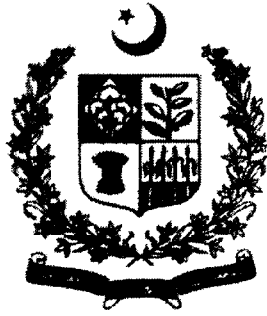


**COMMITTEE ON THE
RIGHTS OF THE CHILD**

**WRITTEN REPLIES BY THE GOVERNMENT OF PAKISTAN CONCERNING
THE LIST OF ISSUES (CRC/C/Q/PAK/2) RECEIVED BY THE COMMITTEE
ON THE RIGHTS OF THE CHILD RELATING TO THE CONSIDERATION
OF THE SECOND PERIODIC REPORT OF PAKISTAN (CRC/C/93/Add.4)**

[Received on 6 August 2003]

CRC/C/RESP/38



**IMPLEMENTATION OF THE CONVENTION ON THE
RIGHTS OF THE CHILD**

**PAKISTAN'S RESPONSE TO LIST OF ISSUES TO BE TAKEN
UP BY THE UN COMMITTEE ON THE RIGHTS OF THE
CHILD IN CONNECTION WITH THE CONSIDERATION OF
THE SECOND PERIODIC REPORT OF PAKISTAN
ON 22ND SEPTEMBER 2003
IN GENEVA**

Prepared by

Ministry of Women Development, Social Welfare
and Special Education
National Commission for Child Welfare And Development

1. Please provide disaggregated data (by gender, age groups, ethnic minority, urban or rural areas) covering the period between 2000 and 2002 on the number and proportion of children under 18 living in the State party.

Response:

In the following tables there is a detailed disaggregated data (Table 1.1) on rural / urban population size in percentage from age group 0-18 and for the period 1999-2002. In addition the table 1.2 shows age group wise distribution of children's population in urban / rural areas. No separate data of children belonging to minorities is available. However population ratio of minority groups according to Census Report of 1998 is 3.8% which could be an indicator to assess the ratio of children from minorities.

Table 1.1
Population estimates of Age Groups 0-18 Years, Pakistan

Year	Population	All Areas			Urban			Rural		
		Both Sexes	Male	Female	Both Sexes	Male	Female	Both Sexes	Male	Female
1999	Size (million)	67.38	32.86	32.52	22.23	11.47	10.78	45.14	23.39	21.75
	Percent (%)	50.06	49.88	50.26	50.06	50.06	50.12	50.05	49.77	50.35
2000	Size (million)	68.02	35.18	32.83	22.71	11.70	11.00	45.31	23.47	21.83
	Percent (%)	49.43	49.27	49.59	49.36	49.37	49.31	49.41	49.10	49.73
2001	Size (million)	68.53	35.45	33.10	23.16	11.95	11.22	45.38	23.51	21.87
	Percent (%)	48.74	48.56	48.90	48.75	48.76	48.56	48.74	48.47	49.03
2002	Size (million)	68.89	35.62	33.28	23.58	12.16	11.42	45.32	23.46	21.84
	Percent (%)	47.97	47.82	48.16	47.93	48.06	47.80	47.95	47.69	48.22

Source: Population estimated by NIPS on the basis of 1998 Census age structure and population size.

Table 1.2
Age Group Wise Population of Children

Age Groups	All Areas			Rural			Urban		
	Both Sexes	Male	Female	Both Sexes	Male	Female	Both Sexes	Male	Female
0 - 4	19,118	9,761	9,357	13,534	6,907	6,627	5,584	2,854	2,730
5 - 9	20,215	10,571	9,644	14,211	7,466	6,745	6,004	3,105	2,899
10 - 14	16,732	8,909	7,822	11,106	5,973	5,132	5,625	2,935	2,690
15 - 19	13,400	6,909	6,490	8,553	4,396	4,157	4,846	2,513	2,333

Source: Population estimated by NIPS on the basis of 1998 Census age structure and population size.

2. In light of article 4 of the Convention, please provide additional disaggregated data (by region) for 2001-2003, budget allocations and trends (in percentage of the national and regional budgets or GDP allocated to the implementation of the Convention, evaluating also the priorities for budgetary expenditure given to the following.

Response:

The convention is a multi-sectoral instrument, its implementation requires allocation in different sectors like education, health, etc. Allocations in key sectors are given below.

a) **Education, including pre-school, primary, secondary and special as well as madrasa;**

Table 2.1
National Education Budget During (2000 to 2002-03)

Years	Budget		Total Education Budget	% of GDP	Budget		Total for Children <18 years of age
	Recurring	Development			Elementary	Secondary	
2000-01	54.396	1.966	56.362	1.60	19.163	5.6362	24.799
2001-02	64.975	2.500	67.475	1.90	22.942	6.7475	29.690
2002-03	67.270	2.604	69.874	1.70	23.757	6.9874	30.744

(Rs. In Billion)

Source: ministry of Education

Note: The Elementary Education Budget is 34% of the total budget and the Secondary Education Budget is 10% of the Total budget.

b) **Child related health and nutrition services;**

Over the years there has been an increase in amount of expenditure on health which is now estimated at Rs.28.814 billion (Rs.6.609 billion development and Rs.22.205 billion as recurring) showing an increase of 13.4 percent over last year. However it works out to be 0.7 percent of GDP once again.

Table 2.2
National Health and Nutrition Expenditure (1999 to 2002-03)

Years	Expenditure		Total Health Budget	% of GDP	Expenditure on children & Women
	Development	Current			
1999-00	5,887	16,190	22,077	0.7	15,453.9
2000-01	5,944	18,337	24,281	0.7	16,996.7
2001-02	6,688	18,717	25,405	0.7	17,783.5
2002-03	6,609	22,205	28,814	0.7	20,169.8

(Rs. In Millions)

Source: Planning & Development Division

Note: The Expenditure on Children and Women is 70% of total health budget.

c) **Budget allocation in favour of children with disabilities.**

Table 2.3

Regions	(Rs. In Millions)		
	2000-2001	2001-2002	2002-2003
Federal Govt. *DGSE	117.88	98.19	127.19
Punjab	139.17	141.77	180.92
Sindh	28.53	**	**
NWFP	35.8	37.00	40.66
Balochistan			14.78

Source: Directorate General of Special Education Provincial Governments

d) **Social Welfare and support programmes for families.**

Table 2.4

	(Rs. In Millions)		
	2000	2001	2002
Food support Programme	250	2500	250
Family Protection and Rehabilitation	80	80	120
Community Education and Action Centres	0.73	13.6	13.4
Support to families through Zakat fund	-	2,000	5,000

Source: Pakistan Bait-ul-Maal

e) **Protection of children who are in need of alternative care including the support of care institutions;**

Table 2.5

National Centres for Rehabilitation of Child Labour

Areas	(Rs. In Million)		
	2000-2001	2001-2002	2002-2003
Punjab Province	9.33	13.11	18.19
Sindh Province	3.30	10.76	21.21
NWFP Province	3.48	6.23	11.22
Balochistan Province	1.55	2.39	5.29
Islamabad Capital Territory	0.77	2.67	4.85
Total	18.44	35.17	60.80

Source: Pakistan Bait-ul-Maal

Private institutions and Deni Madaras (3706 all over the country) provide the services to the orphan and destitute children. An amount of Rs. 8 billion is reserved IN the current budget for madrasa education. The Government also provides grant in Aid to some of these intuitions through National Council of Social Welfare (NCSW) and Bait-ul-Mal. The figures of NCSW are available.

** Since the new local government system has not fully taken its roots therefore it is not possible right now to collect the requisite information. It is hoped that data concerning the district governments will be presented in the next report as

Table 2.6

(Rs. in Millions)

	2000	2001	2002
National Council of Social Welfare	4	4	3.328

Source: National Council of Social Welfare

f) Juvenile justice;**Ten year Perspective Plan and the Juvenile Justice System.**

A tentative allocation of Rs. 4.947 million has been made for implementation of the Juvenile Justice System Ordinance, 2000 in the Ten Year Perspective Development Plan for the Period (2001-2011). In addition to this, another amount of Rs. 0.17 million has been allocated for identification of needs / problems with regard to implementation of the acts / Ordinances / other instruments concerning social welfare of children.

The Asian Development Bank has committed \$ 350 Millions as a soft loan for restructuring of the judicial system of Pakistan under the 'Access to Justice System'. Apart from improvement in the existing judicial infrastructure in the country, it aims at institutional reforms in this sector. The improved infrastructure and improved working of courts will help better delivery of facilities to juveniles though no separate allocation has been made for juveniles.

Please also indicate the percentages of these allocations derived from international sources.

Response: Allocation derived for the projects described above are solely from government sources. International sources have only been obtained as loans which the government of Pakistan has to repay. Governments' expenditure indicates its serious commitment to improve the situation of children in Pakistan.

3. With reference to children deprived of a family environment and separated from their parents, please provide disaggregated data (by age and gender) for the last three years on the number of children.

- a) Separated from their parents;**
- b) Placed in institutions;**
- c) Placed with families;**
- d) With court-appointed guardians.**

Response:

There is no organised institutional mechanism in the country (both in public as well as in private sector) to document the number of children separated from their families. Due to strong family structures in Pakistan, the cases under reference rarely happen. Now the Commission has

been assigned the task for developing mechanism for such cases and necessary action is underway to put in place a formal mechanism in the next five years.

