



PROMOTION AND PROTECTION OF CHILD RIGHTS

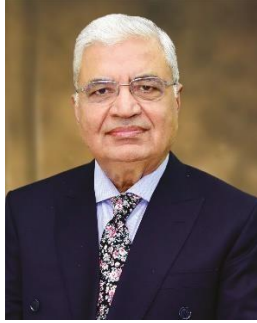
**Children Complaints Office
Wafaqi Mohtasib (Ombudsman)'s Secretariat
Islamabad**

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FEDERAL OMBUDSMAN



EJAZ AHMAD QURESHI

WAFAQI MOHTASIB (FEDERAL OMBUDSMAN) PAKISTAN

FOREWORD

This Booklet on “Promotion and Protection of Child Rights”, aims at providing comprehensive information about the parameters on which issues relating to children are addressed by Wafaqi Mohtasib (Ombudsman)'s Secretariat (WMS) testifying to the priority accorded to safeguarding child rights. It highlights strategic responses to the critical challenges relating to children in the country, such as the issue of the street children, cybercrimes against children, prison reforms in the context of women and children, institutional mechanism for dealing with tragedies like the Zainab incident in Kasur and the child labour. More importantly, primacy is accorded to child-related complaints, including those pertaining to rescue and maltreatment of children.

Pakistan has peculiar demographics and regional geopolitical situation, which impacts its internal socio-economic dynamics. Over 47 percent of the population comprises children below 18 years of age, which is a huge number. Bulk of this population lives in rural areas where access to basic amenities is rather limited. These children are frequently disrupted by natural disasters, extreme

weather conditions (droughts and floods) and the current climate change crisis. Even in the urban areas, children belonging to vulnerable communities are exposed to different forms of risks. With weak family protection and abject poverty conditions, children are mostly subjected to exploitation and neglect. The WMS has worked as catalyst for change and has provided an important platform for objective and meaningful discussion on child rights issues.

In order to fulfil its Constitutional and the UN Convention on the Rights of the Child (UNCRC) obligations, Pakistan needs a comprehensive approach. Through its various initiatives, the WMS has tried to fill many gaps and rendered services in various capacities for implementation of the Constitutional rights and provisions of the UNCRC. Its proactive approach has led to interventions on legal reforms. In addition, it also empowered child rights institutions to monitor and protect child rights by monitoring and making them fully functional. The Children Complaints Office (CCO) is functioning at Wafaqi Mohtasib Secretariat, Islamabad and its Regional Offices located in different parts of the country.

The WMS system works on children issues within the ambit of (a) redressal of complaints against acts of omission and commission by any federal agency, through an effective response system; b) providing platform for addressing child issues through research, advocacy and by engaging stakeholders on children's rights; and c) enabling the Wafaqi Mohtasib to advise the government on systemic issues that impact rights of children and help compliance of relevant provisions of Constitution of Pakistan on Child Rights and the UNCRC. In realization of these objectives, I acknowledge with appreciation, the valuable support extended by UNICEF as our major partner for several years.

The Office of the Wafaqi Mohtasib remains committed to dispensation of quick administrative justice within its mandate and bringing systemic reforms by supporting vulnerable groups, in particular children, through initiatives that help in mitigating their exclusion and marginalization.

INTRODUCTION

In Pakistan, children below the age of 18 years are nearly 102,429,594 out of total population of 241,499,431. The Constitution of Pakistan safeguards the fundamental rights of children, which are further supported by relevant Acts and legal framework. Commitments for the protection of child rights are also strengthened by international obligations as derived from the United Nations Convention on the Rights of the child (UNCRC). Achieving Sustainable Development Goals (SDGs) especially targets relating to children are equally important. Synchronizing development goals with building resilience among communities, especially children, could be more beneficial in the years to come.

In addition to addressing complaints related to children, sharp focus has been on strategizing responses and proposing remedial actions on critical issues impairing child rights. Public outreach, advocacy campaigns and workshops have helped a great deal in creating awareness on child rights issues. Moreover, various surveys and studies conducted on the issue have also served as inputs for the policy, decision-makers and other stakeholders.

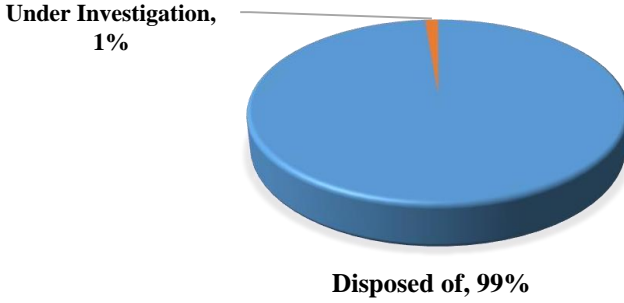
The Booklet titled “Promotion and Protection of Child Rights” attempts to briefly provide necessary information on the evolution of Wafaqi Mohtasib’s system-wide measures, studies conducted and main provisions of the Constitution of Pakistan and the UNCRC provisions.

