sessions at institutions such as the National Police Academy and various provincial police departments further educated stakeholders on the legal framework protecting child rights.

22. In Punjab, the Daanish Schools & Centers of Excellence Authority ensures 50% of the schools are dedicated to girls' education. Outreach programs support underprivileged children and seminars focus on girls' and women's empowerment. The School Education Department has implemented measures to address violence against women and girls and harmful practices, with teacher training and monitoring SOPs. Women are encouraged to apply for teaching positions and an e-transfer policy supports their career advancement. The Women Development Department oversees the Women Helpline 1043, addressing issues related discrimination of girls and women including child marriage.

23. The Sindh Child Protection Authority (SCPA) leads campaigns to change perceptions about girls' education and child marriage, promoting gender equality. SCPA partners with UNICEF to offer legal aid and safe shelters for girls. Capacity-building programs help implement gender-equal policies, while promoting positive role models to inspire others. In Khyber Pakhtunkhwa (KP), the Child Protection and Welfare Act 2010 ensures equal opportunities for girls in education, health and social participation. Child Protection Courts address child marriage and abuse, while Child Protection Units provide psychological support. KP's education department oversees 14,101 schools, with more than 2 million girls enrolled, benefiting from various scholarship programs, including the Girls Stipend Program. In Balochistan, the government is working to increase girls' education, offering scholarships and addressing harmful stereotypes through awareness campaigns. The Balochistan Child Protection and Welfare Act protects girls from child marriage and abuse. The provincial government is expanding community-based education programs and engaging local communities to promote girls' education and prevent early marriage.

### **Reply to paragraph 3 (b)**

24. Pakistan's Constitution upholds the principle of non-discrimination. Article 25 ensures equality before the law, stating that all citizens are equal and entitled to the same legal protections. Article 26 prohibits discrimination in access to public places, while Article 27 safeguards against discrimination in government services. Additionally, Article 36 protects the rights of minorities, and Article 33 discourages parochial, racial, and sectarian prejudices, fostering a more inclusive society. The Transgender Persons (Protection of Rights) Act, 2018 and the Islamabad Capital Territory (ICT) Child Protection Act 2018 both focus on safeguarding transgender persons and children from discrimination, abuse and exploitation. Similarly, the ICT Child Protection Act was established to protect children in the Islamabad Capital Territory from abuse, exploitation, violence and neglect. Both pieces of legislation work to create a safer and more inclusive society for children and transgender persons. Federal initiatives such as the allocation of funds for minority welfare and social programs aim to provide equal opportunities for all citizens, regardless of their background. Provincial governments also support marginalized communities especially children through scholarships, financial aid and infrastructure projects, ensuring that no group is left behind.

### **Reply to paragraph 3 (c)**

25. To implement the concept of the best interests of the child, Pakistan has enacted the Juvenile Justice System Act 2018 and the Islamabad Capital Territory Child Protection Act 2018, alongside similar laws at the provincial level. These legal frameworks ensure that the rights and welfare of children are prioritized in all decisions, including legislative, administrative and judicial processes. The best interests' principle is being integrated into these laws, ensuring effective implementation of these laws across proceedings involving children with a focus on their protection, rehabilitation and overall well-being.

### **Reply to paragraph 3 (d)**

26. To enhance the safety of children and schools from the threat of terrorism and violence, various protective measures have been implemented across Pakistan. These measures include the construction of boundary walls up to 8 feet high, installation of razor wire, CCTV cameras and scanner machines in certain schools. Additionally, schools have been provided with security personnel to ensure safety. Efforts have been made to improve school infrastructure and implement safety protocols outlined in the Pakistan School Safety Framework, particularly in areas with a high concentration of children. In line with these efforts, authorities have issued directives to ensure that schools are adequately protected from terrorist activities. Local law enforcement and field formations are actively involved in ensuring the security of children and taking strict action against individuals or groups posing a threat to child safety.

**Reply to paragraph 3 (e)**

27. The Juvenile Justice System Act of 2018 explicitly prohibits the death penalty for individuals who committed a crime while under the age of 18. Section 16 of the Act states that no person who was a juvenile at the time of committing an offense shall be sentenced to death. Furthermore, the Act also forbids juvenile offenders from being subjected to corporal punishment, being handcuffed, or being put to labor while in custody. The Act is implemented in letter and spirit. There is no case of death penalty awarded to a juvenile in any part of Pakistan.

**Reply to paragraph 3 (f)**

28. The Government of Pakistan takes a proactive approach to eliminate all forms of violence against women, including psychological, physical and sexual abuse, rape, burning, acid attacks, harassment, early and forced marriages, forced conversions, kidnapping, abduction, murder, and honor killings. Statistics show a provincial breakdown of honor-related crimes from 2016 to 2023, revealing a decrease, particularly in Punjab, where the number dropped from 248 in 2016 to 150 in 2023, and in Khyber Pakhtunkhwa, from 190 to 96. These trends indicate that ongoing efforts such as legal reforms, awareness campaigns, and improved law enforcement are starting to yield positive results in combating violence against women and honor-related crimes across the country. Pakistan has made significant strides in addressing violence against women and girls through comprehensive legislative measures. These laws collectively represent the country's zero-tolerance stance on such crimes, including those committed in the name of so-called "honour." For instance, the Criminal Law (Amendment) (Offense of Rape) Act 2016 and the Anti-Rape (Investigation and Trial) Act 2021 establish a robust mechanism for the investigation and trial of sexual violence, ensuring a speedy and efficient legal process for victims of rape and sexual abuse. These Acts provide for special investigation teams and dedicated courts to ensure timely justice. Further strengthening the legal framework, the Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011 criminalizes harmful practices, such as forced marriages, while the Acid Control and Acid Crime Prevention Act 2011 imposes severe penalties for acid attacks. Additionally, the Khyber Pakhtunkhwa Elimination of Custom of Ghag Act 2013 criminalizes the practice of "Ghag," a custom that forces women into marriage, reinforcing the state's commitment to preventing honour killings. The Punjab Protection of Women against Violence Act, 2016, Sindh Domestic Violence (Protection and Prevention) Act, 2013, and Balochistan Domestic Violence (Prevention and Protection) Act, 2014 all focus on protecting women from various forms of abuse, including those linked to honour-based violence. These acts provide for shelters, protection orders, and support services to aid victims of domestic violence and ensure their safety and well-being. Moreover, the Domestic Violence (Prevention and Protection) Bill, 2024, currently under consultation, aims to establish a comprehensive system for the protection and rehabilitation of victims of domestic violence. To support victims, the government has set up 95 dedicated courts and numerous shelter homes, such as Dar-ul-Amans, offering medical, legal, and psychological aid. Initiatives like Women Safety Mobile Apps and helplines have improved accessibility while centers like the Violence Against Women Centers and Police Gender Protection Units provide integrated services for victims.