4. Please provide disaggregated data (by gender, age, urban or rural areas) covering the period 2000-2002 on the number of:

a) children with disabilities;

**Table 4.1
Overall Disabled Population**

	Male	Female	Total	Percentage
Total Population	68,873,686	63,478,593	132,352,279	-
Population of Persons with disabilities	1,918,705	1,374,450	3,293,155	2.49

Source: Population Census 1998

**Table 4.2
Age & Gender Wise Disabled Children Population (Percentage)**

Age Groups	Male	Female	Total
0 - 4	10.3	13.7	11.7
5 - 9	14.6	15.2	14.9
10 - 14	10.0	10.1	10.1
15 - 19	8.1	8.8	8.4

Source: Population Census 1998

**Table 4.3
Urban /Rural Division of Disable Children (Percentage)**

Age Groups	Urban			Rural		
	Male	Female	Total	Male	Female	Total
0 - 4	9.2	12.8	10.7	10.9	14.1	12.2
5 - 9	13.5	14.8	14.0	15.2	15.5	15.3
10 - 14	10.5	11.0	10.7	9.8	9.7	9.7
15 - 19	9.0	10.4	9.5	7.7	8.0	7.8

Source: Population Census 1998

- b) School age children with disabilities that do not attend school;**
- c) children with disabilities living with their families;**
- d) children with disabilities living in institutions.**

In response to b, c & d, out of the disabled population within the age group of 5 - 14, around 18500 children are enrolled in various public / private educational institutions according to the Directory of Special Education Services 1994. This includes 4194 disabilities of this age group enrolled in federal government institutions. Although a large number of public / private institutions do have residential facility for such children, however in order to provide better care and family support to the disabled children, the parents prefer to retain them with the families.

5. With reference to child abuse, including sexual abuse, please provide disaggregated data for the last three years (by age, gender and types of violations reported), on the:

a) Number of cases of child abuse reported to police or social or other services;

Table 5.1

	2001	2002	2003
Children Murdered	443	573	354
Girls Raped	149	337	207
Boys Sodomized	219	296	178
Children Injured	189	258	162
Children Missing	943	776	428

Source: Lawyers and Human Rights and Legal Aids (LHRLA)

No government department possess the capacity to collect and maintain disaggregated data of children victim of sexual abuse. As child abuse is abhorred in Pakistani society and people try to hide cases of abuse, therefore availability of actual data is difficult. The data given above has been collected from non formal sources such as Lawyers for Human Rights and Legal Aids (LHRLA), a non governmental organisation working for the welfare of children. The incremental trend reflected in the above tables owing to the enhanced awareness of the masses and media for reporting of such issues to the police authorities.

b) Average duration of the case from the time of reporting to a court decision, and please indicate the proportion of those cases in which the victim was removed from her/his family and where he or she was placed;

Under Pakistan Law, the remand period is upto fourteen days. In other words the police can keep a juvenile for fourteen days for investigation. Then the juvenile has to be sent to the jail on judicial remand. Various laws give time frame for conclusion of trial. The juvenile Justice System Ordinance 2000 makes it mandatory for courts to conclude the trial within four months. The family law ordinance 1964 makes it obligatory to decide the issue of custody, maintenance and visitation rights within six months. The laws allow courts to send juveniles to industrial Homes to be established or declared by government instead of sending them to jails.

According to AGHS, a Lahore based NGO working on child rights, study entitled 'Administration of Juvenile Justice System' the pre-sentencing details are as under:

'Figures show that majority of the children remain in pre-sentence detention from 1 to 3 months. This indicates that 375 of the children remained under pre-sentence detention for more three months during the reporting period. 24% of these were children who are awaiting conclusion of their trial for more than six months, whereas section 4(6) of the Juvenile Justice

Ordinance 2000, provides that all trials involving children must be concluded within four months.’

c) Number and proportion of victims that have received counselling and assistance in recovery.

Response: No official data available. However, civil society organisations provide counselling to the victims of reported cases

6. Please provide disaggregated statistical data (including by gender, age, region) on adolescent health, including early pregnancy, sexually transmitted infections (STIs), mental health, suicide drug, alcohol and tobacco abuse as well as rates of infant and child mortality and of malnutrition covering the period between 2000 and 2002. Also, please provide number of health professionals working in the health care services for children.

Response:

Data on adolescent health, early pregnancy, sexually transmitted infections, mental health, suicide drug, alcohol is not available. The data concerning malnutrition, infant and child mortality, health professionals and drug abuse cases is in the following:

Table 6.1

Indicator for Malnutrition

Indicator	2000 %	2001 %
Low Birth Weight	25*	21**
Under Weight Prevalence	2302	25 Moderate 13 Severe
Vitamin A Supplementation (6-9 months)	-	95
Iodised Salt Consumption	-	19
% of Population using improved Drinking Water	90	-
Wasting Prevalence	11	-

*Director General Health Services Pakistan Annual Report 2000-01.

**The State of the World’s Children 2003 by UNICEF

According to recent National Nutrition Survey 2001-2002 (Government of Pakistan, UNICEF and Pakistan Institute of Development) there is an improvement in levels of malnutrition, with an average of 41.5 % underweight compared with 51.5% in National Nutrition Survey of 1985-1986.

Table 6.2 indicates decrease in IMR from 89.8/ 1000 live births in 2000-01 to 83.3/1000 live births in 2002-03. Similarly M.R. of under 5 has been decreased from 126/1000 live births in 2002-01 to 110/1000 in 2002-03.

Table 6.2
Health Indicators

Year	Infant Mortality Rate per 1000	Mortality Rate Under 5 per 1000
2000-2001	89.8	126.0
2001-2002	83.3	110.3
2002-2003	83.3	110.0

Source: Economic Survey 2002-2003

The doctor patient ratio from the following table is 1: 1446. All doctors are qualified to treat children as well.

Table 6.3
Health Professionals (Health Care Services)

Category	2000-2001	2001-2002	2002-2003
Registered Doctors	91823	96248	101635
Registered Dentists	4175	4622	5068
Registered Nurses	37528	40019	44520

Source: Economic Survey 2002-2003

- 7. Please provide disaggregated statistical data (including by gender, age groups, region) for 2000-2002 on children infected or affected by HIV/AIDS, as well as information on programmes implemented to address the problems of these children.**

Response:

National Institute of Health started HIV/AIDS testing in 1986. Under the National AIDS Control Programme, out of 3.526 million tests carried out till 30th September 2003, 1741 were HIV positive, while there were 231 AIDS cases. The prevalence of HIV/AIDS in children in Pakistan is as follows:

Table 7.1
AIDS Cases in Children in Pakistan

Age Groups	Male	Female	Total
0 - 4	2	3	5
5 - 9	2	-	2
10 -14	-	-	-
15 - 19	1	-	1
Total	5	3	8

Source: National Institute of Health

Table 7.2
Distribution of HIV Positive cases in children in Pakistan

Age	HIV Positive
0-4	24
05-14	08
15-19	14

Source: National Institute of Health

Under the National Aids Control Program measures taken by the Government to combat AIDS are in the following:

1. Forty-Six Screening centers have been established, surveillance activities are under progress. 3259 HIV screening kits have been distributed. Messages are being given on media.
2. Four voluntary counseling and testing centers is in progress at the following public sector facilities: Services Hospital Lahore, Lady Reading Hospital, Peshawar, District Head Quarters Hospital Sukkur, and Sandamen Hospital, Quetta.
3. Following NGOs are also providing voluntary counseling services: ORA Peshawar, Aahang and Fatmid Foundation, Karachi, Lahore, Peshawar and Multan, DARES Quetta and Message, Lahore.
4. The government has taken the following preventive measures:
5. The first is public health education. The Government wants to apprise the people through newspapers, radio, television and seminars, of the fatal effects of AIDS. Second they are engaged in legislation concerning safe blood transfusion.
6. Laws would soon be presented in the Cabinet. Under the new laws, only screened blood could be given to the patient. 46 laboratories have been set up which offer free of charge blood test.

8. Please provide desegregated data (including by gender, age and urban/rural areas as well as for ethnic minorities) covering the period between 2000 and 2002 on:

Response:

In this section tables (8.1 to 8.6) exhibit details of enrolment & completion rates with reference to gender, age group and urban & rural areas. Moreover, it also gives details of gross and net enrolment rates alongwith dropouts, repetitions and student teacher ratio.

- a) The enrolment and completion rates in percentages of the relevant group in primary and secondary schools;

Table 8.1
Primary Level Or Higher Completion Rate (%age) – 2001-2002

Province	Urban			Rural			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Punjab	64	54	59	43	21	32	49	31	40
Sindh	64	49	57	41	10	26	51	26	39
NWFP	63	36	50	44	12	27	47	16	31
Balochistan	59	29	45	37	6	23	41	11	27
Total	64	50	57	42	17	30	49	27	38

Source: Pakistan Integrated Household Survey (PIHS) January to December 2001

Note: Population 10 years and older that has completed primary level (i.e. Class 5) or higher, expressed as a percentage of the total population aged ten years and older.

Table 8.2
Enrolment Rate at Primary Level (%age) – 2001

	Urban			Rural			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Gross Enrolment	97	90	94	80	55	68	84	63	74
Net Enrolment	67	63	65	49	38	44	53	54	59

Source: Pakistan Integrated Household Survey (PIHS) 2001-2002

Note: Gross Enrolment Rate: [Number of children attending primary level (classes 0-5) divided by number of children aged 4-9 years] multiplied by 100.

Net Enrolment Rate: [Number of children aged 4-9 years attending primary level (classes 0-5) divided by number of children aged 4-9 years] multiplied by 100.

