

3rd and 4th Periodic Report on CRC

Pakistan's

Consolidated Third and Fourth Periodic Report

to the

UN Committee on the Rights of the Child

on the implementation of the

Convention on the Rights of the Child

National Commission for Child Welfare and Development

Ministry of Social Welfare and Special Education

Government of Pakistan - 2 -

Abbreviations

ADB Asian Development Bank

AFIC Armed Forces Institute of Cardiology

AJ&K Azad Jammu & Kashmir

ALAC Advice and Legal Aid Centre

API Annual Parasite Incidence

ARC Action for the Rights of Children

ATU Anti Trafficking Unite

BEF Balochistan Education Foundation

BISE Board of Intermediate and Secondary Education

CES Coverage Evaluation Survey

CHWs Community Health Workers

CIDA Canadian International Development Agency

CII Council of Islamic Ideology

CIPs Community Schools Implementation Partners

CJSTI Central Jail Staff Training Institute

CPM&DCS Child Protection Monitoring and Data Collection System

CSOs Civil Society Organizations

CSRSP Community Support Rural Schools Program

CSSP Community Supported Schools Program

DFSSCs District Food Support Steering Committees

DHQ District Head Quarter

DTEs Training & District Teacher Educators

ECNEC Executive Committee on National Execution Committee

EFA Education for All

EmONC Emergency Obstetric and Newborn Care

ERRA Earthquake Reconstruction and Rehabilitation Authority

ESR Education Sector Reforms

EVA Especially Vulnerable Adolescents

EVS Education Voucher Scheme

FANA Federally Administered Northern Area

FATA Federally Administered Territory Area

FDE Federal Directorate of Education

FEF Frontier Education Foundation

FIA Federal Investigation Agency

FRC Federal Relief Commission

FSP Food Support Program

FTI Fast Track Initiative

GAVI Global Alliance for Vaccine and Immunization

GER Gross Enrolment Rate

GMIS Gender Management Information System

GoP Government of Pakistan

GRAP Gender Reform Action Plan

HBGSs Home-Based Girls Schools

HSRU Health Sector Reform Units - 3 -

ICT Islamabad Capital Territory

ILO International Labour Organization

IMAC Independent Monitoring Association for Child Labour

IRC International Rescue Committee

ITA Idara-e-Taleem-o-Agahi

JJSO Juvenile Justice System Ordinance

KAP Knowledge, Attitude and Practices

LHC Lahore High Court

LHRLA Lawyers for Human Rights and Legal Aid

LHWs Lady Health Workers

LSBE Life Skill Based Education

MARA Most At Risk Adolescents

MCSO Members of the Civil Society Organizations

MDGs Millennium Development Goals

MEAs Monitoring Education Assistants

MMR Maternal Mortality Ratio

MoU Memorandum of Understanding

MTDF Medium Term Development Framework

NACP National AIDS Control Program

NADRA National Database and Registration Authority

NAVTEC National, Vocational Technical Education Commission

NBF National Book Foundation

NCCWD National Commission for Child Welfare and Development

NCHD National Commission of Human Development

NCPP National Child Protection Policy

NCRCL National Centres for Rehabilitation of Child Labour

NCSW National Commission on the Status of Women

NEAS National Education Assessment System

NEF National Education Foundation

NER Net Enrolment Rate

NFBE Non Formal Basic Education

NGOs Non-Government Organizations

CBOs Community Based Organizations

NHCP National Hepatitis Control Program

NHP National Health Policy

NIH National Institute of Health

NIHd National Institute for Handicapped Persons

NMS-VAC National Media Strategy on Violence against Children

NPA National Plan of Action

NPOs National Productivity Organizations

NSC National Steering Committee

NWFP North West Frontier Province

NYF National Youth Forum

ORT Oral Dehydration Therapy

PATA Provincially Administered Tribal Areas

PBC Pakistan Broadcasting Corporation - 4 -

PBM Pakistan Bait ul Maal

PCCWDs Provincial Commission for Child Welfare and Development

PEF Punjab Education Foundation

FAS Financially Assisted Schools

PHC Primary Health Care

PHRMC Provincial Human Rights Monitoring Committee

PIDE Pakistan Institute of Development Economics

PIMS Pakistan Institute of Medical Sciences

PIPs Private School Implementation Partners

PPA Participatory Poverty Assessment

PPF Pakistan Press Foundation

PPPs Public Private Partnerships

PRSP Poverty Reduction Strategy Paper

PSDP Public Sector Development Program

ADP Annual Development Plan

RBM Roll Back Malaria

RIHYA Reproductive Health Initiative for Youth in South Asia

ROSA Regional Office for South Asia

SAARC South Asian Association for Regional Cooperation

SCS Save the Children Sweden

SDC Swiss Agency for Development and Cooperation

SDF Special Development Fund

SEF Sindh Education Foundation

SEHER Society for Empowering Human Resource

SEP Strengthening Education in Pakistan

SIR Social Investigation Report

SPARC Society for the Protection of the Rights of the Child

SWC Social Welfare Cell

TCs Technical Committees

TIPs Technical Assistance Implementation Partners

TVO Trust for Voluntary Organizations

UAE United Arab Emirates

UNCRC United Nation Committee on the rights of the Child

UNDP United Nation Development Programme

UNESCO United Nation Education Scientific Cultural Organization

UNFPA United Nation Population Fund

UNICEF United Nation International Children’s Fund

UNODC United Nations Office for Drug Control

WFP World Food Program

WHO World Health Organization - 5 -

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Introduction