**Reply to paragraph 3 (g)**

29. To ensure meaningful participation of children in decision-making within their families, schools and communities, the Government of Pakistan has introduced several initiatives. The National Commission on the Rights of Child (NCRC) includes two children (one male and one female) as members, allowing them to directly contribute to policies and decisions that affect their lives. Additionally, organizations like the Boy Scouts and Girl Guides empower children to develop leadership skills through various programs and activities. These organizations emphasize a "by the children, for the children" approach, fostering leadership roles where children take on responsibilities, make decisions, and contribute to their communities. Moreover, in Punjab, School Education Department (SED)

has established School Management Councils in both public and private schools, promoting active involvement of parents and local communities. Students are engaged in school improvement processes through representation on committees, and regular Parent-Teacher Council meetings address their concerns and encourage participation. Efforts to empower women and girls are prioritized by enhancing their access to education. The Punjab CPWB focuses on family reunification for rescued children through family tracing and post-reunification support, such as education and vocational training. Between July and December 2024, CPWB rescued 2919 children, reuniting 2705 with their families, while addressing cases of lost, runaway, and abused children. Additionally, in Balochistan, children are actively engaged in awareness campaigns and community sessions ensuring their involvement in decision-making and advocacy for their rights. Initiatives include workshops and training programs aimed at building their capacity to address and prevent child protection issues in their communities. In Khyber Pakhtunkhwa, adolescents participate in Community-Based Child Protection Committees (CBCPC), where they raise awareness and lead child protection initiatives. Events like International Children's Day, Child Rights Week, and World Day Against Child Labour provide children with platforms to express their opinions. Capacity-building sessions empower adolescents to take on leadership roles, fostering their ability to influence decisions affecting their lives. In Sindh, the Government has established a Children's Parliament and conducted training sessions to enable children to address various issues concerning their rights. Similarly, schools and communities celebrate key international events, providing children with opportunities to engage in meaningful discussions and advocacy efforts.

#### **Reply to paragraph 4 (a)**

30. Efforts to strengthen birth registration systems in Pakistan have led to significant improvements in children's access to rights and services. The implementation of birth certificate requirements has increased child registrations with union councils, cantonment boards, and local government departments. A reduction in processing fees has further boosted registrations, with NADRA issuing 65 million Child Registration Certificates as of January 2024. The Ministry of Interior has established a committee to streamline the process, and NADRA now offers 24/7 services, with a fully digitized system for easier access. Provincial governments, alongside NADRA, are enhancing registration through real-time notifications at healthcare facilities and capacity-building for local officials. Reforms include reviewing regulations, removing barriers like court decrees for delayed registrations, and signing agreements for advanced Civil Registration Management Systems (CRMS). Steering Committees and Technical Working Groups are overseeing improvements, with a focus on increasing registrations, especially in marginalized communities.

#### **Reply to paragraph 4 (b)**

31. The Constitution guarantees freedom of religion, belief, and conscience, ensuring that religious minorities can practice their faith without discrimination. Blasphemy laws in Pakistan are non-discriminatory and apply equally to all religions. Legal safeguards have been introduced to prevent their misuse, including a mandatory preliminary inquiry by the District Police Officer before registration of a case. The Juvenile Justice System Act, 2018, is fully implemented, ensuring that children, including those accused under blasphemy laws, are dealt with in accordance with child protection principles. Under Section 7 of the Act, investigations of juvenile offenders, including blasphemy cases, are conducted by a Sub-Inspector with a Probation Officer's assistance. Children are exempt from Hadood punishments and are handled under the Juvenile Justice System Act to prioritize their best interests. Special Juvenile Courts have been established to expedite cases, and measures are in place to improve management, investigation, and hearings. Additionally, an independent inquiry process is being developed to investigate allegations of torture or ill-treatment by law enforcement.

**Reply to paragraph 4 (c)**

32. Steps have been taken to protect the right to free expression of children, including the right to seek, receive and share information, as guaranteed by the Constitution. Courts now consider children's opinions in legal cases, keeping their well-being in mind. Key initiatives include:

- Awareness Campaigns: Educating children, parents and communities about the importance of children's voices and their right to access information;
- Child-Friendly Communication Channels: Establishing helplines, online platforms and community radio programs to ensure safe and accessible modes of expression;
- Supportive Environments: Collaborating with schools and communities to encourage respect for children's opinions through teacher, parent, and community leader training;
- Access to Information: Distributing child-friendly materials on rights, health, and education through publications, social media, and the Internet;
- Media Engagement: Partnering with media outlets to promote awareness of children's issues and portray their perspectives respectfully;
- Digital Literacy: Offering training on internet safety and the responsible use of digital tools to empower children in seeking and sharing information.

**Reply to paragraph 5 (a)**

33. Pakistan has made significant strides in strengthening its legal framework to combat child sexual abuse and exploitation, offering robust protection for both girls and boys. The Pakistan Penal Code (PPC) and the Anti-Rape (Investigation and Trial) Act of 2021 mandate specialized investigations and evidence-based prosecutions to ensure maximum convictions and prevent release of offenders or private settlement. The Child Protection and Welfare Bureau (CPWB) in Punjab plays a pivotal role in rescuing and rehabilitating children at risk. They offer essential services such as medical care, psychological support, and education. This initiative ensures legal action under laws such as the Trafficking in Persons (TIP) Act and the Child Marriage Restraint Act. In Sindh, the Child Protection Authority (SCPA) focuses on advocating comprehensive child protection laws, and provides critical victim support services, including a 24/7 helpline, psychological counseling, legal aid, and medical care. The SCPA also conducts training for personnel and awareness campaigns aimed at tackling stigma and facilitating rapid investigations. Balochistan has enhanced efforts to combat child abuse by using media, educational outreach, and community engagement to raise awareness while enforcing laws like the Child Protection Act. Meanwhile, Khyber Pakhtunkhwa amended its Child Protection and Welfare Act (KPCPWA) in 2022 to include clearer definitions, non-bailable offenses, severe penalties, and the elimination of parole and probation for offenders. A sexual offenders register has also been introduced.