Details of complaints handled by the Children Complaints Office Wafaqi Mohtasib Secretariat are given as follows:

Complaints Receipt and Disposal:

Total Cases Received (As on 30.06.2024)	Disposed Of	Under Investigation
2695	2659	36

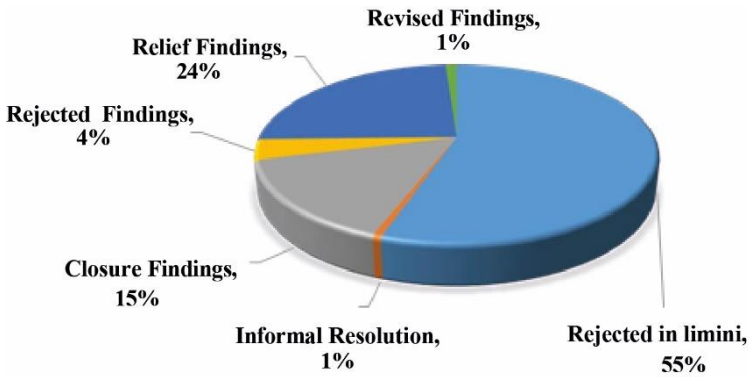
PERCENTAGE OF DISPOSED OF AND UNDER INVESTIGATION COMPLAINTS



DISPOSAL OF COMPLAINTS

Total Cases Disposed of (As on 30.06.2024)	Rejected in limini	Informal Resolution	Closure Findings	Rejected Findings	Relief Findings	Revised Findings
2659	1465	16	406	97	646	29

PERCENTAGE OF DISPOSAL OF COMPLAINTS



RELEVANT PROVISIONS IN THE CONSTITUTION OF PAKISTAN

The Constitution of Pakistan contains elaborate provisions relating to child rights. Implementation of these provisions, however, require a holistic approach. These provisions are enumerated below:

- 1.** Article 11 (1) forbids slavery and states that no law shall permit or facilitate its introduction in Pakistan in any form.
- 2.** Article 11 (2) prohibits all forms of forced labour or trafficking in human beings.
- 3.** Article 11 (3) prohibits employment of children below the age of 14 years in any factory or mine or any hazardous employment.
- 4.** Article 25 (1) (2) (3) provides equal status to all citizens, who are entitled to equal protection under the law. It further provides that no discrimination is permissible on the basis of sex and the state can make special provision for the protection of women and children.
- 5.** According to Article 25 A, “The state shall provide free and compulsory education to all children of the age of five to sixteen years in such a manner as may be determined by law”.
- 6.** Article 35 specifies in the Principles of Policy that the state is responsible for protecting the marriage, the family, the mother and the child.
- 7.** Article 37 establishes the need to inter alia protect human dignity and state’s obligation to “make provision for securing just and human conditions of work, ensuring that children and women are not employed in occupations unsuitable to their age and sex.”

In recent years, certain amendments in laws have been introduced to reinforce the above mentioned provisions such as the Right to Free and Compulsory Education Act, 2012; Employment of Children Act, 1991; Act to Prevent and Combat Trafficking in Persons especially, Women and Children, 2018 and the 2023 amendments in Prevention of Electronic Crimes Act (PECA) 2016, etc.

At the provincial level, similar and/or additional laws have been

adopted pertaining to children in keeping with their respective geographical and cultural requirements.

UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD (UNCRC)

The Pakistan is signatory to the UNCRC. It is a Convention that protects children's rights by setting standards. It defines a child as "every human being below the age of eighteen years unless, under the law applicable to the child, maturity is attained." The UNCRC incorporates whole spectrum of human rights and calls for the protection of children from economic, sexual, and other forms of exploitation including torture, and capital punishment for offences committed before the age of 18. It also provides for special protection for orphans, refugees, juvenile offenders and the disabled. Four general principles on which UNCRC is built are:

- 1. Non-discrimination (Article 2):** All rights apply to all children without exception. It is the state's obligation to protect children from any form of discrimination, and to take positive actions and measures to promote their rights.
- 2. Best Interests of the Child (Article 3):** All actions concerning the child shall be in his or her best interests.
- 3. The Child's Rights to Survival and Development (Article 6):** Every child has the right to life. The state has an obligation to ensure the child's survival and development.
- 4. Participation (Article 12):** Girls and boys have the right to be involved in decisions affecting them.