Table 8.3
Enrolment Rate at Middle Level (%age) – 2001

	Urban			Rural			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Gross Enrolment	58	68	63	41	21	32	45	35	41
Net Enrolment	23	29	26	15	8	12	17	14	16

Source: Pakistan Integrated Household Survey (PIHS) 2001-2002

Table 8.4
Enrolment Rate at Matric (Secondary) Level (% age) – 2001

	Urban			Rural			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Gross Enrolment	71	57	64	48	17	32	55	30	42
Net Enrolment	15	15	15	8	5	6	10	8	9

Source: Pakistan Integrated Household Survey (PIHS) 2001-2002

- b) Number and percentages of dropouts and repetitions;

Table 8.5
Primary Level Dropout Rate of Children (10 – 18) Years Old Level (%age) – 2001-2002

Provinces	Urban			Rural			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Punjab	14	8	11	19	18	19	17	14	16
Sindh	14	10	12	12	20	14	13	13	13
NWFP	9	12	10	12	28	18	12	24	16
Balochistan	8	9	8	10	12	11	10	11	10
Total	13	8	11	16	20	18	15	15	15

Source: Pakistan Integrated Household Survey (PIHS) 2001-2002

c) Teacher student ratio.

Table 8.6
Teacher Student Ratio

Year	Primary Schools			Middle Schools			High Schools		
	Total	Female	Male	Total	Female	Male	Total	Female	Male
1999-00	1:52	1:55	1:50	1:45	1:36	1:52	1:11	1:12	1:10
2000-01	1:58	1:65	1:53	1:39	1:32	1:45	1:10	1:11	1:9
2001-02	1:58	1:65	1:53	1:39	1:32	1:45	1:10	1:11	1:9

Source: Ministry of Education.

9. Please provide data (disaggregated by age) on the enrolment of persons below 18 in Armed Forces.

The eligibility rules for the defence forces provide that the recruitment age limit for Officers and Jawans are 17-23, which also requires at least a year's training and education before participation in active service. Only persons above the age of 18 years can join in active fighting forces.

10. Please provide statistical data (including, where relevant, by gender, age, type of crime) covering the period between 2000 to 2002 on the:

a) number of juveniles who allegedly committed a crime reported to the police;

Criminal Law is a provincial subject under constitution of Pakistan. The provincial governments maintain and operate police under the Local Government Ordinance 2001 and Police Order 2001. The police functions under the control of district government as far as law and order is concerned. The crime data is collected at district level and sometimes fed into provincial headquarters of police or Home Departments. However, no central data collection is done at federal level. So this data is not currently available and could not be arranged from districts in this short time. However effort are being made through Ministry of interior to make available such data for future requirements.

- b) number of juveniles subject to criminal procedures who were sentenced by Courts to sanctions, and the nature of sanctions (community service; detention; other types of sanctions;

Presently there is no community service based reformatory facilities available, detention and other types of sanctions are awarded in accordance with the Law. As per analysis made by AGHS, Child Rights Cell Lahore following table presents the trend and nature of offences by the Juveniles and sanctions given by the courts as per Law.

Table 10.1
Offence-wise Population Statement 2002

Month	Offence against Human Body		Offence Against Property		Drugs		Sexual Offences		Illicit Arms		Other	
January	165	49%	51	15.5%	22	6.5%	44	13%	24	7%	31	9.1%
February	149	45.4%	64	19.5%	20	6%	48	14.6%	22	6.7%	24	7.69%
March	196	49%	72	18%	18	4.4%	70	17.4%	13	3%	32	8%
April	145	39.4%	82	22%	30	8%	53	14.4%	21	5.7%	37	10%
May	183	36.6%	87	17.4%	41	8%	75	15%	27	5.4%	87	17.4%
June	162	43%	86	23%	23	6%	63	17%	19	5%	22	5.8%
Average		44%		19%		6%		15%		6%		10%

The table indicates trends of offences allegedly committed by the juveniles. The data is based on reports of fifteen jails (out of 29 jails) in Punjab Province.

- c) number of juveniles detained and imprisoned, the location of their detention or imprisonment (e.g, police station, jail or other);

Table 10.2
STATE OF JUVENILES IN JAILS (March, 2000)

Provinces		Under Trial	Convicted	Total
1	Punjab	1232	168	1400
2	Sindh	624	23	647
3	NWFP	302	47	349
4	Balochistan	55	37	92
Grand Total		2213	255	2488

Source: The State of the Pakistan Children 2000 by Society for Protection of the Rights of the Child (SPARC)

Table 10.3
State of Juveniles in Jails (March, 2002)

Provinces		Under Trial	Convicted	Total
1	Punjab	1573	224	1897
2	Sindh	454	104	558
3	NWFP	428	77	505
4	Balochistan	66	31	97
Total (1 to 4)		2521	536	3057
5	Islamabad Capital Territory (ICT) (2001)	32	3	35
6	AJ & K (2001)	12	2	14
7	FATA (2001)	9	14	23
8	FANA (2001)	7	-	7
Total (5 to 6)		60	19	79
Grand Total		2581	555	3136

Data about the provinces was provided by their respective Deputy Inspector General of Prisons.

Table 10.4
State of Juveniles In Jails (March, 2003)

Provinces		Under Trial	Convicted	Total
1	Punjab	1058	235	1293
2	Sindh	537	19	556
3	NWFP	293	81	374
4	Balochistan	54	64	118
Grand Total		1942	399	2341

Source: Data about the provinces was provided by their respective Deputy Inspector General of Prisons

Table 10.5
Gender Distribution of Juveniles in Jails

Regions	Up to March 2002			Up to March 2003		
	Male	Female	Total	Male	Female	Total
Punjab	1881	16	1897	1286	7	1293
Sindh	558	0	558	556	0	556
NWFP	505	0	505	374	0	374
Balochistan	97	0	97	118	0	118
Total	3041	16	3057	2334	7	2341

Source: Data about the provinces was provided by their respective Deputy Inspector General of Prisons

As per analysis by AGHS age-wise population statement of juveniles from January 2002 to June 2002 based on figures of fifteen jails (out of 29 jails) of the Punjab Province is as under:

Table 10.6
Age-wise Population Statement:

Month of Year 2002	No. of Jails reporting	Total No of Children	12 Years and Below		13 to 15 Years		16 to 18 Years	
January	13	337	6	2.00%	67	20.00%	264	78.30%
February	15	327	4	1.22%	67	20.48%	256	78.28%
March	14	401	7	1.74%	97	24.10%	297	74.06%
April	13	368	6	1.63%	83	22.55%	279	75.80%
May	12	500	9	1.80%	115	23.00%	376	75.20%
June	12	375	7	2.00%	73	19.40%	295	78.60%
Total		2308	39		502		1767	
Average			2%		21%		77%	

Source: AGHS

d) number of suspended sentences;

Under Pakistani Law, there is no concept of 'Suspended Sentence'. However, as a part of appeal procedure, the appellate courts can suspend sentences and release person on bail till the decision on the case. The courts normally release juveniles or those mothers who have suckling babies by suspended cases.

e) Percentage of recidivism cases.

No data is collected on the basis of recidivism. However, under criminal laws, sometimes quantum of punishment is enhanced at every subsequent offence. Then local police or prosecution bring evidence of previous conviction before the court. Otherwise no data is available on the subject.

11. With reference to special protection measures please provide, and evaluate, statistical data (including by gender, age, region and municipality, per year) between 2000 and 2002 on:

a) Number of children involved in sexual exploitation, including prostitution, pornography and trafficking, and the number of children provided with access to rehabilitation and other assistance;

No data on prostitution and pornography is available. However the children found victims of trafficking are rehabilitated / reunited with their families by government and civil society organisations. The table given below indicates the incidences of trafficking.

Table 11.1

S.No	Name of Check -post / Passport Circle	Number of children smuggled / deported / offloaded								
		2001			2002			Upto July, 2003		
		Children	Carrier	Agent	Children	Carrier	Agent	Children	Carrier	Agent
1.	Islamabad Airport	2	1	-	7	2	4	-	-	-
2.	Karachi Airport	3	6	1	5	7	-	10	6	1
3.	Lahore Airport	4	3	-	26	13	-	6	-	-
4.	Peshawar Airport	-	-	-	-	-	-	2	1	-
	Total	9	10	1	38	22	4	18	7	1

Source: Federal Investigation agency (FIA)

Various organisations and private institutions cater for the rehabilitation and assistance of the abused children. The Punjab Province has eight care centres (Negahban) for rehabilitation of such children especially who are lost or kidnapped. In Sindh, there is one such institution at every divisional headquarter level. In other words, in Sindh there are 5 such centres. In private sector, only **Edhi Welfare Foundation** runs eight centres for children, three in Karachi, and 5 in other areas of Pakistan. In these centres, 740 males and 451 female children were helped. Furthermore, there are 300 Edhi centres that provide 24 hours temporary shelter.

Moreover, SOS Villages of Pakistan also provide SOS Youth Homes, SOS Heirman Gmeiner Schools, SOS Technical Training Centres, SOS Medical Centres, BHUs and Social Centres all over the country.

b) Number of children involved in child labour (formal and informal sector).

In Pakistan child labour is about 3.3 million out of which 2.4 million (73%) are boys and 0.9 million (27%) are girls. The volume of male child labour is about 2.1 million in the age group 10-14 years which is about seven times greater than the level in the age group 5-9 (i.e. 0.3 million). Similarly the volume of female child labour in the age group 10-14 years is about three times (i.e. 0.6 million) in the age group 5-9 (i.e. 0.2 million).