**Reply to paragraph 5 (b)**

34. Refer to Para 3 (f).

**Reply to paragraph 5 (c)**

35. Pakistan has made significant strides in addressing and preventing all forms of violence against children through a comprehensive strategy involving laws, policies, budgetary commitments, and institutional frameworks. The country's Constitutional and legal framework prohibits child labor in hazardous environments and ensures the protection of families. At the provincial level, laws such as the Punjab Destitute and Neglected Children Act, 2007, the Sindh Child Protection Authority (Amendment) Act, 2021, the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010, and the Balochistan Child Protection

Act, 2016, provide extensive measures to protect children from abuse, exploitation, and neglect, while promoting access to education and healthcare. Strategic policies complement these laws. The MoHR has also made national pledges to end violence against children. Provincial agencies like the Child Protection and Welfare Bureau in Punjab, the Child Protection Authority in Sindh, the Child Protection Institute in Khyber Pakhtunkhwa, and the Child Protection Commission in Balochistan help implement these policies at the local level. Financially, the provincial and federal governments have committed significant resources to child welfare. In the fiscal year 2024-25, Punjab allocated Rs. 669.7 billion for education and Rs. 130 billion for social welfare programs benefiting children. Sindh allocated Rs. 519 billion for education and Rs. 34.9 billion for social welfare, while Khyber Pakhtunkhwa dedicated Rs. 362.68 billion for education and Rs. 9.51 billion for social welfare. Balochistan committed Rs. 126.62 billion for education and Rs. 13.35 billion for social welfare. Institutionally, key bodies such as the NCRC, the CPI, and the Zainab Alert, Response and Recovery Agency (ZARRA) coordinate efforts at the federal level. At the provincial level, agencies such as the Child Protection and Welfare Bureau and the Child Protection Authority work to ensure that laws and policies are implemented effectively. The National Mechanism for Reporting and Follow-up, led by the MoHR, strengthens coordination between federal and provincial bodies, tackling issues such as child labor, child marriages, and cyber abuse.

### **Reply to paragraph 5 (d)**

36. To address and prohibit corporal punishment, several legislative amendments are proposed, particularly to Section 89 of the Penal Code, the Punjab Destitute and Neglected Children Act, 2004, and the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010. The Punjab Free & Compulsory Education Act, 2014 (amended in 2022), already prohibits corporal punishment in schools, holding teachers and authorities accountable for any physical abuse. The Punjab government is working on further amendments to address physical and cyberbullying. Similarly, the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010, explicitly bans corporal punishment that harms a child's development, both at home and in institutions.

### **Reply to paragraph 5 (e) of the list of issues**

37. Please refer to 2(a). In addition, the Pakistan Penal Code (PPC) includes penalties for harmful practices like badla, wanni, swara, and forced marriages, as well as other forms of violence against women and children. The Government takes a proactive approach in eliminating all forms of violence against women including psychological, physical and sexual abuse, rape, burning and acid attacks, harassment, early and forced marriages, forced conversions, kidnapping and abduction, murder, and honor killing among others.

### **Reply to paragraph 5 (f)**

38. The Juvenile Justice System Act, 2018, is being fully implemented, including provisions related to case registration, investigation, and arrest for children. Under Section 7 of the Act, investigations of juvenile offenders are conducted by a Sub-Inspector, with the assistance of a Probation Officer. Children are exempt from punishment for Hadood offenses, and the law ensures that they are dealt with under the Juvenile Justice System Act. To strengthen the system, measures have been taken to improve management, investigation, diversion, and hearings for juveniles. Special courts have been established to expedite cases under the Juvenile Justice System Act, ensuring a more efficient and child-sensitive process.

### **Reply to paragraph 6 (a)**

39. Government of Pakistan has implemented welfare programs to provide financial assistance, psychological and social support and guidance to families in need, ensuring that financial poverty is not the sole reason for removing a child from parental care. Article 35 of the Constitution mandates the protection of marriage, family, mother and child, while Article

38 directs the state to secure basic necessities such as food, clothing, housing, education and medical relief. The Benazir Income Support Programme (BISP) plays a key role in supporting families facing hardship. Through Unconditional Cash Transfers (UCTs), BISP provides economic relief, reducing the risk of families losing parental care due to poverty. Additionally, BISP's Benazir Taleemi Wazaif program ensures that children from disadvantaged families access education by offering financial incentives for school enrollment and attendance. The Benazir Nashonuma Program, a Conditional Cash Transfer initiative, focuses on improving health and nutrition for pregnant and lactating women (PLW) and children under two years old with conditions such as attending health checks and ensuring immunization and nutrition. The Benazir Undergraduate Scholarship Project supports low-income students in public universities by providing scholarships for tuition, fees, and a monthly stipend. The program prioritizes female students and offers scholarships to persons with disabilities. To date, over 102,000 students have benefited, ensuring that financial barriers do not prevent access to education. These programs reflect the government's commitment to upholding constitutional guarantees and ensuring that no child is deprived of their basic rights, education, and well-being due to financial hardship.

### **Reply to paragraph 6 (b)**

40. The government is committed to securing children's right to grow up in a family environment where both parents have equal rights in matters relating to marriage and family relations. In line with this commitment, the government is taking steps to harmonize the legal age of marriage. This reform aims to protect the rights of children, ensuring that they are not subjected to early or forced marriages.

### **Reply to paragraph 6 (c)**

41. The Government of Pakistan has made significant efforts across different provinces to ensure children's right to grow up in a family environment, promoting equal rights for parents in matters of marriage and family relations. In Punjab, the CPWB has been instrumental in rescuing and rehabilitating abandoned children. CPWB plays a key role in fostering family-based care, reducing reliance on institutional facilities, and ensuring the safety and well-being of children. Additionally, CPWB handles the entrustment of custody of abandoned children under Section 28 of the PDNC Act 2004. Child Protection Units (CPUs) assess the suitability of potential guardians, conduct home visits, and ensure periodic reviews of placements, following a standardized framework for monitoring and follow-up.