MANDATE OF FEDERAL OMBUDSMAN

Through President's Order No. 1 of 1983 the Office of Wafaqi Mohtasib (Ombudsman) was established in 1983, which was further regulated by Federal Ombudsmen Institutional Reforms Act No. XIV of 2013. It empowers the Federal Ombudsman to diagnose, investigate, redress and rectify any injustice done to a person through maladministration of an Agency. The Order defines Agency as a Ministry, Division, Department, Commission or office of the Federal Government or a statutory body, corporation or other institutions established or controlled by the Federal Government.

Children Complaints Office (CCO):

The Children Complaints Office (CCO) was set up in WMS in 2008. This Office has served as a dedicated mechanism for receiving and resolving complaints from and about children. Complaints can be made to CCO if children feel an action by the government/public organization, and any other related organization has treated them unfairly. Adults can also lodge complaints on behalf of children. If the complaint is made by any person other than parent or guardian, these will be made known to them.

The CCO is playing a three-fold role:

1. to receive, examine, investigate and redress the complaints made by or on behalf of children.
2. to promote the rights and welfare of children.
3. to advise the government on systemic issues that impact rights of children and help compliance with UNCRC.

In view of the 18th Amendment to the Constitution of Pakistan, offices of Provincial Ombudsmen have been established, where Children's Complaint Offices are operational. However, WMS has also directed its Regional Offices to look after child rights issues within their areas of jurisdiction. The Federal and Provincial Ombudsmen are also working in coordination, on child rights issues that have nationwide implications. To involve multiple stakeholders in advisory capacity, National Committee on Children under the Hon'ble Wafaqi Mohtasib has also been constituted.

HOW TO LODGE A COMPLAINT ?

1. A complaint written in English or Urdu may be lodged with the Wafaqi Mohtasib Secretariat or any of its Regional Offices as per addresses mentioned at the website www.mohtasib.gov.pk on WMS Form 'A' (as given in the provided links) in person, or through web application or Mobile App.

2. If a complaint is not lodged on WMS-Form 'A', it shall be accompanied by a solemn affirmation that:

a) the allegations contained in the complaint are correct and true to the best of knowledge and belief of the complainant;

b) previously no complaint on the subject was filed at the Wafaqi Mohtasib Secretariat or any of its Regional Offices;

c) no suit, appeal, petition or any other judicial proceedings in connection with the subject matter of the complaint is pending before any Court, Tribunal or Board; and

d) a representation to a competent authority of the Agency in respect of the allegations contained in the complaint was made, but either no reply thereto was given within a reasonable time or the representation had unjustly been turned down.

3. Normally approach to higher authorities of the concerned Agency for redressal of grievance is required before making a complaint to the Wafaqi Mohtasib, so as to give them an opportunity of doing so.

4. Copies of relevant documents including copy of the Computerized National Identity Card/Form-B and the latest correspondence with the Agency should, if possible, be annexed to the complaint.

5. On personal presentation of the complaint in any of the Offices of the Wafaqi Mohtasib (Ombudsman) Secretariat, a receipt is issued immediately. However, in case of submitting the complaint by any other means, receipt is issued within 72 hours.

To download application form please click here:

https://mohtasib.gov.pk/SiteImage/Downloads/form_a_english.pdf
https://mohtasib.gov.pk/SiteImage/Downloads/form_a_urdu.pdf

Wafaqi Mohtasib Secretariat

36- Constitution Avenue, G-5/2, Islamabad

Phone: +92-51-9216762, +92-51-9216763,
+92-51-9216754

Fax: +92-51-9217224

Website: www.mohtasib.gov.pk

For lodging online complaints against

Federal Government Agencies

Email: fpc.commissioner@gmail.com Website: www.mohtasib.gov.pk

Helpline for Child Complaints: 1056

INITIATIVES OF WAFAQI MOHTASIB SECRETARIAT (WMS)

UNICEF has remained a major partner of the WMS for several years since the setting up of the Children Complaints Office and National Commissioner for Children in the WMS. Some of the achievements of joint collaboration between the two include: Setting up of the National Committee on Children following the study conducted by Mr. Hjermand former Child Ombudsman of Norway. Important publications related to the state of children in Pakistan and other issues were brought out. These are listed below:

1. State of Children in Pakistan Report, 2012 updated in 2015.
2. International Study of Best Practices in Monitoring Children's Rights.
3. Baseline Study on the State of Compliance of Federal Agencies responsible for Child Protection with the UNCRC.
4. Document titled "Strengthening of Women and Child Detainees across Pakistan."
5. Report titled "Kasur Tragedy and Redressal of Systemic Issues."