According to the provincial distribution the volume of child labour in Punjab is about 1.9 million which is about three fifth (60%) of the total child labour in the country. NWFP shows about 1 million child labour figure. The lowest figure is for the Balochistan because of less number of houses reporting child labour.

B. General Measures of Implementation

- 1. The Committee would appreciate receiving information on concrete activities related to recommendations contained in the Committee's previous concluding observations (9CRC/C/15/Add.18) which have not yet been implemented, in particular those related to budgetary allocations, child labour, discriminatory practises against girls and the administration of juvenile justice. Please explain the obstacles to implementation and how the State party envisages overcoming them.**

Introduction:

While taking cognizance of the Committee's recommendations and concerns, sincere efforts have been made to undertake a number of initiatives leading to address the concerns and to implement the recommendations.

The Progress Report and 1st Periodic report were prepared through a participatory process involving civil society organizations and other stakeholders at different levels. Although a comprehensive situation analysis would still be beneficial, however improved data is now available on the situation of children through National Census, End Decade Review Report, Health & Education Management Information Systems. Multiple Indicator Cluster Surveys are also being supported by UNICEF at district level. This disaggregated information will provide vital information for planning and monitoring through the devolved government structures at district level.

Awareness on child rights issues has improved in selected urban areas and amongst media representatives. Government has adopted a plan for including human rights awareness information in the curricula for school children. At the same time, training courses have been started for government officials in the Civil Services Academy, Public Administration Institutes to raise awareness on human rights issues. However there is a need for continued effort in this direction at all levels. Awareness on rights-based approach to programming supported by UNICEF helped build capacity of several hundred partners throughout the country. The obvious interest and excitement with which participants received this training was very encouraging.

Government has prepared a National Policy for Persons with Disabilities, with a focus on children and young people. The key areas of intervention include Assessment and Medical Treatment, Education, Training, Research and Awareness. The polio eradication initiative which is in the last phase of completion is a step towards prevention of disabilities, however much more work is required in terms of prevention, mainstreaming and rehabilitation of disabled children. The Lady Health Workers' Programme covers more than 50% of the country. Government now plans to expand the programme to cover more communities in terms of family planning and primary health care issues. Government regularly allocates a sizeable budget for raising awareness on primary health care system, including family planning and birth spacing.

At present, the much needed third tier of government has been created to devolve decision making and resources at the district level. However, the system is quite new and some aspects of the plan are not very clear. As a result, there are confusions regarding roles and responsibilities as well as processes. More than 150,000 newly elected members of the district governments, includes almost 40,000 women for the first time in the history of the country. At the same time it poses serious challenges in terms of building their capacity to fulfil their responsibilities effectively. The changing role at federal and provincial level is also adding to the complexity.

The concern regarding lack of consistency and clarity between some of the laws and their application within and between provinces remains an issue

Efforts are being made to improve national laws for ensuring conformity with CRC. However, the Juvenile Justice Ordinance 2000 has since been promulgated along with an Ordinance for Prevention and Control of Human Trafficking in October 2002. Based on the ratification of the ILO Convention 182, the Employment of Children's Act 1991, is also being revised to include a new list of worst forms of child labour. In addition to these efforts, there are a number of other laws which will help the legislative framework in terms of compatibility with provisions of CRC. These laws include the Compulsory Primary Education Acts in NWFP and Punjab Provinces which are given renewed emphasis recently.. 'Protection of Breast-feeding Ordinance 2002 has also been promulgated recently for preventing the promotion of breast milk substitutes.

Budgetary Allocations:

With the recently improved financial situation in the country, the Government has already expressed its intention to increase social sector expenditure. Improved budgetary allocations have been made in education and health sectors in the current budget and overall increase of 30 % has been made for social sector. It has already been announced that there will be an increase of approximately 30% in the overall social sector budget. The budgetary allocations for Social Action Program (SAP) exhibited consistent growth from 1992-2000. Total allocations for SAP grew from Rs. 26.6 billion in 1992-93 to Rs. 68.034 billion in 1999-2000. A growth unprecedented in the past. Expenditures jumped from 22.785 billion to Rs. 45.805 billion in the corresponding year.

Child Labour:

Government has signed and ratified the ILO Convention 182 on the Worst Forms of Child Labour. The government has also signed, with an intention to ratify, optional protocols to CRC on involvement of children in armed conflict and sale, prostitution and child pornography in 2001. While the availability of policies and plans of action are important pre-requisites to elimination of child labour, however there is a need to put in place, strong monitoring mechanism for their implementation.

Another Ordinance has been promulgated to prevent and control human trafficking in October 2002. The ordinance lays down 10-14 years imprisonment and fine for trafficking of

children and women for the purpose of exploitative entertainment. Of special importance is the clause, “ provided further that plea, if any taken by the biological parents of the child shall not prejudice the commission of offence under this clause”. An Inter-ministerial committee has been constituted to suggest ways and means to implement the Ordinance and to monitor enforcement. As of December 2002, 62 cases of attempted trafficking have been registered against 94 agents, 64 cases have been registered against agents, attempting to smuggle children under 7 years to Middle East for ‘camel jockeying’

As far as child labour is concerned, it is estimated that approximately 3.3 million children are working. They are generally engaged in agriculture, brick making, carpet weaving, assisting subcontractors of large industries, small and often hazardous unregistered enterprises, domestic service, garbage collection, work for the informal sector and the exploitative ‘under world’. Child labour is prohibited, yet it persists because the laws do not cover all working children and also because of extreme poverty. Child work is also a calculated strategy to receive training, and is influenced by the perceived irrelevance of formal education. Steps have been taken to initiate comprehensive programmes to retrieve children from early labour/ work in collaboration with international cooperation agencies and NGOs.

Pakistan is committed to eradication of child labour. The following measures have been taken in this regard:-

- a. The National Policy and Plan of Action has been approved by the federal Cabinet on May 10 2000.
- b. The Plan defines the policies, strategies, activities and responsibilities of different agencies, timeframe, delivery system, and funding resources for child labour elimination.
- c. The strategies adopted in the Plan are:-
 - Progressive elimination of child labour from all economic sectors.
 - Immediate withdrawal of children from the worst forms of child labour.
 - Preventing entry of under-aged children into the labour market through universalization of primary education and family empowerment.

- Rehabilitation of working children through non-formal education, pre-vocational training and skill development.
- d. A Fund for education of working children and rehabilitation of bonded labourers has been instituted, in April 2000, with an initial amount of Rs.100 million.
 - e. The National Committee on the Rights of the Child has also been constituted under the Employment of Children Act, 1991 to advise the government on effective implementation of this law.
 - f. The Government encourages NGOs, workers and employers' organizations to undertake different activities and projects addressing the issue of child labour.
 - g. Withdrawal of children from hazardous work and their rehabilitation through informal education and mainstreaming them into the regular education channel is an important element of the child labour elimination programme.
 - h. The National Steering Committee has been constituted as the apex body to monitor the progress of various action programmes under the International Programme for Elimination of Child Labour (IPEC) and suggest measures for their viability and effectiveness.
 - i. Successful bilateral projects in the private sector have been undertaken under the auspices of IPEC, like soccer ball project in Sialkot.
 - j. Pakistan *Bait ul Mal*, a financial institution under the Government of Pakistan, has established 68 rehabilitation centers for child labourers in different cities.
 - k. The Directorate of Workers Education has undertaken a programme of training for the inspecting staff of the provincial governments to improve the implementation of the laws relating to child labour.

Prevention of Discriminatory Practices against Girls:

Government and NGOs have done considerable work to remove prejudices and further the principle of non-discrimination. Now there is no discrimination against children with

disabilities or against children belonging to different provincial affiliation or linguistics, religious or economic status. There is also no discrimination against refugee children.

'Education for All' initiative includes a special focus on education of girls and disadvantaged children. The launch of Acceleration of girls' education initiative in Pakistan, supported by UNICEF and endorsed by the Government, links the gender parity goal with Dakar Education For All (EFA) meeting. The reform agenda of the Ministry of Education has received bilateral support. There is a need to improve the curriculum content to reduce dropouts and to build the skills needed in a developing economy. A recent campaign has been launched by the Ministry of Health on television, for promoting equal rights of the girl child at family level. Ministry of Social Welfare and Special Education has launched a School Nutrition Package, project for girls in primary schools in the poorest districts of the country. Other projects of a similar nature are also being supported by WHO as well as other agencies. Although gender-based discrimination is still an issue at community and family level, some changes in attitudes and practices can be observed from the increasing demand for girl's education from communities. The Government has also taken several steps to reduce gender-gap in education including a policy that all new primary schools will be for girls. Other projects being supported by UNICEF have also contributed to the empowerment of more than 150,000 adolescent girls to improve their status at the family and community level.

Pakistan hosted Regional Girl Child Symposium – which hosted young girls and boys from around the region. The children developed a set of recommendations for promoting the equal rights of girls in the region. These recommendations were presented at the Special Session as the 'Islamabad Declaration' Participants from Pakistan included girls and boys from three projects, which were included in the list of projects considered to be good examples.

The Dakar Goals No. 5 and MDG (Millennium Development Goal) No. 3 stress on eliminating gender disparities in primary and secondary education by 2005, and achieving gender equality in education by 2015, with a focus on ensuring girls full and equal access to and achievement in basic education of good quality.

