



**Convention on the
Rights of the Child**

Distr.
GENERAL

CRC/C/SR.901
30 September 2003

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Thirty-fourth session

SUMMARY RECORD OF THE 901st MEETING

Held at the Palais Wilson, Geneva,
on Monday, 22 September 2003, at 3 p.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 3 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Second periodic report of Pakistan (continued) (CRC/C/65/Add.21; CRC/C/Q/PAK/2; CRC/C/RESP/40)

1. At the invitation of the Chairperson, Mr. Ahmad Khan, Ms. Bakhtiar, Mr. Hossain, Mr. Khan, Mr. Mangi, Mr. Mangrio, Mr. Umer and Mr. Tahir took places at the Committee table.
2. Mr. LIWSKI enquired what plans the Government had to address the problem of ensuring that all children born in Pakistan were registered at birth. The delegation should explain why the second periodic report referred to children born of extremely poor parents as orphans. The legal status of the large number of refugee children was not clear. If such children were not registered, their ability to exercise fully their rights to health, education and social services would be limited. He wished to know the precise nature of the Government's concerns for Pakistani children living abroad. He also asked what policies the Government had adopted to promote the participation of children and adolescents in student councils, societies and clubs.
3. He asked whether the Government had records of institutional violence against children; he was particularly interested in cases relating to the ill-treatment of adolescents in police custody or in prison establishments. He wondered whether such cases had been made known to the general public. He requested information on Pakistan's legislation to protect children from institutional violence and on the measures that had been taken to prevent or eliminate it. The delegation should provide details concerning cases that had been brought against civil servants accused of institutional violence.
4. He wished to know how much financial support was given to the training of lady health workers for work in remote areas, and how lady health workers interacted with other health-care providers.
5. Mr. KRAPPMANN requested additional information on teacher training, particularly in-service training and on measures that had been taken to increase the number of female teachers and to attract qualified teachers to rural schools. He also requested information on the development of appropriate modern curricula and the use of active learning methods in Pakistan. He wished to know whether there was a mechanism to monitor the quality of school curricula.
6. Ms. SARDENBERG said that it was important for Pakistan to develop a reliable system of birth registration that included minority children and children living in rural areas. Given the many reports of violence against children in Pakistan, including incidents that had occurred in institutions and at police stations, she asked whether any studies had been conducted to determine the incidence of violence in Pakistan as a whole. She wished to know whether Pakistan intended to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and whether it planned to include a definition of torture in its Constitution. The Government should use education to foster a culture of non-violence and tolerance in Pakistan.

7. She asked how many madrasas were in operation in Pakistan and what mechanisms existed to monitor their curricula. In the light of reports of violence in religious schools, she urged the Government to ensure that such schools respected children's rights. She wished to know how the Government intended to deal with the question of madrasas funded by foreign donors.
8. Ms. CHUTIKUL asked why the maximum age limits of 12 years for primary education and 18 years for secondary schools, had been established, and whether the Government would consider eliminating them. The Government should give careful consideration to the issue of corporal punishment and violence against children in school. It was unwise to expect school counsellors to carry out the dual role of counsellor and disciplinarian.
9. The national plan of action failed to address the matters of law enforcement and prosecution with regard to the sexual abuse and exploitation of children. She asked what role had been assigned to law enforcement officers in implementing the national plan of action and why the report did not contain any information on the subject.
10. Mr. FILALI enquired how the Government planned to give effect to the freedoms of expression, thought, conscience and religion on the eve of the withdrawal of its reservations to the corresponding articles in the Convention. He requested details concerning cases of violence against children on police premises and children subject to pre- and post-trial detention. The Government should amend its legislation on minors in order to ensure the prompt release of children held in detention. He asked whether the system of bail described in the legislation on minors meant that detainees who were too poor to pay bail had to remain in detention. He wished to know what measures the Government had taken to eliminate the practice of lashing, which was a common form of punishment in homes and schools. The delegation should provide details on the situation of unaccompanied Afghan refugee children in Pakistan.
11. Mr. KOTRANE said that he would welcome more information on how parents were awarded custody of a child in Pakistan. He wondered whether such decisions took into account the child's best interests. He asked whether children in Pakistan could complain to the courts if they considered that their rights to education or health were being denied. He wished to know what was being done to ensure that the values referred to in article 29 of the Convention were being taught in schools and that schools were models of tolerance and peace, not centres for religious and ideological indoctrination.
12. Ms. BAKHTIAR (Pakistan) said that children's rights were a government priority and a national day for children, 9 January, had been declared. It was hoped that the many positive developments in women's rights in Pakistan, such as their increased representation in legislative bodies, would lead to advances in children's rights. A very successful programme had been launched to provide 500,000 girls in 500 schools in the poorest districts of Pakistan with a hot lunch and regular vitamin and anti-parasite treatment. The Government had launched a policy for disabled children and had organized a national convention that had been attended by disabled children from all over the country. In order to be integrated into mainstream schools, disabled children required special preparation, preferably when they were between the ages of 3 and 5. Since parents in Pakistan usually did not recognize their children's disabilities until a later age, the Government had recently introduced an awareness campaign to encourage parents to

