

Child Rights/Activities of National Commissioner for Children

Background

Articles 11 and 25 (3) of the Constitution of the Islamic Republic of Pakistan recognizes special right of protection for children due to their vulnerability. Pakistan ratified the United Nations Convention on the Rights of the Child (UNCRC) on November 12, 1990 which provided broader guidelines for the promotion and protection of child rights. Every person below the age of 18 years is a child under the UNCRC. Over 47 percent of the total population of Pakistan consists of children less than 18 years of age. The UNCRC made it obligatory on the States, which ratify the Convention, to take all appropriate legislative, administrative and other measures for the implementation of the rights enshrined in the Convention.

There were no proper public forums that provided opportunity to over 105 million Pakistani children to raise their voice in matters relating to them. Taking cognizance of the deficiency, Wafaqi Mohtasib Secretariat, in April 2009, with the support of United Nations Children’s Fund (UNICEF), took major initiative and the Office of National Commissioner for Children was set up in in this office. This office aims to address child rights issues currently ignored in the country.

Since its inception, the Office of National Commissioner for Children has worked as Ombudsman for Children by undertaking steps to raise the profile of child rights and devise a mechanism for the redressal of children’s complaints both at the federal and provincial levels. For this purpose, coordination and joint initiatives with Provincial Mohtasibs relating to children are undertaken.

Mandate

The National Commissioner for Children was given the mandate to:-

- Evaluate and promote the implementation of policies in the field of protection of the rights of children in the country;
- Develop and implement programmes for the protection of rights of the child in its administrative territory;
- Create a “Public Child Redress Mechanism”;
- Coordinate with provinces for joint initiatives and share best practices with stakeholders;
- Conduct research on the status and way forward for child rights in Pakistan; and

- Above all, to serve as a precursor to a full-fledged Ombudsperson for Children in Pakistan.

Milestones Achieved

i. National Committee on Children

The National Committee on Children constituted by the Wafaqi Mohtasib to give a boost to protection and oversight of child rights in the country in an integrated manner is playing its important role towards achieving the objective. Presently, the Committee is headed by Senator Dr. S. M. Zafar, former Federal Minister for Law, a renowned jurist and human rights activist, as its chairman. Its members include prominent individuals with a commitment to children and human rights, and all provincial ombudsmen and child commissioners. Composition of the Committee is at Appendix-I.

Meetings of the National Committee on Children have been held at federal and provincial levels with the objective to formulate proposals for ameliorating the conditions of children who are disabled, forced to work, made to beg on streets, are in prisons, sexually abused and subject to trafficking.

ii. Appointment of Commissioners for Children and Establishment of Committees

To effectively redress the grievances of children at the federal and provincial levels, “Commissioners for Children” have been appointed. Through this initiative, National Committee members work proactively in redressing the children’s issues in collaboration and close coordination with Provincial Child Commissioners across the country.

iii. Strengthening the Realization of the Rights of Women and Children Detainees in Pakistan

In pursuance of the direction of the Hon’ble Supreme Court of Pakistan, Hon’ble Wafaqi Mohtasib constituted an “Advisory Committee with Special Reference to Children and Women Prisoners”. The members of the Committee visited different prisons all over Pakistan and identified major problems and recommended improvement in areas like:-

- Shortage of staff, over-crowdedness and non-production of under-trial prisoners; and
- Lack of balanced food, medical, educational, health facilities and skills training.

In this connection, the following steps were taken by the committee members with the support of civil society, judiciary and philanthropists:-

- Payments of fines amounting to Rs. 44 million to release destitute prisoners all over Pakistan;
- MOU signed with H.E.C, COMSATS University, Allama Iqbal Open University and Sweet Homes;
- The first Pakistan Sweet Home for children in jails was inaugurated in Kot Lakhpat Jail;
- Allama Iqbal Open University upgraded libraries in Central Jail, Adiala, Rawalpindi and District Jail, Quetta and COMSATS University provided books and beds and established a computer lab in Central Jail, Haripur; and
- First boarding school in Borstal Jail, Faisalabad was established.

The report submitted to the Hon'ble Supreme Court was appreciated and provincial governments were ordered by the Court to implement it through Chief Justices of Provincial High Courts and other stakeholders.

UNICEF appreciated this initiative and offered its support for the provision of psycho-social, legal, and medical aid. Hence, a project titled "Strengthening the Realization of the Rights of Children and Women Detainees in Pakistan" has been initiated in cooperation with and support from the representatives of renowned universities. A thorough need assessment was conducted and a comprehensive action plan developed after meetings with relevant stakeholders and visits to Central Prison Haripur, Central Prison Quetta, Mach Prison, Kot Lakhpat Prison Lahore, Borstal Institute and Prison Faisalabad and Central Prison Karachi.