Like several other countries, in Pakistan, Girls constitute the disadvantaged sex but in a few cases e.g. Maldives, boys are more disadvantaged within education and socio-economic systems.

Many studies on Education for Girls identify low levels of participation rates generated by a combination of following supply and demand related factors:

- Poverty
- Lack of political will & commitment to education;
- High population growth rates;
- Low levels of financial allocation;
- Inefficient utilization of these limited resources.
- Lack of schools or school facilities like distant location; transport; water; washrooms; electricity, boundary wall etc.
- Lack or absenteeism of female teachers; lack of privacy and security for female teachers);
- Cultural and family constraints which hinder girls from attending school; and
- Lack of community participation.

Common Provisions for Girls' Education:

Common provisions for girls education contained in almost all the policies and initiatives may be enumerated as under:-

- Achieving universal primary education, eliminating dropout rates; and fulfilling basic learning needs;
- Universal Primary Education for Girls;
- More facilities for Girls' Education to provide equal access to Education.
- More opportunities for Girls' Secondary Education.
- NFBE Programmes for out of school and dropout Children especially for Girls.

Major policy initiatives undertaken for promoting Girls' Education

By Federal Ministry of Education

A. Social Action Programme

- 80% contribution from the Government of Pakistan and 20% from donor assistance during 1993-96 covering programs for primary education, primary health care, nutrition, rural water supply and sanitation and family planning.
- Primary Education constituted 65% of the entire SAP allocation with a focus on the promotion of girls' education.
- Improving the availability of female teachers through:

- Introducing mixed schools where, it is culturally acceptable;
- Provision of basic facilities like boundary wall, toilets & water;
- Provision of women teachers in mixed school and putting them under female administration.
- Relaxing qualification if no women qualified teacher available; &
- Localization of teacher cadre to the district level even below.

In this regard some of the projects / programs initiated in above area are given in part three.

Juvenile Justice Administration System:

The Government of Pakistan has taken decisive steps in reforming the criminals' justice administrative system. A new law, the Juvenile Justice System Ordinance 2000 has been promulgated. All the four provinces and Islamabad Capital Territory have made rules to implement the Ordinance. The Ordinance provides for protection of the rights of the children involved in criminal litigation. The salient features of the Ordinance are as under:-

- i. The child has been defined as a person who at the time of commission of offence has not attained the age of 18 years.
- ii. Every child who is accused of commission of offence or victim of an offence shall have the right of legal assistance at the expense of state.
- iii. Special Juvenile Courts have been established to try the Juvenile.
- iv. No joint trial of adult and juvenile can take place.
- v. The publication of the court proceeding regarding the identification and picture of the child have been restricted.
- vi. An elaborate system of rehabilitation has been introduced.
- vii. Special measures have been introduced written safeguard the rights of the child during detention with police.
- viii. Corporal punishment, hard labour, handcuffing, putting fetters and punishment of death have been abolished.
- ix. Most of the offences committed by juvenile have been made bailable.

The Abolition of the Punishment of Whipping Act, 1996 has been passed to abolish and restrict the punishment of whipping. Under this law the sentences of whipping provided under any law except Hadood have been abolished.

Obstacles / Constraints Faced in the Process of Implementation Of CRC

The recurring themes which have surfaced through the monitoring and in-built evaluation mechanisms and re-enforced by the findings of the Mid Term and End of Decade Review as constraints and lessons learnt are:-

- a. Economic and resource related.
- b. Regional security environment.
- c. Weak institutional mechanisms.
- d. Inadequate monitoring and information system.
- e. Insufficient mobilization of stakeholders.
- f. The need to focus on attainment of the current decade goals.

The first two issues are dealt with in this section whilst the others will be addressed in the section on 'Future Actions.' The integration of the NPA into SAP, government's principal social sector programme, was an important initiative. It immediately gave life to the goals, this in turn found place in the 8th and 9th National Plan documents. It is therefore planned to continue this mechanism but with the provision that an efficient MIS is put in place to extract the disaggregated data on NPA goals.

Major Challenges

i. Economic

- The major constraint faced by Pakistan in realizing the goals agreed upon in the World Summit for Children was lack of financial and material resources. The macro-economic situation in the country deteriorated over the course of the decade, particularly towards its close. The debt burden assumed alarming proportions with the external debt at 58% of the GDP and domestic at 44% of the GDP. The growth rate touched a low of 1.7% in 1997 only managing to climb back to 3.6% in 2002. The balance of payments registered a negative figure. The budget deficit also remained at 4.9% of the GDP.
- The poverty related expenditure continued to rise. As against Rs. 119 billion or 3.4 percent of GDP last year, poverty related expenditure increased to Rs. 136 billion or 3.7 percent of GDP, an increase of 17 percent in relatively difficult budgetary environment speaks of

government's commitment to reducing poverty. Next year this expenditure is likely to increase by more than 18 percent and may reach 4 percent of GDP.

- The national currency suffered repeated devaluations, thereby effectively reducing the amount devoted to development projects and goals, including those related to CRC implementation. Furthermore, Pakistan was subjected to repeated unilateral economic sanctions during the course of the decade. Pakistan also experienced a loss of exports on account of unfair trade practices such as anti-dumping and campaigns on labour standards, which targeted Pakistan in the developed markets.
- However, the present government has accepted this constraint as a challenge and has put in place an economic revival package which has home grown self-reliance interventions of creating a tax culture, strengthening value added exports, privatization and a boost to the agriculture sector.

ii. Security Situation

- The difficult economic situation was compounded by the unstable security situation in the region.
- Pakistan also continued to host more than 2 million Afghan refugees. International assistance for their support and upkeep registered a steep decline during the course of the decade with the result that for the last several years Pakistan is fulfilling its moral obligations as country of first asylum to these refugees almost on its own.
- Apart from the substantial direct financial cost of looking after these refugees, they have imposed additional serious burdens on the country and its society. Their presence has resulted in severe environmental damage. They have also been competing with Pakistanis for scarce employment and income generating opportunities, thereby exacerbating economic difficulties.
- The present government is currently engaged in a strenuous peace offensive with India and working for a durable solution of the Afghan refugees problem based on the principle of voluntary repatriation.

FUTURE ACTIONS

- The goals enunciated in the Declaration and CRC implementation Plan of Action are ambitious and the commitment required to implement these will demand further concerted efforts on part of all stakeholders in Pakistan. Fortunately, the necessary knowledge and

techniques for achieving most of the goals already exists in the country. However, the financial resources required are modest in relation to the tasks at hand and there is a lack of supportive, effective and efficient information base.

- There is no cause which merits a higher priority than the protection and development of children, on whom depends the survival, stability and future advancement of Pakistan into the next millennium. Full implementation of the CRC implementation and Plan of Action must therefore be accorded high priority for national action and international cooperation.
- Children and adolescents have been involved in the CRC process. The voice of children of rural and urban less privileged homes conveys the following message which cannot be ignored, this has been taken into account while programming future actions.
 - Almost all the working children want to study if their economic needs are taken care of.
 - Protection/ shelter needs to be ensured for their survival.
 - There is no proper meal for them so there is a great desire for good food.
 - Generally low family incomes have been translated into social disregard.
 - Medicare is either very expensive or inaccessible.
 - There is a grave concern about teachers and teaching standards.
 - Large family size is compounded by only one earning member.
 - Children are quite oblivious of the developmental efforts and lack awareness.

Institutional Mechanisms for Implementation and Monitoring of Future Actions

- The Federal and Provincial Governments are to strengthen their respective Commissions (NCCWD/ PCCWDs) entrusted with the task of coordination of National Plan of Action (NPA) / CRC implementation. Though formally instituted they serve as little more than unwieldy ineffective bodies. A critical review of their structure, composition and resources will be undertaken.
- The UN agencies such as UNICEF, ILO, UNDCO, UNAIDS etc., should respond substantively to Government of Pakistan's request for financial and technical assistance and support to facilitate implementation of NPA / CRC.
- Exchange of experiences in other countries of the region through Ministry of Foreign Affairs, which would help in understanding and promoting the implementation of CRC.

- In any consideration of children and adolescent issues, Pakistan believes the role of government is that of a catalyst and facilitator. This is re-enforced by the accepted norm that to be the owners of their destinies people must be the owners and stakeholders. This continues to be a weak element. The present government seeks to actively pursue this approach through interventions whereby prior to the SSC, it is proposed to (a) invite child related NGOs to establish strong network (b) establish partnerships through a joint government-NGO projects, (c) reach out to special community based interest groups, such as, religious, political, teachers and medics, (d) create network of media representatives in support of CRC objectives.
- The existing vacuum in the availability of accurate and reliable data needs redressal. An effective Child Management Information System needs to be established. This system would manage data retrieval systems. A social sector review of monitoring indicators will be recommended to the Planning Division, for the purpose of better planning and delivery of services for children.

From a programmatic overview of the last decade, the future programme interventions in Pakistan will be as follows:-

- Governance and democracy: With the government having reduced the voting age to 18 years (the objective being to induct the future generation, which is also better educated in the democratic process), it will be necessary to institute, through both formal and non-formal education, citizenship programmes which focus on rights and responsibilities as outlined in the CRC.
- Disabilities: The 1998 Census has shown that the four major disabilities are common in Pakistan. A number of children are also afflicted with disabilities. During the eighties and early nineties due to political support a range of institutions were established for the disabled. Attention was also given in medical education to this subject, project support was obtained from diverse sources.
- Basic Education: Education Sector Reform program should focus on quality issues in primary education which will on an immediate basis address curriculum and text books, teacher training, staff placement, community participation and issues such as drop outs which relate to affordability, acceptability and accessibility.
- Malnutrition: It is directly linked to early childhood. Pro-active action is proposed in respect of giving infants the best possible start of health growth and development which is greatly affected even before birth by the health of the mother. Breast-feeding and a school meal

programme will also find a place in grassroots interventions which will be family, school and community based.