report disabilities as soon as possible and to apply for the preparatory instruction. The Government would also have to provide special technical assistance and training and develop curricula before disabled children could attend mainstream schools.

13. Mr. MANGRIO (Pakistan) said that, in keeping with the goals set at the World Education Forum in Dakar, the Government of Pakistan had prepared a national plan of action to achieve universal primary education by 2015. The current literacy rate in Pakistan was 51.6 per cent for persons 10 years and older and it was hoped that by 2015 the literacy rate would rise to 86 per cent. The Government had established some 6,000 literacy centres throughout the country, which offered a six-month literacy training programme, followed by a six-month skills development programme and microcredit arrangements to help candidates to earn an income. An additional 270,000 literacy centres would be established under the education sector's plan of action for the period 2001-2005.

14. The Government expected to achieve universal primary education for girls by 2015 and for boys by 2010. Of the 19.1 million children of primary school age, only 12.7 million were in school; the Government was taking steps to close that gap by 2015. Primary education for girls was being promoted and non-formal basic education schools were being opened in localities wherever the nearest government schools were outside a 1.5 to 2 kilometre radius. Communities provided classroom space, while the Government provided textbooks, uniforms and other supplies.

15. In an effort to increase enrolment, a national commission on human development had granted additional funds to some 100,000 schools in remote areas of Pakistan that lacked basic facilities, such as drinking water, washrooms and electricity. A number of programmes had been launched to promote female education, including a girls' primary education project and a system of community model schools. To date, the Government had established 1,800 primary model schools for girls. Monitoring to control absenteeism and dropout rates had been improved in all institutions. The reasons for dropping out included poverty and the lack of basic facilities in schools. In order to prevent dropouts, the Government was offering incentives to poor students in rural areas, such as stipends for girls, as well as free uniforms and textbooks.

16. The Government had established a teacher training university in Punjab, and teacher training institutes had been set up in the provinces with the assistance of the Asian Development Bank. Programmes had also been developed to train teachers through distance learning.

17. Curricula and textbooks were being made more attractive and responsive to needs. Parent-teacher associations had been set up and members of civil society helped to monitor and evaluate teaching quality. Educational foundations existed in all provinces and at the federal level for the purpose of setting up community model schools through public/private partnerships. Under such arrangements, administrative control of the schools was handed over to the community after a five-year transition period. The United Nations Children's Fund (UNICEF), the United Nations Population Fund and the Norwegian Government were among the donor agencies that had contributed funding to improve education in Pakistan. With assistance from national and international non-governmental organizations (NGOs), the Government of Pakistan was providing basic education facilities for Afghan refugee children.