In order to conduct research and investigate systemic issues, the following independent studies have also been conducted by the WMS:

1. Report on the Inquiry into the Plight of Street Children in ICT: Challenges and Way Forward

The report was released on 27 October 2022. Key findings of the report are:

- The issues related to the deprivation of the rights of street children are closely linked with extreme poverty;
- The lack of proper mechanism for data collection, particularly in the case of unregistered refugee children, is a serious impediment making the task of protection of the rights of children difficult;
- Child protection system is a combination of formal and

informal structure, which is compounded by the fact that there is no Child Court in Islamabad;

- For the protection of female street children, no welfare centre is in existence;
- Most of the street children in ICT are brought from other areas in the country and are often involved in begging and collection of waste, trash and rags.
- The internally trafficked children are left either on their own or at the mercy of those involved in Trafficking;
- Children who collect waste are exposed to hazardous substances. This activity results in their serious health issues.

2. Prevention and Control of Cybercrimes against Children:

In view of increase in cybercrimes against children and for addressing systemic issues related to cybercrimes, various approaches have been adopted with the purpose of: a) increasing public awareness; b) encouraging legal and educational reforms; c) strengthening media response and sensitizing media. Since cybercrime issues needed to be tackled at different administrative levels, Provincial Ombudsmen offices and other stakeholders were mobilized for raising public awareness and capacity building. Public Awareness and sensitization of media was carried out by dissemination of public service messages in coordination with PEMRA, Radio Pakistan, PTA, PTV, and others.

This Secretariat is actively pursuing these matters through its implementation mechanism, which includes follow-up meetings with relevant stakeholders to ensure progress and resolution.

NATIONAL COMMITTEE ON CHILDREN (NCC)

First constituted in December 2014, under the chairmanship of Late Dr. S. M. Zafar with 10 renowned members, it fulfilled the CRC requirement of social mobilization and monitoring. The Committee has rendered valuable guidance, provided policy inputs and adopted concrete measures resulting, inter alia, in the draft Bill on Eradication of Child Labour in 2017, Prison Reforms especially in relation to women and children and extensive work on the Kasur incident.

The Committee has been reconstituted. It's first meeting was convened on 31st January 2022 under the chairperson, Former Provincial Minister, Ms. Shaheen Attique-ur-Rehman. She has held several consultative meetings with all the stakeholders, defining their roles on child protection. To provide impetus to the work on child rights, five sub committees had been proposed: Advocacy; Legal Framework; Promotion of awareness; research and coordination; child protection policy. The emphasis is on creating a network to address cases of victimized children at every stage of the complaint.

Following is the composition of present National Committee on Children:

1. Ms. Shaheen Attique -ur- Rehman, Chairperson

Vice Chairperson of Bunyad Foundation, Punjab.

2. Mr. Farhatullah Baber, Member

Ex – Senator.

3. Ms. Raheela Hameed Durrani, Member

Former Speaker of the Provincial Assembly / MPA, Balochistan.

4. Mr. Justice (R) Manzoor Hussain Gillani, Member

Chairman Association for the Rights of the People of Azad Jammu & Kashmir.

5. Ch. Muhammad Masaud Akhtar Khan, Member

Former District & Session Judge, Lahore.

6. Mr. Zia Ahmed Awan, Member

Founder of Madadgaar National Helpline, Sindh.

7. Ms. Samar Minallah, Member

Anthropologist, Documentarian, Filmmaker & Human Rights Activist.

8. Ms. Manizeh Bano, Member

Executive Director, Sahil, Islamabad.

9. Ms. Ayesha Raza Farooq, Ex- Officio Member

Chairperson National Commission on the Rights of Child.

10. Ms. Riffat Sardar, Ex- Officio Member

Chairperson KP Commission on the Status of Women, Peshawar.

11. Ms. Tabana Sajjad Naseer, Ex- Officio Member

Advisor (General) CPCC, Provincial Mohtasib Punjab.

REGIONAL OFFICES OF Wafaqi Mohtasib SECRETARIAT

• **REGIONAL OFFICE: ABBOTTABAD**

Room No. 06, District Government Secretariat
Abbottabad.

Phone. 0992-9310538, Fax No.0992-9310549

Email: Ombuds.wmsROA@gmail.com

• **REGIONAL OFFICE: BAHAWALPUR**

House No. 50/A Muhammadia Colony, Noor Mahal
Road, Bahawalpur.