- Child Protection: A number of emerging issues being linked and related to customs and traditional practices call for social engineering which entails behaviour change. They will need researched information, sustained advocacy and community action. In all cases, they will best be addressed by civil society organizations. The issues which will be addressed in the short term are street and runaway children and child abuse.
- Child Labour: Withdrawal of children from hazardous work and their rehabilitation through informal education and mainstreaming them into the regular educational channel is an important element of the child labour elimination programme. Such activities have been limited due to financial constraints.
- Dissemination of the CRC: This is an important issue. Action proposed include:-
 - Inclusion of CRC provisions in the school curriculum from primary to secondary school with systematic teachers' training and teacher guides.
 - Institutionalising public/ private/ NGO sector linkages in furtherance of CRC education and dissemination. Efforts of translation in regional languages.

2. Please indicate new measures undertaken since the review of the initial report to ensure that domestic legislation fully in line with the principles and provisions of the Convention on the rights of the Child, including customary law and practises in the tribal areas; Please also specify whether the Convention has been directly invoked in court, and if so, provide some examples.

The Government of Pakistan in collaboration with UNICEF has carried out various review studies of the laws relating to children. The first available effort in this regard, 'Pakistani Laws and the Convention on the Rights of the Child', was carried out by UNICEF in 1989. This study analyzed 35 laws with reference to CRC. The second study on the topic, 'Child Legislation in Pakistan', was arranged by the National Commission for Child Welfare and Development (NCCWD) in 1992. This study discussed 31 laws having bearing on the children. The third study on the subject. The United Nations Convention on the Rights of the Child, Islamic Laws and Pakistan Legislation: a Comparative Study', was also commissioned in 1994 by the UNICEF and it analyzed 35 national laws in the light of CRC.

The fourth endeavour 'Fact Finding Study on Compilation and Revision of Child Related Laws' commissioned by National Commission for Child Welfare and Development (NCCWD), may be an improvement on the earlier conducted scholarly studies on the subject.

The study in hand is similar to the second study and will discuss 78 laws that too keeping in view the monumental changes in the national as well as international laws that took place during the last decade. The study has been divided into the following ten areas:-

- A. Criminal Justice System (23 laws)
- B. Cultural Issues (2 laws)
- C. Economic Matters (11 laws)
- D. Education (6 laws)
- E. Family Protection (5 laws)
- F. Health Affairs (5 laws)
- G. Immigration (5 laws)
- H. General Welfare (8 laws)
- I. Registration (5 laws) and
- J. Social Welfare (8 laws)

The recommendations of the study were thread-barely discussed in a national consultation workshop during June, 2003. The representation of the Federal as well as Provincial Governments, international agencies dealing with child rights and civil society organizations were associated in this consultation process. Efforts are being under taken to implement these recommendations.

A new Juvenile Justice System Ordinance 2000 has been promulgated with effect from July, 2000. The Ordinance takes care of the protection and rehabilitation of the children during and after the criminal trials. All the four provinces and Islamabad Capital Territory have made rules to implement the Ordinance. The Ordinance provides for protection of the rights of the children involved in criminal litigation. The salient features of the Ordinance are as under:-

The Abolition of the Punishment of Whipping Act, 1996 has been passed to abolish and restrict the punishment of whipping. Under this law the sentences of whipping provided under any law except Hadood have been abolished.

Prevention and Control of Human Trafficking Ordinance 2002 declares the trafficking in human being incompatible with the dignity of human being and has effective measures to prevent offences related to human trafficking. Special measures have been taken to protect under the 18 years child from exploitative entertainment, sale, conversion and trafficking. Even the biological

parents are not an exception from the operation of this law. Provisions have also been made to pay compensation to the victims.

Prevention of Breast Feeding and Child Nutrition Ordinance 2003 makes special provisions to encourage breast-feeding and to provide better nutritional formulas for children. Prohibition of Smoking and Protection of Non Smokers Health ordinance 2002 makes special provisions to safeguard children from smoking material. Mental Health Ordinance 2001 obliges government to make special facilities for children. However, CRC cannot be directly invoked in Pakistan as though Pakistan is signatory to it yet it has not attained the status of the domestic law. The provisions of CRC are being implemented through municipal legislation. The process of adoption of CRC on and the recent years have witnessed extra-ordinary legislative activity.

- 3. Please provide additional information on the follow-up to the National Plan of Action for Children of 1990, as well as information on the content of and planned measures of implementation for the National Plan of Action that is currently being drafted and how it relates to the outcome document adopted at the UN General Assembly Special Session on Children (2002).**

Response:

As Follow up to the World Summit 1990 and to translate the goals in reality, Inter-Ministerial Task Force under the aegis of Planning Commission of Pakistan prepared a National Plan of Action for 1990-2000. The progress made in pursuance of NPA was reviewed in End Decade Review Report in 2001 which was submitted to the United Nations.

The New National Plan of Action as follow up to the UN Special Session on Children (2002) is being prepared. The Outcome Document "A World Fit for Children" is the main source and guiding map to prepare NPA at national level. The goals and targets set forth in this outcome document will be reflected in this new NPA on the basis of priority. The Provincial Governments and District Governments are also preparing the similar plans, which will be the part of national plan. The plan is under preparation and will be ready by the end of this year, however, following are the tentative contents of new NPA:

National Plan of Action for Children 2003

1. Table of Contents
2. Background
3. Introduction
4. State of Children

- i. Health
 - ii. Education
 - iii. HIV/AIDS
 - iv. General and special protection
 - Children in situations of emergency
 - Children in conflict with Law
 - Children in situation of Exploitation, including Physical and Psychological Recovery and Social Integration
 - Children belonging to a minority or other indigenous group.
5. Plan of Action
 - i. Promoting Healthy Lives
 - ii. Providing Quality Education
 - iii. Combating HIV / AIDS
 - iv. Providing Protection
 6. National Child Policy
 7. National Plan of Action Matrix
 8. Monitoring and Evaluation Mechanisms
 9. List of Abbreviation
- 4. In light of article 4, please explain how the State party has allocated its budget \ resources in order to fulfil its obligations under the convention, particularly with regards to education and health. Please also indicate the main contents of the planned Poverty Reduction Strategy Paper (PRSP) and how child-related issues are reflected in this plan, as well as the extent to which social services for children were taken into account in the PRSP preparations.**

The details of the budgetary allocations for the period (2000-2001-2002-2003) have been mentioned in Part I Section (2) particularly on education and health sector. The budget allocations for these sectors are compound and there is no specific allocation in budget with regard to CRC, but most of allocation on education and health is spent on the children. Pakistan is a developing country and under heavy burden of debt. Most of its budgetary allocation goes to tackle these problems. Social sector though has been given less allocation in the past. Now the present government is paying its attention towards social and human development. The government is in process of preparing full Poverty Reduction Strategy Paper (PRSP), filling the gaps of Interim-PRSP. This PRSP is a major policy intervention, which the present government is undertaking to provide a strategic framework for

development and poverty reduction. This present PRSP also encompasses the Millennium Development Goals and most of the child related concerns (goals) set in the outcome document “A World Fit for Children” are a target to achieve in the next decade. The following are main contents of the Draft PRSP, which will be finalized within a couple of months in consultation with all the relevant stakeholders.

Poverty Reduction Strategy:

1. Accelerating Economic Growth and Maintaining Macroeconomic Stability
2. Investing in Human Capital
 - 2.1 Education
 - 2.2 Health
 - 2.3 Population Welfare
 - 2.4 National Commission for Human Development
3. Target Interventions
4. Social Safety Nets

Addressing IPRSP Gaps

1. Gender Equality and Empowerment of Women
2. Employment Strategy to Reduce Poverty
3. Environment Poverty Nexus.

5. Please provide information on the governmental bodies responsible for implementation of the Convention and of monitoring the implementation and whether these two tasks are under the responsibility of two separate bodies or if the National Commission for Child Welfare and Development is in charge of both the implementation and the monitoring.

Response:

National Commission for Child Welfare and Development (NCCWD) acts as an advisory body to the government of Pakistan for purposeful coordination, effective policymaking, promotion of integrated planning and development of plans for the welfare and development of the children. NCCWD does not implement the CRC, however it has a role to monitor its related activities. It performs the function of preparation of policies and plans relating to children and reviews the national laws and proposes new legislation to bring national laws in harmony with CRC and other international commitments. The Commission has its provincial counterparts, Provincial Commissions for Child Welfare and Development (PCCWDs) in four Provinces and AJKCCWD in Azad Kashmir and Child Rights Cell in Northern Areas, which also perform the

same task as does the NCCWD . The NCCWD also coordinates with provinces/regions and provide them technical assistance for the promotion of child rights agenda in Pakistan.

The implementation and monitoring are being done by the respective Ministries/Departments such as Ministry of Health is responsible for all the issues related to health of all ages, same is the case with other ministries/departments either of federal government or provincial governments. The commission helps these ministries / departments in policy formulation and reflection of child related issues in policy matters.

6. Please explain to which independent body persons under 18 can file individual complaints on violations of their rights, as enshrined in the Convention. Please provide details about such body, if existing, on mandate, powers and financial and human resources.