42. In Khyber Pakhtunkhwa, the Khyber Pakhtunkhwa Child Protection and Welfare Council (KPCPWC) has initiated important reforms, including drafting minimum standards for alternative care and starting the deinstitutionalization process in Peshawar. In 2024, KPCPWC assessed 360 children for transitioning from institutional care to family and community-based care. The council's efforts focus on reducing institutional reliance and ensuring that children live in nurturing, family-type environments.

43. Sindh has taken a comprehensive approach to securing children's rights to grow up in family environments. The Sindh Child Protection Authority (SCPA) has developed an Alternative Care Policy that emphasizes family-based care options like kinship care. In addition, SCPA has implemented regulations to ensure the quality of care in alternative settings, providing monitoring and support for kinship care providers.

44. In Balochistan, the government has been focusing on strengthening child protection mechanisms to ensure children grow up in a family environment. The Balochistan Child Protection and Welfare Bureau (BCPWB) has been active in rescuing children from hazardous situations and providing them with necessary rehabilitation services. In 2024, BCPWB initiated a program to assess and place children in foster care or kinship care arrangements, reducing the reliance on institutional facilities.

**Reply to paragraph 6 (d)**

45. To ensure effective monitoring of children under the guardianship system, a standardized process and documentation framework has been developed and adopted. This process includes a uniform format for assessing applicant families, designed in accordance with court guidelines.

46. Assessment Process: To ensure the child's best interests are prioritized, CPUs assess the family's ability to provide a safe, supportive, and nurturing environment.

47. Court Recommendations: Based on the assessment findings, CPUs prepare detailed reports to inform court decisions including recommendations regarding the suitability of the applicant family and conditions necessary to the child's welfare.

48. Monitoring and Follow-up: After the court's decision, CPUs oversee the periodic monitoring of the child's well-being at intervals determined by the court, typically ranging from six months to two years. CPUs document these monitoring visits, ensuring compliance with the guardianship terms and promptly addressing issues or concerns.

**Reply to paragraph 7 (a)**

49. Pakistan is fully implementing the ICT Rights of Persons with Disability Act 2020. The law's implementation is overseen by the Council for Rights of Disabled Persons (CRPD), which includes the Medical Assessment Board. To date, the board has issued 3,322 disability certificates at the ICT level, enabling PWDs to access vital services and rights. In the past year, the Directorate General of Special Education (DGSE) provided services to 1,446 individuals with disabilities in Islamabad through its special centers. DGSE focused on enhancing the independence of PWDs by offering tailored education, equipping them with vocational skills, and providing therapeutic support like speech and occupational therapy. Additionally, assistive aids such as hearing devices and mobility tools were provided to help individuals overcome their challenges. Furthermore, DGSE promotes self-employment by distributing toolkits to PWDs, empowering them to start small businesses. The DGSE also operates a Hi-Tech Orthopedic Workshop, which provides artificial limbs to those in need. Beyond these services, DGSE conducts community awareness programs, medical camps, and seminars to support PWDs and their families.

50. Description of Various Centers for Special Education and Rehabilitation Services established under DGSE:

(a) National Special Education Centre for Physically Handicapped Children, Islamabad. This center provides education, pre-vocational skills, and medical rehabilitative services to over 201 children with physical disabilities from the Federal Capital Territory and its surrounding areas. The center offers physiotherapy, speech therapy, occupational therapy, and assistive orthopedic equipment to support the development of children with physical disabilities;

(b) Al-Makhtoom National Special Education Centre for Visually Handicapped Children. The center offers high-quality education, training, and rehabilitation for visually impaired children. Services include free education from Prep to Intermediate, pick-and-drop facilities, Braille books, white canes, low-vision devices, sports, extracurricular activities, and a Parent-Teacher Association. Hostel facilities are available for students from remote areas;

(c) National Special Education Centre for Hearing Impaired Children This center focuses on the education and rehabilitation of hearing-impaired children across the country. It offers free education from nursery to degree level, audiological services, speech therapy, first-aid medical services, parent counseling, and free boarding/lodging for 50 special students. The center also provides library and computer lab facilities, pre-vocational training, and sports;

(d) National Institute of Special Education (NISE) Established in 1986, NISE trains professionals involved in the education, training, and rehabilitation of children with

disabilities. The institute organizes long- and short-term courses for educators, counselors, and experts in special education and rehabilitation sciences;

(e) National Mobility & Independence Training Centre (NM&ITC), Islamabad. The NM&ITC offers free training courses for visually impaired persons, focusing on orientation and mobility, white cane techniques, sports, computer courses, daily living skills, and arts and crafts. The center provides essential training to students, teachers, doctors, parents, and NGO workers;

(f) National Library & Resource Centre. This center serves as a national library and resource hub for individuals with disabilities. It provides technological and digital resources and literature on disabilities;

(g) Vocational Rehabilitation & Employment of Disabled Persons (VREDP). VREDP is a non-institutionalized, community-based rehabilitation program that focuses on the social, vocational, and economic empowerment of persons with disabilities (PWDs) through skills training, job placement, and community awareness initiatives;

(h) Community-Based Rehabilitation (CBR). CBR is a community development strategy that empowers persons with disabilities to live fulfilling lives within their communities by focusing on rehabilitation, education, employment opportunities, and the provision of assistive devices.

### **Reply to paragraph 7 (b)**

51. The government of Pakistan has implemented a national strategy to promote the rights and inclusion of persons with disabilities, with a particular focus on children. Key initiatives include the establishment of councils on the rights of persons with disabilities and district-level assessment boards, which are involved in disability assessments and issuing certificates. These services are supported through management information systems that facilitate the process of tracking and offering services. Essential services such as free medical treatment, provision of prosthetic limbs and financial assistance are being provided to individuals with disabilities. Furthermore, multiple projects have been initiated to enhance the welfare of disabled students, including the construction of special education centers in various districts, as well as new schools to meet the growing demand for educational facilities for children with disabilities. Efforts have also been made to improve transportation facilities for students, such as the provision of buses, and enhancing Braille printing presses to numerous institutions nationwide that provide specialized education and training, including for visually impaired children, mentally challenged children, hearing-impaired children, physically disabled children, and slow learners. In addition, a significant number of special education centers have been established at the district and tehsil levels to ensure that children with disabilities have access to quality education close to their homes. Moreover, a number of degree colleges have been set up to provide higher education opportunities for disabled students. To ensure that the teachers working with special needs students are adequately trained, teachers' training colleges and in-service training colleges have been established. Special education, vocational training, and rehabilitation services are being offered through various programs across the country.