18. In an effort to mainstream the system of madrasa education, Islamic seminaries were being encouraged to offer subjects such as general science, English and mathematics as well as religious education. Nevertheless, the madrasas continued to have their own examining board.
19. The CHAIRPERSON requested information about government measures to encourage qualified teachers to accept jobs in rural areas. He wished to know whether teachers were discouraged from using physical forms of discipline.
20. Mr. CITARELLA enquired whether the Government intended to increase expenditure on education, in view of the fact that the budget allocations to that sector appeared to have declined in recent years. The delegation should clarify the target dates of the National Education Policy.
21. Mr. TAHIR (Pakistan) said that, although the Government had been forced to cut back on social spending during the economic crisis of 2001-2002, it had embarked on a massive debt-rescheduling programme that would allow it to increase spending in such sectors as health and education.
22. Mr. MANGRIO (Pakistan) said that, in order to enhance the quality of education, the Government had raised teacher qualifications and had introduced a hardship allowance for teachers who accepted posts in rural areas. Efforts were also being made to increase the number of female teachers, partly because women were considered to be kinder to children. Consequently, the Government was endeavouring to ensure that women working as teachers in the public sector received higher salaries and benefited from more mobility than those working in the private sector.
23. The National Education Policy included a number of targets and an action plan for the period 2001-2005, which addressed such priority areas as literacy, early childhood education and vocational and technical training. In accordance with the Dakar Framework of Action, Pakistan had developed a national strategy for achieving universal primary education by 2015.
24. The teacher/pupil ratio was 1 to 58 at the primary level, 1 to 39 at the middle level and 1 to 10 at the secondary level. Those figures reflected the higher levels of school enrolment at the primary level.
25. Although not formally recognized by law, a significant number of student councils, societies and clubs existed throughout the country. They organized activities such as debates and sports and cultural activities. A number of parent-teacher associations had also been established.
26. Under the devolution plan, the district authorities were responsible for providing educational facilities and for monitoring the situation in schools.
27. The federal and provincial education departments actively discouraged the use of physical discipline in schools. Although a complaints mechanism had been established for parents whose children had been physically abused at school, very few cases of abuse had been reported.

28. Mr. TAHIR (Pakistan) said that it was difficult for a developing country like Pakistan to allocate separate funds from its national budget to specific sectors such as child welfare and development. Since the responsibility for delivering health and education services lay primarily with the provincial authorities, most of the funding for those services came from the provincial budgets.

29. Approximately 70 per cent of the total budget allocation for health, which was approximately 20 billion Pakistan rupees (PRs) for 2003-2004, was earmarked for women and children. A number of initiatives, such as a family protection and rehabilitation programme, were designed to assist women and children in particular. Over PRs 5 billion had been made available to destitute families each year through the *zakat* fund, a traditional religious system under which affluent Muslims were required to pay an alms tax to help those less fortunate than themselves.

30. As part of its efforts to encourage girls to attend school, the Government had introduced a programme to provide cooked lunches to girls in some 5,000 schools situated in the poorest districts of Pakistan. The programme had been so successful that the Government was considering the introduction of a similar programme for boys.

31. There were 276 institutions in Pakistan for disabled persons. Although most of them were operated by the provincial authorities, 55 were run by the Federal Government and 2 were run by NGOs. Under the new policy on disabilities, and in the light of the recent success of Pakistan's team at the Blind Cricket World Cup 2003, the Government had decided to establish a sports board to encourage senior citizens and disabled persons to participate in sport. The Government had also decided to institutionalize sports activities for disabled persons. Efforts were being made to build libraries for the blind in all major cities. Furthermore, the federal capital and the capital of the largest province had both been declared "disabled-friendly cities" since those cities provided disabled persons with access to public buildings and transport facilities. The authorities were in the process of collecting information at the district level with a view to creating a database on disabilities.

32. Over 70,000 female health workers were involved in providing primary health-care and family planning services, including post-natal and antenatal care. They were also involved in the implementation of the Expanded Programme of Immunization (EPI), which had been launched in 1979. It was hoped that the recruitment of an additional 30,000 workers would ensure 100 per cent coverage of those services in rural areas by 2004.

33. The national campaign to provide immunization against six preventable diseases had achieved coverage of some 85 per cent. Over 2,500 fixed vaccination centres had been established, while 4,589 EPI outreach teams and approximately 100 mobile teams were involved in achieving the programme's targets. A national polio eradication programme for children under 5 had achieved an 85 to 90 per cent success rate. In order to reduce iodine deficiency disorders, over half a million people at risk of goitre had received lipoidal therapy in the period 1995-1996, and some 6,000 tons of iodized salt had been supplied to the population by government-run utility stores.