This is Pakistan’s third and fourth consolidated periodic report following the initial report submitted in 1992 and the second periodic report submitted in 2002. This report covers the period since the consideration of the second periodic report (2003) and has been prepared in pursuance to the provisions of article 44.1 (b) of the Convention on the Rights of the Child by the National Commission for Child Welfare and Development, Ministry of Social Welfare and Special Education under supervision of a high level multi-sectoral National Steering Committee comprising of relevant ministries and provincial government departments, non-governmental organizations and UN Agencies. This third and fourth Periodic Report on the Convention on the Rights of Child (CRC) is the result of a detailed process that extended for almost a year.

2. The information has been gathered through different participatory methods including the recommendations of the National Steering Committee, regular meetings of five Technical Committees consisting of experts from various sectors, a series of consultations at the national and provincial levels, meetings with different stakeholders including concerned government officials, members of the civil society organizations, UN and other international agencies, parents and children. Individual meetings with government and civil society officials, desk reviews of the laws, policies, research reports, annual reports and magazines etc. and follow up consultations and meetings. The support of the United Nations Children’s Fund (UNICEF), Save the Children Sweden (SCS), members of the NSC and Technical Committees and all stakeholders including civil society organizations and children in the preparation of this report is gratefully

acknowledged.

3. The report is broad-based and representative and details not only the government legislation, programs and data, but also quotes from the reports and data of several nongovernmental sources, independent research studies by NGOs and experts and from international organizations.

4. As stipulated in Article 44.3, this report does not deal with basic information provided earlier, but focuses on the implementation of the Convention and difficulties encountered thereafter. As suggested by the United Nations Committee on the Rights of the Child at its thirty-ninth session, information on the suggestions and recommendations of the Committee on the last Periodic Report have been incorporated in the beginning of each cluster of this report.

5. The Government of Pakistan has adopted various measures to give effect to the implementation of the rights of the child in the Convention including introduction of the second National Plan of Action towards the well-being of the Pakistani Children. Changes have been made to different laws related to children; increase in the age for criminal liability and various other major changes and policies of administrative as well as legislative nature are in the process. Due to various changes in the administrative setups of the concerned departments after decentralization and initiating various policies and programs such as Education Sector Reforms (ESR), Health Sector Reforms (HSR), - 8 - Youth Policy, Gender Reforms Action Plan (GRAP) and Access to Justice program various targets have been achieved and positive changes are evident in the lives of Pakistani children.

6. Pakistan has made progress towards achieving the MDGs. According to Poverty Reduction Strategy Paper report, Gross Enrolment Rate has increased from 72 % in the year 2000-01 to 87 % in the year 2005-06. Net Enrolment Rate (NER) has also shown upward trend as it increased from 42 % in the year 2001-02 to 52 % in the year 2005-06.

Pakistan has made sound progress in NER at primary school level. The Ministry of Education launched the National Plan of Action for Education for All (EFA) on 3rd April 2003, for achieving universal primary education by 2015. Gender disparities are being narrowed through mixed primary schools, compensatory programs, focusing on missing facilities in girls' schools and appointment of female teachers. According to EFA goals and targets, by 2015, all children, with special emphasis on girls and children in difficult circumstances, should have access to completely free education. Guided by the objectives of "Education for All", the government aims at improving the access to and quality of primary education.

7. The Education Sector Reforms agenda (ESR) has clearly spelt out its priorities, which are universal primary education, reducing illiteracy by focusing on reducing gender gap and quality education and technical and skill development. During the past several years, actual public sector budgetary expenditure on education has remained around 2% of the GDP. The expenditure on education has been steadily increasing over the last five years or so. It has increased from 1.8% in 2000-01 to 2.42% in 2006-07. This shows the government's firm commitment and determination to promote and provide education to every child in the country. In the recent years, the literacy levels in Pakistan have improved over time albeit at a moderate pace. A considerable change has been observed in the Male and Female literacy rates (10 years & above) increased from 58 % in 2001 to 65 % in 2005-06 while it increased from 32 to 42 % for females during the same period. The percentage of children aged 10-18 that left before completing primary level has decreased from 15% in 2001 to 10 % in 2005. This underlines the government's effort to improve the access and quality of education.

8. The government has taken several initiatives to improve and overhaul the existing system of education. It has taken prudent steps towards streamlining the education sector

at the national level. Education sector reform Action Plan 2001-2005 is one of the examples of this multi-pronged strategy, which envisages in it the devolution of responsibility of the delivery of the education to local governments along with improving the overall literacy, enrolment and access to education. In addition, the National Education Policy 1998-2010 is currently under review to include participation of all the stakeholders and ensuring ownership of the policy by federating units and other stakeholders.