### **Reply to paragraph 7 (c)**

52. The Pakistan Bureau of Statistics (PBS), as the National Statistical Organization, has successfully conducted the PSLM District Level Survey, which includes a Disability module designed by the Washington Group. This initiative, approved by the Technical Committee for the Disability Module, aimed to ensure reliable district-level disability estimates. To achieve this, the usual PSLM survey sample size of 80,000 households was expanded to 195,000 households, ensuring comprehensive coverage and representation of disability data. The Survey Report is attached as Annex-I.

## Reply to paragraph 8

53. The federal and provincial governments across Pakistan have launched several maternal and child health (MCH) programs aimed at reducing neonatal, infant and under-5 mortality rates. These initiatives focus on integrated health projects that emphasize the accessibility of quality healthcare services at the community level. One of the key components of these programs is the deployment of Lady Health Workers (LHWs) who provide essential services in family planning, maternal care and child health at the grassroots level. Additionally, Basic Health Units (BHUs) and Rural Health Centers (RHCs) have been strengthened to offer 24/7 services and specialized care, particularly for antenatal care (ANC), postnatal care (PNC), immunization, and breastfeeding counseling.

### Antenatal and Postnatal Services

54. To improve antenatal and postnatal care, a range of strategies have been implemented across the provinces. Enhanced coordination among various health departments, including technical working groups, has led to better resource allocation and planning for maternal and child health services. broader plan to address the immediate health needs of mothers and infants. Neonatal Intensive Care Units (NICUs) have been expanded in several hospitals to provide specialized care to newborns, and home-based newborn care services have been introduced to ensure early detection of health issues. Additionally, healthcare providers across the provinces have received training in Integrated Management of Neonatal and Childhood Illness (IMNCI), helping them to address a wide range of health issues, from newborn care to maternal education. P&SH Department measures quality & availability of services through Monitoring & Evaluation Assistants (MEA) on monthly basis.

55. The Number of women who took ANC, PNC and FP services plus the number of children served by PWDS from January 2016 to November 2024 is as follows:

<i>Year</i>	<i>No. of Women took ANC</i>	<i>No. of Women took PNC</i>	<i>No. of Women took FP services</i>	<i>No. of Children Served</i>
2016	163,527	136,356	1,336,082	112,964
2017	168,444	141,833	1,398,113	104,513
2018	175,855	147,256	1,438,558	103,490
2019	200,588	154,130	1,759,026	110,756
2020	197,596	122,032	1,764,089	105,387
2021	203,186	139,453	1,588,208	106,537
2022	156,362	122,129	1,593,559	87,474
2023	132,768	106,532	1,480,095	76,622
2024*	96,391	78,892	1,236,448	54,898
<b>Total</b>	<b>1,494,717</b>	<b>1,148,613</b>	<b>13,594,178</b>	<b>862,641</b>

### Strengthening Immunization Efforts

56. Throughout Pakistan, vaccination services are delivered through fixed sites, outreach teams and mobile vaccination sessions, particularly targeting hard-to-reach areas. Awareness campaigns engage health workers, religious leaders and media to emphasize the importance of vaccines. The use of digital tools like the National Electronic Immunization Registry (NEIR) has enhanced the monitoring and improvement of immunization coverage, enabling the government to track vaccination records and identify gaps. In 2024, 2.8 million doses of oral polio vaccine were procured and distributed, surpassing initial targets. 90% of infants born between October 2023 and August 2024 received timely immunization.

### Addressing Malnutrition and Stunting

57. The government has implemented various programs to address concerns related to malnutrition, particularly stunting. Prime Minister's National Health Program (PMNHP) is a milestone towards social welfare reforms; ensuring that the identified under-privileged citizens across the country get access to their entitled medical health care in a swift and dignified manner without any financial obligations. The program focuses on improving maternal and child nutrition through breastfeeding promotion, micronutrient supplementation and nutritional counseling. As a result, the initiative has contributed to a reduction in stunting rates, reaching over 5 million children under 5 years old and providing nutritional support to more than 2 million pregnant women in 2024. Food fortification programs, including salt iodization and wheat flour fortification, have benefitted over 40 million people across the country. Furthermore, deworming initiatives have reached over 12 million children, while the treatment of severe acute malnutrition (SAM) has provided direct care to more than 300,000 children.

### Reducing Maternal Mortality and Health Indicators

58. Life expectancy at birth in Pakistan has shown modest improvement over recent years. In 2022, the life expectancy for men was 65.1 years, while for women, it was 69.1 years. This improvement is attributed to various government health initiatives, including expanded immunization programs and efforts to control communicable diseases. In 2022, Pakistan's total fertility rate (TFR) stood at 3.6. The birth rate in Pakistan was recorded at 28.1 births per 1,000 people in 2022, reflecting the country's young population and relatively high fertility rates. In contrast, Pakistan's death rate was 6.5 per 1,000 people in 2022. This rate indicates a gradual decline due to better healthcare access and preventive measures. The infant mortality rate, though still high, has improved over the years. It was recorded at 50.9 per 1,000 live births in 2022. Meanwhile, the maternal mortality ratio stood at 137 per 100,000 live births, which shows the persistent challenges in maternal health care despite progress. During the reporting period, there has been significant progress in increasing the uptake of prenatal consultations, with 77% of mothers attending consultations during their last pregnancy. The attended birth rate, assisted by skilled birth attendants, has also significantly increased from 58% to 68%. The Government also administered Tetanus Toxoid injections to 77% of pregnant women to safeguard the health of infants and women during pregnancy and childbirth. Furthermore, the implementation of conditional cash transfer programs showcases a focus on enhanced maternal and child health. These efforts have resulted in a decrease in Maternal Mortality Rate, Infant Mortality Rate, and Neo-Natal Mortality Rate.

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#### *Infant and neo-natal mortality rate*

<i>Year</i>	<i>Infant Mortality Rate</i>	<i>Neo-natal Mortality Rate</i>
2019	55.7	41.2
2020	54.2	40.4

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### Mental Health Services and Adolescent Health

59. Mental health services have become an increasing priority in Pakistan, particularly with growing awareness of mental health issues among adolescents. Across all provinces, Mental Health and Psychosocial Support (MHPSS) programs have been developed to integrate mental health services with other areas of healthcare, including sexual and reproductive health. Healthcare providers have been trained to recognize and address mental health issues among adolescents and adults, offering services that include counseling, therapy and support for those dealing with anxiety, depression, and other psychological challenges.