34. The CHAIRPERSON said that, according to some reports, over 8 million children in Pakistan under the age of 5 were malnourished. He wished to know whether the Government intended to take any measures to reduce malnutrition among that particular age group.
35. Mr. TAHIR (Pakistan) said that the programmes introduced by the Government to promote education in rural areas were also designed to reduce malnutrition. For example, nutritional supplements were provided to some 500,000 girls in the poorest districts and vitamin A supplements were provided to all children who attended school for at least 24 days. Vitamin A supplementation programmes for children between 6 months and 5 years of age were conducted on national immunization days. A study on flour fortification had been launched with a view to overcoming iron deficiency.
36. Mr. LIWSKI asked whether there was a targeted programme to lower the mortality rate of children under 6 years of age.
37. Mr. TAHIR (Pakistan) said that the high infant mortality rate had mostly been the result of traditional birth techniques. The primary health-care services provided by lady health workers to expectant mothers and mothers and infants in rural areas were designed to lower the mortality rate.
38. Ms. AL-THANI said that Pakistan's poverty should not serve as an excuse for its poor health indicators. In her opinion, the Government was not directing its resources to the right areas. She wished to know whether there were any programmes on the promotion of breastfeeding.
39. Ms. Yanghee LEE asked whether lady health workers worked together with the National Infant Feeding Board.
40. Mr. TAHIR (Pakistan) said that the Government was making every effort to improve the situation in the health sector. A programme on the promotion and protection of breastfeeding, which included 63 hospitals, had been launched in 1995 in cooperation with UNICEF.
41. Ms. BAKHTIAR (Pakistan) said that a number of health-related problems would be solved once the Government managed to control population growth. A campaign to ensure access to clean drinking water had been launched throughout Pakistan.
42. Mr. AHMAD KHAN (Pakistan) said that the Government of Pakistan attached paramount importance to international human rights instruments and had ratified the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. The Government had conducted extensive consultations on the International Covenant on Economic, Social and Cultural Rights and planned to ratify it in the near future.
43. Mr. KHAN (Pakistan) said that the Government, in cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO), had incorporated human rights into the outline of Pakistan's educational curricula for the next five years.

44. Pakistan's legislation prohibited the use of torture and inhumane or degrading treatment. Police officers who resorted to torture were prosecuted. Measures had been taken to improve police training, particularly in the area of human rights, and to reform law enforcement institutions. With a view to combating domestic violence, the Government had initiated the Pakistan Family Protection Project and planned to launch a large-scale media campaign on the issue over the next three years.

45. Pakistan's birth registration system had been reformed. Birth registration was carried out by the regional councils and the National Database and Registration Authority. The National Alien Registration Authority had also been established. The registration bodies were coordinated by a special ministerial committee. The registration fee was equivalent to 20 United States cents. The late registration fee amounted to PRs 200.

46. The CHAIRPERSON asked whether the Government had a specific target with regard to birth registration.

47. Mr. KHAN (Pakistan) said that, although no target had been set for birth registration, the Government hoped to be able to register all newborn children.

48. Every person in the country had the right to a name. Changing one's name involved placing an announcement in a local newspaper, making an affidavit and finding two people to certify the name change. In educational institutions, names could be changed through special committees. Any disputes were referred to a civil court.

49. Courts could grant bail to juveniles with or without surety. Jails were visited on a monthly basis and juveniles were often released on personal bonds. Courts had the obligation to give paramount consideration to the welfare of the child.

50. In cooperation with the Office of the United Nations High Commissioner for Refugees (UNHCR), the Government had developed a special mechanism for registering refugees. Refugees were entitled to all available education and health services. However, they were not permitted to participate in politics.

51. As a result of government funding and efforts to introduce non-religious subjects in their curricula, the madrasas had recently decided to incorporate the syllabus of the regular schools.

52. Mr. MANGI (Pakistan) said that children who had experienced abuse in families or institutions were kept in social welfare institutions or special centres set up by NGOs. Social welfare departments took steps to reintegrate those children into families and communities. Serious cases were referred to the police.