Phone # 062-9255612, Fax # 062-9255614

Email: Ombuds.wmsROB@gmail.com

• **REGIONAL OFFICE: D.I.KHAN**

Plot No. 1, Survey No. 79, Quaid-e-Azam Road
Near GPO Chowk D.I.Khan Cantt.

Fax # 0966-9280256

Email: ombuds.wmsrod@gmail.com

• **REGIONAL OFFICE: FAISALABAD**

Building No. W-10-P-20, Asif Street, New Civil Lines,
Bilal Road, Faisalabad.

Fax # 041-9201021, Exchange # 041-9201020

Email: ombuds.wmsrof@gmail.com

• **REGIONAL OFFICE: GUJRANWALA**

144-145, (1st Floor) Mumtaz Market, Near NADRA
Executive Office, G.T. Road, Gujranwala.

Fax # 055-9330636

Email: Ombuds.wmsROG@gmail.com

• **REGIONAL OFFICE: HYDERABAD**

State Life Building No.3, 6th Floor, Thandi Sarak,
Hyderabad. Fax # 022-9201603

Email: ombuds.wmsroh@gmail.com

• **REGIONAL OFFICE: KARACHI**

4-B Federal Government Secretariat, Saddar Karachi.

Fax # 021-99202121

Exchange # 021-99202107,

Email: ombuds.wmsrok@gmail.com

• **REGIONAL OFFICE: KHARAN**

Quetta road, Kharan.

Phone # 092-847-510305

Fax # 092-847-510306

Email: Ombuds.wmsROK@gmail.com

• **REGIONAL OFFICE: KHUZDAR**

Wafaqi Mohtasib (Ombudsman) Secretariat,
Commissioner Office, Khuzdar.

• **REGIONAL OFFICE: LAHORE**

State Life Building, 3rd Floor, 15-A Davis Road,

Lahore. Fax # 042-99201021,

Exchange # 042-99201017-18,

Email: ombuds.wmsrol@gmail.com

• **REGIONAL OFFICE: MIR PUR KHAS**

Shuja Abad Taluka Complex Degree road, Near village
Makhan Sammun, Mir Pur Khas.

• **REGIONAL OFFICE: MUZAFFARABAD**

Block No 05, New Secretariat

Chattar Domel Muzaffarabad AJ&K.

Phone # 0300-5590744

• **REGIONAL OFFICE: MULTAN**

House No. 15C, Wahdat Colony, Multan.

Fax # 061-9330027, Exchange # 061-9330021

Email: ombuds.wmsrom@gmail.com

• **REGIONAL OFFICE: PESHAWAR**

1st Floor Benevolent Fund Building, Peshawar Cantt.

Fax # 091-9211571 & amp; 091-9211573

Email: ombuds.wmsrop@gmail.com

• **REGIONAL OFFICE: QUETTA**

Civil Defence Building Samungli Road, Quetta.

Phone # 081-9202679, Fax # 081-9202691

E-mail:ombuds.wmsroq@gmail.com

• **REGIONAL OFFICE: SWAT**

Near Masjid Allah o Akbar,Saidu Sharif, Swat.

Phone # 092-946-920052, Fax # 092-946-920051

Email: Ombuds.wmsROK@gmail.com

Phone # 0333-9151624

• **REGIONAL OFFICE: SARGODHA**

Near Circuit House, PAF road Sargodha.

Phone: 092-48-9330155, Fax No.092-48-9330156

Email: Ombuds.wmsROS@gmail.com

• **REGIONAL OFFICE: SUKKUR**

House No. 107-A, Near NADRA Office, Sindhi

Cooperative Housing Society, Airport Road, Sukkur.

Fax # 071-9310012,

Email: ombuds.wmsros@gmail.com

• **COMPLAINTS COLLECTION CENTRE: SIBI**

Wafaqi Mohtasib Complaints Collection Centre, Deputy
Commissioner Office, Sibbi, Balochistan.

Phone: 0332-7919990

• **COMPLAINTS COLLECTION CENTRE: WANA**

Wafaqi Mohtasib Complaints Collection Centre,

Assistant Commissioner Office, WANA, South

Waziristan. Phone: 0965-211046

• **COMPLAINTS COLLECTION CENTRE:
SADDA**

Wafaqi Mohtasib Complaints Collection Centre, Boys

Hostel, Sadda Cantt. District Kurram.

• **COMPLAINTS COLLECTION CENTRE:
LORALAI**

Provincial Ombudsman Office, DC Complex, Loralai.

• **COMPLAINTS COLLECTION CENTRE:
GILGIT-BALTISTAN**

Directorate of Social Welfare, Near Shahzada Market

Jutial, Gilgit. Phone # 0312-9703311

Children Complaints Office (CCO)

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