### Reproductive Health Services

60. The Government of Pakistan has established the National Service Delivery Standards and Guidelines for High-Quality Safe Uterine Evacuation/Post-Abortion Care (2018). This

framework outlines protocols for delivering comprehensive uterine evacuation care during the first trimester and post-abortion care. In addition to this, the Government of Pakistan's Universal Health Coverage benefit packages, the Guidelines on Ending Preventable Maternal Mortality, Intrapartum and Post-natal Care, inclusion of Manual Vacuum Aspiration in the Essential Package of Health Services and Essential Lists as the reproductive health technology of choice for providing safe uterine evacuations and post-abortion care, and LHWs Strategic Plan 2022-2028 serve as the government's commitment to safeguarding women's reproductive health.

61. The Government of Punjab has proposed a new bill, i.e., the Punjab Reproductive Health Rights and Family Planning Bill, 2021, which aims to tackle a range of reproductive health concerns. Similar bill is being considered in Balochistan. In addition to this, the Integrated Reproductive Maternal Newborn Child Health & Nutrition Program in Punjab aims to provide accessible and quality reproductive, maternal, newborn, child, and adolescent health services. The Punjab Health Department has also approved the Service Delivery Standards and Guidelines for High-Quality Safe Uterine Evacuation and Post-Abortion Care in 2015, which are now implemented across all healthcare facilities in the province.

62. Furthermore, provinces have implemented comprehensive family planning and reproductive health programs addressing reproductive health and family planning. The LHWs in the provinces work to provide reproductive health services to all women, particularly in rural areas.

63. Pakistan Bureau of Statistics regularly publishes Contraceptive Performance Report based on Family Planning Service Statistics. The annual estimate of the modern Contraceptive Prevalence Rate (mCPR) for 2020-21 was 46.4%, 44.1% during 2019-2020 and 42.8% during 2018-19. The Government also actively conducts family planning campaigns to raise awareness and promote family planning.

#### **Family Planning Initiatives**

64. The government has significantly expanded access to contraceptive services through its family planning programs. These services are widely available at over 3,000 service delivery points operated by Population Welfare Departments and more than 7,000 facilities managed by Health Departments.

#### **Maternal Health and Reduction of Unsafe Abortions**

65. Several initiatives aim to improve maternal health and reduce unsafe abortions. Misoprostol, a medication for managing postpartum hemorrhage and early pregnancy bleeding, is widely registered, and training is provided to healthcare providers on safe abortion procedures like Manual Vacuum Aspiration (MVA). In addition to this, modern contraceptive methods are a central focus of the government to prevent unintended pregnancies and unsafe abortions. Key statistics include:

- Maternal Deaths Averted: Increased from 5,200 in 2019 to 6,600 in 2023 due to modern contraceptive use;
- Unintended Pregnancies Averted: Increased from 3.66 million in 2019 to 4.57 million in 2023;
- Unsafe Abortions Averted: Increased from 1.92 million in 2019 to 2.4 million in 2023.

#### **Family Planning Indicators 2019 – 2023**

<i>Year</i>	<i>Total Users of Modern Contraceptives (mn)</i>	<i>Modern Contraceptive Prevalence Rate (%)</i>	<i>Unintended Pregnancies Averted (mn)</i>	<i>Unsafe Abortions Averted (mn)</i>
2019	9.97	18.3	3.66	1.92
2020	10.53	18.9	3.86	2.03
2021	11.18	19.5	4.1	2.15
2022	11.77	20	4.32	2.27

<i>Year</i>	<i>Total Users of Modern Contraceptives (mn)</i>	<i>Modern Contraceptive Prevalence Rate (%)</i>	<i>Unintended Pregnancies Averted (mn)</i>	<i>Unsafe Abortions Averted (mn)</i>
2023	12.46	20.7	4.57	2.4

### **Awareness and Capacity Building**

66. Recognizing the cultural and religious sensitivities surrounding abortion, the Government is conducting carefully designed awareness campaigns for both service providers and the general community. These campaigns focus on overcoming the stigma associated with abortion and informing stakeholders about its legal status.

### **Reply to paragraph 9**

67. The Government reinforced its commitment to sustainable development through the National Adaptation Plan 2023. This plan covers a broad spectrum of initiatives, such as promoting climate-smart practices, updating irrigation methods, formulating a growth strategy, and tackling water and rainfall fluctuations. Steps to address environmental degradation include the creation of the Pakistan Water, Sanitation and Hygiene (WASH) Strategic Planning and Coordination Cell, which aims to facilitate the achievement of SDG 6.1 and 6.2. Moreover, establishing the Climate Resilient Urban Human Settlement Unit emphasizes building climate-resilient and sustainable cities. The Government of Sindh took various initiative to implement projects focused on canal lining, urban efficiency, and the development of a zero-emissions bus rapid transit system. The Government of Punjab has successfully implemented clean energy projects, including converting ten thousand schools to solar energy. The Government of Khyber Pakhtunkhwa also initiated projects focused on hydropower and tree plantation to address environmental degradation and promote alternative energy sources.

### **Preventing and Mitigating the Impact of Floods**

68. The Government of Pakistan developed a Resilient Recovery, Rehabilitation, and Reconstruction Policy in response to the 2022 floods. This policy covers various measures, such as creating a comprehensive hydrological database, models for predicting floods, and a unified approach to managing flood control. The Government is also prioritizing investments in early warning systems, disaster risk governance, and infrastructure resilience to recover from floods and effectively ensure a more robust future.

69. In addition to this, the Government has established a Federal Flood Commission (FFC) under the Ministry of Water for mitigating the impacts of flooding in Pakistan.

### **Reply to paragraph 10 (a)**

70. Pakistan has taken several steps to ensure universal, free and compulsory primary education and to guarantee access to free secondary education for all children. The National Education Policy Framework 2018 prioritizes out-of-school children (OOSC) and expanding secondary education, particularly for girls. It includes measures such as establishing new schools, upgrading existing ones and providing transport in remote areas. Additionally, non-formal and accelerated learning programs help reintegrate children into the education system. All provinces have Education Sector Plans that emphasize gender equality, removing gender stereotypes from curricula and promoting inclusive education.