A person under 18 has a legal right to file a complaint before the Ordinary Civil and Criminal Courts of the land. The Federal as well as Provincial Ombudsman can also be approached against the malpractice of any administrative body. These Ombudsmen take cognizant of these ill practices with out any court fee. They allow personal representation in an informal setting. There is no special body set up under.

7. Please provide additional information on how governmental institutions cooperate with non-governmental organisations, especially with reference to the participation of representatives of civil society in the design and implementation of policies and programmes for children.

Civil society organisations play a vital role in public sector development. Government of Pakistan realizing this fact gives proper representation to civil society organisations. In a bill to establish the National Commission for Children proper representation has been given to NGOs in its membership. At national and provincial level Committees and Core Groups, participation of civil society organisations is considered vital. Representatives of NGOs working on child rights also enjoy membership of monitoring and supervisory committee on development process of Plan of Action for children.

At provincial level, Provincial Commissions for Child Welfare And Development (PCCWDs) remain active and in close co-ordination with the federal commission. Moreover at provincial level, community based organisations, welfare groups and other locally organised groups play very important role in dissemination information about CRC and efforts are made for capacity building of these organisations and awareness raising of the masses.

8. Please provide information on the dissemination of information about the convention particularly for the public at large as well as for schools and other institutions.

National Commission for Child Welfare and Development (NCCWD) in close collaboration with the Provincial Commissions for Child Welfare and Development (PCCWDs) makes every possible effort at all fronts to create awareness about CRC and principles enshrined in it. Pakistan Boy Scouts Association and Pakistan Girl Guide Association have developed child rights incentive based programmes and sensitization workshops about CRC as a regular feature. NCCWD and UNICEF Pakistan through joint ventures publish copies of CRC and distribute them at a large number. The CRC document is also sent to various libraries and government training institutes. Besides government, NGOs play an important role in this regard. They publish CRC and other helping materials for onward distribution to various educational institutions for awareness of teachers and students. NGO coalitions and networks give impetus to bridging distances and help share information and knowledge at all levels.

NCCWD organises conferences / seminars / consultations / workshops for sensitization of stakeholders. Recently a chain of events was organized where media related personalities from every part of the country were present. The aim of such activity is to develop a Code of Conduct for Media for reporting on children related issues and for observing certain principles in dissemination of information.

9. Please also provide information on the planned Pakistan Commission for the Welfare and Protection of the Rights of the Child and its planned functions and tasks.

The Government of Pakistan is taking necessary measures to establish Commission for the Welfare and Protection of the Rights of the Child. A draft law entitled 'The Child Commission of Pakistan' has been prepared and is under discussion at various departments and civil society organizations levels. The draft bill on the Commission was tabled in the Federal Parliament in 1995 and then in 1998. After the first reading the bill was sent to the Standing Committee of the Senate (Upper House of the Parliament). But due to change of the government, it could not be further processed for approval by the parliament. The new bill will be introduced in the new Parliament.

As per the legal status, the Commission –

- (a) shall be a corporate body, having perpetual succession and a common seal and shall by the same name, sue and be sued;
- (b) shall have power to lease, acquire, hold and dispose of property; and

(c) shall exercise independent judgement in the conduct of its own business.

The Commission have investigative powers;

- a. The Commission shall have the powers to investigate or cause investigation into any matter having bearing on the interests of the children.
- b. The Commission, subject to the exceptions under the law, may summon any person whose attendance it considers necessary for the purpose of any businesses before it and the person so summoned shall be bound to appear at the time and place mentioned in the summons.

For the purposes of this Act, functions of the Commission shall be to: -

- a. review and propose amendments in the laws, wherever necessary, so as to bring those in conformity with the relevant international instruments signed and ratified by the Government;
- b. oversee the working of the laws concerning welfare, development and rights of children and to suggest measures for their implementation; monitor the implementation of the national laws and international instruments;
- c. monitor the violation of child rights and recommend suitable remedial measures to the concerned authorities;
- d. propose a National Policy relating to the rights of children;
- e. advise and guide Government and Non- Governmental Organizations in planning, organizing, administering services for children, and ensuring development of multi-sectoral and cross-sectoral programmes for children;
- f. set up a sustainable reference library and a resource centre for the welfare and rights of children;
- g. mobilise financial resources for programmes relating to welfare, development and rights of children through national and international agencies;
- h. promote and undertake systematic investigation and research on children;
- i. arrange training for the capacity building of the stakeholders;
- j. establish think tanks and other institutions deemed fit for carrying out these functions; and
- k. any other functions which may be assigned to it by the Government.

10. Please indicate the issues affecting children that the State party considers to be of priorities requiring the most urgent attention with regard to the implementation of the Convention.

Priority Areas:

- More Budgetary Allocation,
- Strengthening of NCCWD
- Child Participation in policy formulation & monitoring.
- Increased coordination with relevant international agencies.
- Implementation of disability policy with special focus on disabled children
- Basic Education (primary, teacher training, staff placement, community participation and issues such as drop outs which relate to affordability, acceptability, and accessibility).
- Addressing malnutrition & health issues.
- Social Issues like Child Beggars, Street Children, Child Abuse, Runaway Children, etc.
- Child Labour especially Worst Forms of Child Labour.
- Public / Private partnership.
- Dissemination of CRC and its inclusion in school curriculum, with systematic teacher training and teacher guides.

Part II

Please provide copies of the text of the convention on the Rights of the Child in the official languages of the states part as well as in other languages or dialects, when available. If possible, please submit these texts in electronic form.

Response:

The official language of the Country is the English, which is among one of the languages used in United Nations System, however Urdu is the national language. In Pakistan the Text of Convention on the Rights of the Child (CRC) has been translated into Urdu, Pashto, Sindhi and Balochi Languages for the purpose of dissemination of information enshrined in the CRC and creating awareness among the general public in their local languages.

Part III

Under this section, the State party is to briefly (3 pages maximum) update the information provided in its report with regard to:

- **new bills or enacted legislation**
 - Juvenile Justice System Ordinance 2000
 - Ordinance to Prevent and Control Human Trafficking 2002
 - Protection of Breast Feeding and Young Child Nutrition Ordinance 2002

- The Islamabad Transfusion of Safe Blood Ordinance 2002
 - The prohibition of Smoking & Protection of Non-Smokers Health Ordinance 2002
 - National Data Base and Registration Authority Ordinance 2000
 - Local Government Ordinance 2000
 - Employment of Children's Act 1991, is also being revised to include a new list of worst forms of child labour
 - Mental Health Ordinance 2001
- **New institution**
- National Commission on Human Development has been established by the Government of Pakistan to take measure and implement policies for the human development in the country. The commission also takes care of child development.
 - National Database Registration Authority (NADRA) has been established. One of its function is the registration of the children.
 - Center for Human Rights Studies, University of Peshawar serves as an academic base for institutional cooperation between human rights agencies at national and international level.
 - District Governments.
- **Newly implemented policies**
- i. National Policy for Persons with Disabilities 2002
 - ii. National Health Policy
 - iii. Education Sector Reforms (ESR)
 - iv. National Education Policy 1998-2010
 - v. National Plan of Action on Education For All (EFA) 2000-2015
 - vi. National Plan of Action for Women (A Separate chapter of this NPA particularly deals with the issues of Girl Child)
 - vii. National Plan of Action on Elimination of Child Labour
 - viii. Access to Justice Policy
 - ix. Human Rights Policy: A full fledged Human Rights wing has been set up under the ministry of Law, Justice and Human Rights, having its field presence in all four provinces. An international desk in human Rights wing has also been established which ensures proper response to the queries from the international agencies in coordination with the Interior Division, the provincial home departments as well as the foreign

office. Pakistan is also active in the Regional cooperation in the Human rights activities. It also hosted 11th Asia Pacific conference on promotion and Protection of Human Rights.

- **Newly implemented programs and projects and their scope**

i. TAWANA Pakistan Programme

The programme has been initiated for school going girls child and aims at improving the nutritional status through providing cooked food at home, de-worming tablets and nutritional information and education. The programme has been started in extremely marginalized areas / 20 districts of Pakistan. This project will not only enhance nutritional status of girls but will also lead to increased enrollment of girls in primary schools. This a sustainable programme, based firm y on family and community support.

ii. Early Childhood Development Programme

Early childhood development (ECD) as a comprehensively strategy aims to improve children's quality of life, learning and productivity, health and nutrition, by investing into the care of pre-school children and their parents through a comprehensive life cycle approach including intellectual, social and physical stimulation, better maternal and early childhood nutrition and health care. ECD interventions have proved to be cost effective interventions to reduce poverty and stimulate social and economic development.

iii. Protection and rehabilitation of Child Domestic Workers through Skill

Enhancement:

This is a pilot level project initially started in three urban localities (Islamabad, Peshawar, Quetta). It aims at providing skill through non-formal educational set up. Another important objective of the project is advocacy of child rights, especially of child domestic workers with focus on girl child and the results are successful and the project area is being extended to other urban localities.

iv. Pakistan Family Protection Project

The PFPP is a three-year project of the Ministry of Women Development, Social Welfare and Special Education funded by the Department for International Development (DFID) of the UK. The project started on 19th May 2003 and will be completed on 18th May 2006. The purpose of the PFPP is to assist the M/OWD with the implementation of the National Strategic

Framework for Family Protection (NSFFP). The framework was drafted in 2001 with DFID assistance, focusing reducing domestic violence in Pakistan by (a) raising awareness for creating a climate of zero tolerance to abuse in society, and (b) protecting members of the family suffering from abuse, or those at risk of abuse at home or in society.