A detailed Need Assessment Report has been published and launched in a meeting for extending practical support to inmates, specifically, women and children. It was further decided to form steering committees at provincial level, headed by the respective Hon'ble Provincial Mohtasibs and comprising relevant government departments, and civil society representatives to drive the progress of initiatives planed under the project.

iv. Initiative on Violence against Children after Kasur Incident

Keeping in view the tragic incident of rape and murder of Zainab in Kasur and realizing the presence of violence against children, it was decided to take effective steps in collaboration with UNICEF, which would have long term impact to avoid such issues in future.

As an immediate measure, a team led by Senator Dr. S. M. Zafar, Chairman of National Committee on Children, which include National Commissioner for Children/senior representative of Wafaqi Mohtasib Secretariat and senior representative of Provincial Mohtasib, Punjab visited Kasur and met Zainab's family as well as the families of eleven other victims of

such incidents in the recent past in Kasur in order to mobilize and provide legal, psychological, medical and financial assistance.

UNICEF supported a detailed need assessment exercise to study this systemic issue prevailing specifically in Kasur. A project titled “Kasur Tragedy and Redressal of Systemic Issues” was consequently initiated by this office. A report was developed which was approved and launched in a meeting attended by Minister for Women Development, MPAs, provincial government departments and civil society representatives. It would be followed by provisioning of facilities to victims and their families in terms of legal, psychological and medical support. A Steering Committee is to be notified under the chairmanship of Hon’ble Mohtasib, Punjab, comprising provincial government departments, members of the National Committee on Children and civil society representatives to monitor progress in the case. A caucus of MPAs and members of the National Committee on Children will also be formed in order to address the systemic issues pertaining to women and children and recommend to the Wafaqi Mohtasib appropriate actions to be taken under the rules or further study the subject, if required.

v. Commemoration of World Day against Child Labour

The focus of “Commemorating World Day against Child Labour” was to recognize projects with maximum impact in addressing the multi-dimensional child labour issues. In this connection, a competition was launched between NGOs, and after due diligence and scrutiny, cash grants worth \$ 52,350, \$ 32,200 and \$ 19,500 were awarded to four partners to implement the Project activities. This office in conjunction with UNICEF has provided technical and administrative support to all partner NGOs and ensured implementation of the project objectives.

vi. Legislative Work for Child Labour

Child labour remains one of the major problems troubling Pakistani children. In an effort to eliminate the menace of child labour, “Task Force on Child Labour” was formed under the Chairmanship of Ms. Aasiya Nasir, former MNA.

The key members of the task force include Senator Dr. S. M. Zafar, Ms. Hina Jilani, Advocate Supreme Court, Mrs. Naeema Kishwar Khan, former MNA, Ms. Shaheen Attiq-ur-Rehman, former Provincial Minister and Member, National Committee on Children, Ms. Shama Paveen Magsi, former Provincial Minister and Member National Committee on Children, Provincial Child Commissioners and representatives of ILO, UNICEF, UNHCR and civil society.

The Task Force has organized two broad-based consultative meetings with key stakeholders, and subsequently a resolution for the ‘Elimination of Child Labour’ was moved in the National

Assembly. Delegation of the Task Force also visited model projects for the rehabilitation of street children and had a joint meeting with Chief Commissioner, Islamabad Capital Territory, Inspector General Police Islamabad, Advocate General and other senior officials of the law enforcement agencies for building consensus on a collaborative and strategic way forward.

vii. Appointment of Investigating Officers/Advisors

Thirteen offices of Wafaqi Mohtasib Secretariat in Islamabad, Peshawar, D. I. Khan, Lahore, Faisalabad, Multan, Quetta, Sukkur, Hyderabad, Karachi, Gujranwala, Bahawalpur and Abbottabad have been designated as Senior Investigating Officers/Advisors for handling complaints pertaining to children for their swift redressal.

viii. Awareness Activities

Office of the National Commissioner for Children has created awareness through informative flyers, brochures and posters disseminated to complainants, schools, hospitals, civil society, during meetings and school visits. The awareness is also generated through press clippings and electronic media coverage.

ix. Redressal of Complaints

National Commissioner for Children has received 1,349 children complaints against various government agencies and 99 complaints in 2018.

x. Signing of Federal Rolling Work Plan for Long Term Collaboration with UNICEF

UNICEF's child protection work in Pakistan focuses on strengthening the child protection systems and building the capacity of families, communities and the government to promote the right of the child to protection, as well as prevent and respond to reported cases of child abuse in an effective manner. After a thorough consultative process and review of the performance of National Commissioner for Children, a "Federal Rolling Work Plan for Child Protection" was signed for the period of January 2018 to December 2022. Ministry of Human Rights, National Commission on Human Rights and Ministry of Planning, Development and Reform will work on their assigned activities as per agreement.