71. The National Fund for Out-of-School Children (PKR 25 billion) was launched to support disadvantaged children, with both public and private institutions assisting in their identification and enrollment. In Punjab, the Zever-e-Taleem Programme provides stipends to female students in low-literacy districts, benefiting over 813,000 girls since 2017. The Punjab Education Sector Plan (PESP) 2019/20 – 2023/24 focuses on inclusion, governance, and equity in education, while initiatives like Taleem Ghar and Insaaf Afternoon School Program aim to address learning gaps.

**Reply to paragraph 10 (b)**

72. The Government of Pakistan, through the Ministry of Federal Education and Professional Training (MoFE&PT), is implementing initiatives to boost school enrollment and improve educational quality. Efforts include recruiting qualified teachers, deploying Teach for Pakistan fellows to rural areas, and launching financial aid programs like the Girls' Stipend and Conditional Cash Transfer initiatives, which have collectively resulted in a 24% increase in girls' enrollment.

**Reply to paragraph 10 (c)**

73. The federal and provincial governments of Pakistan are working to ensure inclusive education for children with disabilities by improving school facilities and accessibility. Under the ICT Rights of Persons with Disability Act 2020, the Directorate General of Special Education (DGSE) has expanded special education centers, vocational training, and assistive aid programs. Provincial governments have established district-level special education centers and integrated inclusive education policies into mainstream schools.

**Reply to paragraph 10 (d)**

74. The federal and provincial governments of Pakistan have undertaken extensive measures to improve school infrastructure, particularly in areas affected by natural disasters and conflict. Following the 2022 floods, comprehensive assessments identified schools requiring urgent rehabilitation, and prefabricated structures were deployed in severely affected areas to ensure continuity of education while permanent reconstruction progressed.

75. In Punjab, PKR 654.8 million was utilized to rehabilitate 2,018 flood-affected schools in Dera Ghazi Khan and Rajanpur under the PHCIP and TALEEM projects. Under the ASPIRE project, PKR 1,538 million was allocated for constructing 227 classrooms and providing furniture for 1,033 classrooms in marginalized districts of South Punjab. Additionally, PKR 56 million was used to rehabilitate toilets in 1,887 girls' schools. PKR 1,335 million was allocated for the establishment of 112 new IT labs and the revamping of 388 existing IT labs across nine districts.

76. In Khyber Pakhtunkhwa (KP), PDMA-PaRRSA successfully reconstructed 264 schools. These efforts restored education for approximately 140,000 students. The schools were designed with seismic-resistant structures and safety plans to ensure long-term sustainability.

77. In Balochistan, efforts focused on strengthening disaster-resilient school infrastructure, including earthquake- and flood-resistant buildings. The government installed water supply systems, boreholes, and RO plants in schools to provide clean drinking water. Over 1,000 sex-segregated toilets were constructed, and renewable energy sources such as solar panels were introduced for lighting and heating in schools. Temporary Learning Centers (TLCs) were set up in disaster-affected areas for uninterrupted access to education.

78. In Sindh, assessments identified severely damaged schools, and prefabricated structures were deployed to maintain learning continuity. Several projects facilitated the rapid establishment of TLCs and the reconstruction of affected schools.

**Reply to paragraph 10 (e)**

79. The Federal Directorate of Education, in collaboration with NAVTTC and other organizations, is actively enhancing the quality of education by providing targeted training and incentives for teachers, particularly in rural areas. Female teachers receive specialized training in modern technology, scientific knowledge, mathematical applications, and vocational skills. Furthermore, 2,500 Madaris students are currently undergoing vocational training in technical institutes across the country through a DGRE-NAVTTC initiative. The government also ensures regular monitoring of school curricula and teaching methods,

including in Madaris, to maintain educational standards and improve learning outcomes nationwide.

### **Reply to paragraph 11**

80. Although Pakistan is not a party to the 1951 Refugee Convention or its 1967 Protocol, it adheres to international standards of refugee protection under customary international law. The UNHCR conducts refugee status determinations on behalf of the Government of Pakistan, and Pakistan generally accepts UNHCR's decisions, allowing asylum-seekers and refugees to remain in the country pending a durable solution.

81. The government's Illegal Foreigners' Repatriation Plan (IFRP), approved in 2023, addresses the presence of unregistered foreigners, including Afghan nationals. The phased plan, which began in November 2023, focuses on deporting illegal foreigners, including those with overstayed visas or fraudulent documents. The plan emphasizes humane implementation and ensures adherence to international humanitarian standards. Key to the IFRP is the provision of Humanitarian Safe Passage exit permits for Afghan nationals wishing to relocate to third countries, ensuring they are not forcibly returned to unsafe regions.

82. More than 600,000 refugees have voluntarily returned to Afghanistan, with only 30,000 deported. Registered refugees with valid documents in Pakistan have access to basic services, including education and healthcare. Refugee children can attend Pakistani schools, and refugees can access both public and private healthcare. As per the tripartite agreement with Afghanistan and UNHCR, repatriation of Afghan refugees holding valid PoR cards is voluntary and dignified.

### **Reply to paragraph 12 (a)**

83. The Government of Pakistan has implemented various measures to improve minorities' access to employment, healthcare, education, and basic services. A 5% job quota for minorities (BPS-01 to BPS-22), introduced in 2009, is enforced nationwide to enhance representation in public service, law enforcement, and academia. Discriminatory recruitment practices, such as "Christian only" conditions for sanitation workers, have been prohibited. The Ministry of Religious Affairs allocated Rs. 105 million for the Minorities Welfare Fund in FY 2023-24. The Benazir Income Support Program (BISP) provides Rs. 3,500 monthly to disadvantaged families, with substantial disbursements to minority communities, such as Rs. 1.266 billion in District Badin alone. Provincially, Sindh allocated Rs. 1.557 billion for minority welfare in FY 2024-25. Punjab designated Rs. 2.5 billion for minority development, Rs. 60 million for financial assistance, and Rs. 50 million for scholarships. Khyber Pakhtunkhwa approved Rs. 513 million for the construction and renovation of 109 worship places, launched skill development schemes, and provided scholarships to minority students. Balochistan allocated Rs. 50 million for an endowment fund, Rs. 89 million for financial assistance, and Rs. 240 million for renovating 213 worship places. Additionally, Rs. 105 million was spent on medical assistance for minorities suffering from chronic illnesses.