53. Ms. SARDENBERG wished to know how many madrasas there were in Pakistan and whether there were any mechanisms to deal with sexual abuse in those schools.

54. Mr. KHAN (Pakistan) said that, since madrasas had always been independent, the Government had not interfered in their affairs. However, in view of the many complaints that had been received, the Government had recently begun to take measures to encourage appropriate behaviour in those schools. According to the confederation of madrasas, there were 8,000 madrasas in Pakistan.

55. Mr. MANGI (Pakistan) said that the Government was providing technical and legal assistance to international social services across Europe in order to help them deal with cases involving citizens of Pakistan who lived in other countries.
56. The Government had been reviewing its policies and the legal framework with a view to protecting child workers. Some employers were providing children with informal education and vocational training.
57. Mr. FILALI asked whether the new school programmes, which incorporated human rights, also applied to madrasas. He wished to know whether co-education existed in Pakistan's schools and universities.
58. Mr. KHAN (Pakistan) said that, although human rights were being taught only in regular schools, the Government planned to encourage madrasas to introduce human rights education. Owing to the country's traditional values, no plans had been made to universalize co-education. However, co-education already existed in universities and private schools.
59. Ms. BAKHTIAR (Pakistan) said that the Government was taking measures to prevent violence against women. Special reporting cells were being set up in police stations. Violence against women had been incorporated into the curriculum of police academies. Crisis centres and shelters, which conducted rehabilitation campaigns and provided legal and medical assistance to women and children, had been established.
60. Ms. SARDENBERG asked whether female police officers were responsible for dealing with complaints concerning violence against women. She would also like to know whether psychologists, social workers and lawyers were available for consultation in each crisis centre.
61. Ms. BAKHTIAR (Pakistan) said that a committee of activists and professionals, including lawyers and social workers, was in charge of managing each crisis centre.
62. Mr. KHAN (Pakistan) said that women were encouraged to become police officers, and that one woman had recently been promoted to the position of commissioner.
63. The CHAIRPERSON asked for details about programmes to deal with unaccompanied refugee children.
64. Mr. KHAN (Pakistan) said that UNHCR had given responsibility for the voluntary repatriation of refugee children separated from their parents to an NGO based in Islamabad. In such cases, the Government provided all the necessary support.
65. Ms. SARDENBERG said that the media code of ethics was a very important initiative, since the media had tremendous power to raise awareness of children's rights. She would be interested to learn how the code had been developed, and on whose initiative, and whether the Government had tried to evaluate its impact. She would also appreciate information on any steps that the Government was taking to ensure the successful implementation of the Juvenile Justice System Ordinance throughout the country, especially in tribal areas.

66. Ms. VUCKOVIC-SAHOVIC said that, since Pakistan was not a party to the Convention relating to the Status of Refugees, it had left much of the task of dealing with refugees to NGOs. Given the huge numbers of refugee children, she wished to know whether the Government had considered taking a more active role.

67. Ms. OUEDRAOGO enquired whether the Government had taken any steps to assist children in finding absent parents or in recovering maintenance payments.

68. Ms. SMITH said that the child's right to be heard, pursuant to article 12 of the Convention on the Rights of the Child, should not be overlooked. She asked whether the Government had considered passing a law to protect the child's right to express his or her views freely in all matters affecting the child.

69. Mr. LIWSKI asked what role the legal aid centres played in guaranteeing children's rights. The delegation should explain whether the centres helped children to formulate complaints, or whether they provided defence lawyers for children in conflict with the law.

70. Mr. CITARELLA said that the Juvenile Justice System Ordinance of 2000 had had little practical impact. According to the Human Rights Commission of Pakistan, many children were still being held in prison under extremely harsh conditions, juveniles continued to face trial in the ordinary courts, and executions of children had occurred since the adoption of the Ordinance. The delegation should also explain whether the Ordinance was applicable to so-called "terrorist courts".

71. The CHAIRPERSON enquired why the Government was considering, on a case-by-case basis, the withdrawal of charges against over 3,000 children facing trial.