The PFPP will provide assistance for implementing two of these strategic areas:

- Awareness raising Campaign including advocacy and training of trainers.
- Improving access to information about support (referral centers) and data collection in four pilot districts for monitoring and evaluation of progress.

In addition, the PFPP will contribute by establishing a multi-agency, coordinated approach to family protection in Pakistan to ensure impact of all programmes and projects combined. This will be done by establishing effective Programme Management Units within the MoWD at federal level, and within the Women Development Departments in each of the four provinces, operating under the direction of high level steering committees at federal and provincial levels. Linkages will be established at all levels with Government agencies, donor organisations and civil society to achieve a shared understanding of family protection in Pakistan, and to coordinate projects and programmes for achieving maximum overall impact in reducing domestic violence in society, and providing support to victims of abuse or those at risk of abuse. Key projects for cooperation are Gender Reform Program / Gender Reform Action Plan (GRAF), Access to Justice Program (AJP) and Gender Support Program (GSP).

The PFPP will serve to identify further opportunities for interventions at national, provincial and at district level, and to incorporate these opportunities in the logical Framework to be prepared for projects and policy developments, and detailed designs will be prepared for non-DFID funded component for which other sources of funding will need to be identified by Government agencies at federal, provincial and district levels.

v. Gender Reform Project

In February 2000 the Government of Pakistan requested the ADB for technical assistance in preparing a Gender Reform Program to improve the framework of gender policies and to develop institutional mechanisms dealing with gender issues. This first phase comprises the formulation of the Gender Reform Action Plan for the Ministry of Women's Development and the second phase refers to implementation mechanisms. The objectives of the project are to

strengthen the government's capacity to reform institutions and systems dealing with issues of gender and development and support the MoWD in a draft gender reform action plan required to implement the National Plan of Action and to institutionalize the reform process.

In implementing process the Ministry of Women's Development is the Executing Agency. The Project Management Office is created for implementation, co-ordination and monitoring of the TA is headed by the National Project Director. The implementation period is 12 months from August 1, 2002 to August 31, 2003.

vi. Women Health Project

The project has been launched throughout the country with total outlay of Rs. 3750 million in July, 2000 with the Asian Development Bank assistance. The project aims at improving the health, nutrition and social status of women and girls by developing women-Friendly Health System in 20 districts of Pakistan. The specific objectives of the project are :

- Expand basic women's health interventions to under-privileged population.
- Develop women friendly district systems providing quality women's health care from the community to first referral level. The project will target 20 districts where the project will result in a reduction of maternal and infant mortality and fertility.

vii. Girl Child Shield Project: Funded by UNICEF & Implemented by Pakistan Girl Guide Association (Girl child Project)

Pakistan Girl Guide Association (PGGA) is one organization that is paving way for the empowerment of the girl child by improving skills and knowledge. Given its dedication to uplift the status of girl child in Pakistan, the PGGA shares common vision with UNICEF. To address the issue of discriminatory behaviors with regard to education, health and nutrition in their homes and communities, the "Girl Child Shield Program" was initiated by UNICEF through PGGA in all over Pakistan. The overall objective of the project is to raise awareness amongst parliamentarians, policy makers, programme managers, civil society organizations and families to respect the rights of children and women. It aims at empowering specially children and women to claim their rights. The programme targets girl's guides of 11 – 16 years as role models on girl child issues; child rights effective communication skills and team building. So far 100,000 girls

have directly been benefited and nearly a million girls have been affected through peer leadership.

viii. Girl Child Project (Funded by UNICEF & Implemented by FPAP).

The Family Planning Association of Pakistan as follow up to the critical needs of the SAARC Decade of Girl Child initiated its Girl Child Programme on pilot basis in October 1991 with the help of UNICEF and CIDA. The prime objectives were to reach out to girl child, to interact with her, enabling her to prove self-identity and group interaction. It aims at improving status of girl children by creating awareness on basic issues of rights, health, nutrition, environment and education. The project proved not only successful but also attempts to incorporate sustainability. No doubt, it is a dynamic project. It was started with 10 locations 5 urban and 5 rural in 1991 now it has reached at 550 locations all over Pakistan benefiting directly 30,000 girls & 100,000 community members. The project benefits over one millions people.

The following are the key areas of activities of the FPAP Girl-Child Project.

- i. Situation and status of girl child
- ii. Literacy, including home schools/adult literacy classes
- iii. Health including nutrition, first aid / primary health training, immunization safe motherhood, early marriages, personal hygiene, rest and recreation
- iv. Leadership
- v. Environment, sanitation, tree plantation and kitchen gardening.

ix. National Plan of Action for Women:

For the empowerment and development of women and as a follow up to the Fourth Conference on Women (FWCW) held at Beijing in 1995 and to pursue the Beijing Declaration and the Platform for Action (PFA), the Ministry of Women Development in consultation with all relevant stakeholders reached to finalize the National Plan of Action for women. This NPA has a separate chapter on Girl Child in order to fulfill the SAARC Decade goals and other national and international commitments especially. Beside this Gender Reform Programme are also in progress, continuous efforts are proving good results and women's participation level has increased in political, administrative and managerial set ups.

x. ADB assisted Girls Primary Education Development Project.

To provide increased opportunities for girls to receive quality primary education, phase-I of the Project covering all the four province, was completed in 1996 at a cost of Rs. 1763.95 million in which 880 Community Model Schools were established. The second phase of the Project (1998-2003) at a capital cost of Rs. 2736.3 million is under implementation, under which 585 Community Model Schools have been established out of 937 envisaged at the Union Council Level, which will also serve as Teachers Resource Center for the cluster schools.

xi. ADB assisted Middle School Project:

- ADB assisted, the project, launched in 1996 in three provinces of Sindh, NWFP and Balochistan, envisaged expansion and improving of Middle level education facilities with emphasis on Girl's education.
- Closing date June 2003.
- Cost Rs. 2567.925 M (including ADB loan of Rs. 1991.954.
- Outcomes:-
 1. 618 existing primary schools upgraded to middle level in all three provinces, out of 619 envisaged.
 2. Stipends to 41, 962 girl students out of 50,430;
 3. Furniture provided to 548 out of 619 Schools; and
 4. Equipment / books provided to 440 schools.

xii. UNFPA Girls Education Promotion Project:

UNFPA has recently launched a project at a cost of Rs. 29 million (US \$ 500,000) to post FEMALE EDUCATION by providing congenial educational and physical environment selected Girls schools in 20 Districts of Pakistan.

xiii. World Food Programme (WFP):

Under the next country programme of WFP for 2002-04, about 44,000 Girls 9,000 in NWFP and 15,000 in Balochistan to be retained in 1,800 schools in targeted areas through food / edible oil incentives.

xiv. Non Formal Basic Education (NFBE) Schools Project:

Out of 8045 presently functioning schools, 7585 schools are for girls in all provinces and areas;

Province / Area	NGOs	Schools	Enrollment
Punjab	112	5014	225,000
Sindh	30	1227	5,744
NWFP	33	1,618	64,243
Balochistan	09	493	12,739
AJK	-	57	1,956
FATA	-	35	1,856
FANA	-	130	3,900
ICT	07	365	6,150
Total:-	190	8939	310,345

- Almost all in Rural Areas or Urban Slums;
- 80% of teachers in these schools are female;
- Total Enrolment is 310,345 with 70.76% students Girls and the rest 29.24% are boys; and

xv: Mass Awareness and Education Campaign:

The Ministry of Law, Justice and Human Rights has launched this campaign in the field of human rights. Through the campaign masses are being sensitized on the promotion and protection of human rights and seminars of 2-4 days duration are being held in all the four provincial headquarters. It will also be beneficial for government functionaries including police force on various dimensions of human rights i.e. sensitize them about the use of modern skills and techniques enabling them to avoid human rights violations and improving their public image.

Part IV

The following is a preliminary list of major issues (that does not contain issues already covered in Part I) that the Committee may take up during the dialogue with the State party. They do not require written answers. This list is not exhaustive as other issues might be raised in the course of the dialogue.

1. Discrimination against girl and women, against children living in poverty, disabled children, and children belonging to minority and / or indigenous groups.
2. Implementation and monitoring of the Convention on the Rights of the Child, including access health and education services, in the northern Tribal Territories.

3. Birth registration, with a particular regard to minority groups and children in rural areas.
4. Corporal punishment in the family, schools and other institutions.
5. Enjoyment by children of their civil rights (articles 13 to 17 of the Convention)
6. Alternative care for children separated from their families
7. Domestic and inter-country adoptions.
8. Child abuse including sexual abuse and in relation to this, the Zina Ordinance.
9. The provision of health care.
10. Child and maternal malnutrition.
11. Harmful traditional practices, for instance, child marriages.
12. Honour-related practices, including honour killings.
13. Education, including with regarding to the quality of education, enrolment in primary (compulsory) and secondary schools, the access of vulnerable groups to education.
14. The situation of refugee children and families
15. Economic exploitation, including child labour
16. Sexual exploitation and trafficking of boys and girls.
17. Street children.
18. Children belonging to indigenous and /or minority groups
19. The implementation of the Juvenile Justice System Ordinance (2000) and the overall situation of children in conflict with the law, including length and conditions of pre-trial detentions, occurrence of torture and ill treatment and implementation of diversion programmes.