### **Reply to paragraph 12 (b)**

84. Pakistan has undertaken significant efforts to combat child labor through legislative measures and rigorous inspection systems across its provinces. In Punjab, the Labour Department conducted 51,678 inspections from January 2019 to April 2020, addressing 3,600 child labor incidents. Targeted campaigns in August 2020 identified 896 additional cases through nearly 4,000 inspections. Sindh's Child Protection Authority, active since 2018, has combined enforcement with awareness programs to address child labor. In Khyber Pakhtunkhwa, the KP Prohibition of Employment of Children Act resulted in 56,949 inspections from 2018 to 2024, leading to 1,371 prosecutions. Balochistan enforced the Balochistan Employment of Children (Prohibition and Regulation) Act, identifying 221 violations since 2018 and imposing fines.

**Reply to paragraph 12 (c)**

85. The Government of Pakistan, in collaboration with all provincial governments, has adopted comprehensive and effective strategies to address the needs of street children. Through initiatives such as Open Reception Centers (ORCs), children at risk are identified and registered, ensuring they receive basic education, counseling, and essential services. These centers, both permanent and mobile, are strategically located to minimize the time children spend on the streets, reducing their exposure to harm and associated risks.

**Reply to paragraph 12 (d)**

86. The Federal Investigation Agency (FIA) plays a crucial role in addressing external trafficking, including cases involving children trafficked across international borders, while internal trafficking remains under the jurisdiction of local police and provincial authorities. To combat external child trafficking, the FIA has implemented the Trafficking in Persons (TIP) Act, 2018, which prescribes strict punishments for traffickers, with enhanced penalties for offenses involving children. Pakistan also acceded to the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons in 2022.

87. The FIA, in collaboration with UNODC, developed a five-year National Action Plan to Combat Human Trafficking and Migrant Smuggling, focusing on capacity building, awareness, coordination, and victim protection mechanisms. SOPs are in place to identify child victims and refer them to appropriate support services.

**Reply to paragraph 12 (e)**

88. Draft legislation to criminalize enforced is under preparation for presentation in Parliament.

**Reply to paragraph 13 (a)**

89. The provisions of the Juvenile Justice System Act, 2018, are being implemented to ensure fair treatment and protection of juveniles in conflict with the law. Sections 5, 7, and 13 of the Act specifically address:

- Arrest of Juveniles: Juveniles who are arrested must be kept in observation homes. Authorities are required to promptly inform their guardians and notify the concerned probation officer to assist the Juvenile Court with relevant information. Juveniles cannot be arrested under preventive detention laws or specific provisions of the Code of Criminal Procedure;
- Investigation Procedures: Juvenile cases must be investigated by officers of appropriate rank, with the involvement of probation or social welfare officers who prepare social investigation reports to support the inquiry process;
- Disclosure of Identity: To protect the privacy and dignity of juveniles, the publication or disclosure of their identity is strictly prohibited with violations punishable by imprisonment and fines.

**Reply to paragraph 13 (b)**

90. Pakistan has replaced the Juvenile Justice System Ordinance 2000 with the Juvenile Justice System Act 2018, a comprehensive legal framework aligned with international obligations. The Act prohibits the imposition of capital punishment for individuals who were under 18 years of age at the time of the offense and ensures the protection of juveniles' rights. It guarantees the right to free legal assistance for every juvenile or child victim of an offense, with juveniles being informed of this right within 24 hours of being taken into custody. The Act also introduces a diversion mechanism as an alternative to formal judicial proceedings,

allowing complaints against juveniles to be resolved based on their social, cultural, economic, psychological, and educational circumstances.

### **Reply to paragraph 13 (c)**

91. In January 2019, in the landmark case of NCSW vs. The Government of Pakistan, the Supreme Court of Pakistan addressed the role of informal forums such as jirgas and panchayats. The Court declared these forums illegal under the Constitution and Pakistan's international human rights obligations, emphasizing that any decisions or orders issued by such bodies lack legal standing. However, the judgment permitted these forums to function as platforms for arbitration, mediation, or negotiation, provided they do not encroach upon the jurisdiction of ordinary courts. Furthermore, the ruling ensured that women and girls subjected to discrimination or injustice by these informal systems have access to legal remedies.

### **Reply to paragraph 13 (d)**

92. Please see paragraphs 13 (a) and (b).

### **Reply to paragraph 13 (e)**

93. The government of Pakistan is actively enforcing measures to prevent the recruitment and use of children by non-state armed including through awareness raising seminars at universities and colleges.

94. Please see 3(d).

95. Stringent security protocols have also been adopted, including two-tier searches at entry and exit points, security rehearsals, and the installation of security desks and facilitation centers. Vantage points are established for better monitoring, and police patrolling is conducted regularly, especially near girls' schools, to prevent attacks and illegal activities. Control rooms are operational, panic buttons are activated, and security audits of educational institutions are carried out monthly.

## **Part two**

### **Reply to paragraph 14**

96. Brief is enclosed as Annex II.

## **Part three**

### **Data, Statistics and other information**

### **Reply to paragraph 15**

97. Response is enclosed as Annex III.

### **Reply to paragraph 16**

98. Response is enclosed as Annex IV.

**Reply to paragraph 17**

99. Response is enclosed as Annex V.

**Reply to paragraph 18**

100. Response is enclosed as Annex VI.

**Reply to paragraph 19**

101. Response is enclosed as Annex VII.

**Reply to paragraph 20**

102. As per UNHCR Pakistan hosts approximately 1.9 million refugees, primarily from Afghanistan. According to the United Nations High Commissioner for Refugees (UNHCR), about 52% of these refugees are children, which equates to over 1 million refugee children residing in Pakistan. The government of Pakistan, with UNHCR support, has completed the verification of some 1.3 million registered Afghan refugees residing in Pakistan. The refugee children with valid documents are given access to all education, health and social services by the government.

**Reply to paragraph 21**

103. Pakistan's commitment to achieving the SDGs ensures that national policies, legislation, and programs are consistent with obligations under the CRC. The government has taken several measures to integrate child rights into development frameworks, focusing on key areas such as education, health, poverty reduction, and child protection.

**Reply to paragraph 22**

104. Updated data has been incorporated in the Report.

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