72. Mr. KHAN (Pakistan) said that adoption of the Juvenile Justice System Ordinance had been a radical step, since it prohibited the death penalty, created liberal bail arrangements and provided for compulsory legal assistance and separate trials. All provinces had adopted measures to implement the Ordinance, with the cooperation of the courts and prison authorities. Although it had been impossible to set up juvenile courts owing to a shortage of judges, ordinary courts set aside one day each week for dealing with juvenile cases. Further safeguards would be introduced under the Access to Justice Programme. Anyone was entitled to lodge a criminal complaint, and legal aid centres were ready to assist children with procedures. It was the duty of the State to provide legal counsel to all minors accused of criminal offences.

73. Since the abolition of the death penalty applied to all juveniles found guilty of offences committed after July 2002, executions of juveniles who had been convicted of crimes committed before July 2002 could still occur. However, no child under the age of 18 years had been executed over the past five years. Terrorist courts had been established in the Northern Areas owing to the exceptional security situation, and the Supreme Court had yet to decide whether the Juvenile Justice System Ordinance was applicable to those courts. The State prosecutor could only request courts to drop charges against children accused of criminal offences.

74. The CHAIRPERSON asked whether children were kept in pre-trial detention while the decision of the court remained pending.

75. Mr. KHAN (Pakistan) said that information on juveniles awaiting trial would be submitted in writing.

76. Mr. MANGI (Pakistan) said that the Ministry of States and Frontier Regions was responsible for providing services to, and ensuring the security of, Afghan refugees. For the past 20 years, Pakistan had been struggling to cope with an enormous influx of refugees. In that regard, he called upon the international community to provide greater support.

77. The media code of ethics was a voluntary initiative taken by media agencies, which had become aware of the negative impact of some reporting on the rights of the child. It was not part of any attempt by the Government to monitor or interfere with the media. The code had been very successful in raising awareness of children's issues in printed and electronic media.

78. The Social Welfare Department had established mechanisms at the district and subdistrict levels to assist children in the recovery of maintenance payments from absent parents.

79. Mr. KHAN (Pakistan), replying to the question on the role of student counsellors, said that headmasters could appoint a counsellor from among the students to take special care of any child with disciplinary problems in or outside school. If the child's disciplinary record did not improve, he or she could be expelled on the basis of information from a second counsellor, who would be selected from among the teaching staff.

80. Ms. ORTIZ said that the media should be encouraged to refer to the Convention and to take a rights-based approach whenever they reported on issues affecting children.

81. The CHAIRPERSON said that the report had not included any information about street children in Pakistan, and he asked whether there were specific programmes to deal with that problem. He wished to know whether the Government had established a time frame or made specific budgetary provisions for implementing the Juvenile Justice System Ordinance.

82. Ms. SARDENBERG said that she would appreciate information concerning policies designed to implement International Labour Organization (ILO) Convention, 1999 (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

83. Mr. KHAN (Pakistan) said that, with a loan of \$350 million from the Asian Development Bank, the Government had developed a five-year programme for restructuring the justice system, entitled "Access to Justice". The Government had completed the tripartite consultation process on the ILO Worst Forms of Child Labour Convention and, was in the final stages of developing policies and enacting laws for its implementation.

84. Mr. MANGI (Pakistan) said that in Pakistan the problem of street children was not as serious as in many other countries. Nevertheless, some children cleaned the streets for a living during the day and returned to the family home at night. A core group had been set up by the Government to find suitable ways to deal with that problem, and many NGOs were already involved in providing special protection for such children.

85. Mr. CITARELLA said that the Committee's concluding observations would take account of information received from all sources, including the State party's report, the Committee's dialogue with the delegation, and submissions from NGOs. Over the past 10 years, Pakistan had made considerable progress in implementing the Convention. The most significant legislative measure had been the adoption of the Juvenile Justice System Ordinance in 2000. However, the Committee would like to see more effective implementation of the Ordinance and other related policy instruments.

86. The Committee was concerned at the rising incidence of poverty in Pakistan, which was having a negative impact on children's rights. Moreover, the juvenile justice, health and education systems remained seriously underfunded owing to inadequate resource allocation.

The meeting rose at 5.55 p.m.