9. The National Health Policy 2001 was a step forward and the Government has started working on the Health Reforms agenda. The Provincial Governments have established Health Sector Reform Units, since the main responsibility lies with them. The major problems of the health sector are low expenditure, inequity in services, and - 9 - inadequate Primary Health Care Services. The government is fully committed to improve the situation through Health Sector Reforms Agenda and substantial progress has been made since 2002. Some new initiatives have been launched in the health sector including National Hepatitis Control Program, National Mother and Child Health Care, Maternal and Neonatal Health Services, Prevention of Blindness, Integrated Management of Childhood Illnesses and National Nutrition Program including micro nutrient malnutrition through fortifications, Supplementation and diversification. Infant mortality rate 70 and under five mortality rate 100 are showing exponential decline.

10. National Program for Prevention and Control of Hepatitis was launched in 2005 with the aim to substantially decrease the prevalence, morbidity and mortality due to hepatitis in the country, presently the program is in full pace of implementation. For the fiscal year 2006-07, Rs.450 million was allocated for the program. Whereas, during fiscal year 2006-07 vaccination of 120,000 high risk segments of population was planned with the cost of Rs.30 million. The program is in process of developing national guidelines on

Hepatitis. In order to provide the facilities of diagnosis and treatment of viral Hepatitis, 61 Sentinel sites in teaching and DHQ hospitals have been made operational where services of viral hepatitis diagnosis and its management are being provided and necessary equipment worth Millions of Rupees has been installed. During 2006-07 another 40 hospitals have been identified for provision of requisite facilities with a cost of 150 million. The disposable syringes, gloves, needle cutters etc have been supplied to the Provincial Departments of Health.

11. Hospital waste management is another innovative approach of the program. The program is installing incinerators in 48 selected hospitals in the country with a cost of Rs.72 million. The need assessment has been completed for strengthening of Water Quality Control Laboratory at the National Institute of Health (NIH). The installation of Water purification system at 50 selected hospitals is under way with the cost of Rs.15 million. The program is providing treatment, free of charge, to deserving patient of hepatitis B and C. The program has provided treatment to 1815 patients of Hepatitis B and 17227 patients of Hepatitis C during fiscal year 2005-06.

12. In Pakistan, malaria has been a major public health problem threatening the health of the people due to prevailing socio-economic conditions and epidemiological situation. The transmission has been described as combination of stable and unstable malaria with low to moderate endemicity. It has a tendency for epidemic breakouts over larger area, particularly Punjab and Sindh. The disease is now emerging as a prominent health problem in Balochistan, FATA particularly along the international border. Each year about half a million people suffer from malaria. Pakistan became the member of a global partnership on Roll Back Malaria (RBM) in 1999 and the project of RBM was launched in Pakistan in 2001. The National Drinking Water Policy is also an important step in Health Sector as it provides a framework for addressing the key issues and challenges

facing Pakistan in the provision of safe drinking water to the 93% of the population by 2015.

13. In the area of child protection, amendments have been made in the Hadood Ordinance through the Prevention of Anti-Women Practices (Criminal Law) Amendment - 10 - Act, 2006. The Government of Punjab enacted the Punjab Destitute and Neglected Children Act 2004. Child Protection Policy is drafted through a consultative process; the Government seeks to embed a formal policy to meet its commitment to protect children from all forms of abuse and exploitation. The proposed policy after being implemented would deal with all legal, policy and administrative issues. After the approval of the Child Protection Policy by the Cabinet, Child Protection Bill will be promulgated under which Child Protection Bureaus, Child Protection Courts and Centers will be established through out the country. Furthermore, an assessment of the child protection monitoring and data collection system has been made in the country in 2007 and a Child Protection Monitoring and Data Collection System as recommended by the UN Committee is being devised in consultation with Provincial Governments and will be piloted in the Year 2008.

14. Limited capacity of the concerned government officials to fulfill different obligations under the Convention was one of the major factors affecting the progress. There is lack of trained professionals in the fields relating to children and child rights e.g. child protection, child participation etc. Government has initiated child protection programs and services such as Child Protection Courts, Child Protection Bureaus and Child Protection Centers in various parts of the country in a phased manner.

15. On 8th October 2005, the Northern parts of the North West Frontier Province and Azad Jammu and Kashmir experienced the worst natural disaster in its history. An earthquake measuring 7.6 on the Richter scale hit the area drastically altering the lives of

the whole nation. Nine Districts were severely affected. The death toll rose to 73,000 and 3.5 million persons were left homeless, of which at least 60 percent were women and children. The earthquake destroyed and damaged majority of homes, leaving approximately 250,000 people homeless and displaced, and also damaged health facilities, schools, transport and communication infrastructure, private businesses and livelihoods. The death of teachers and health workers put additional pressure on an already strained social services delivery system.

16. The economic losses were estimated to be billions of US Dollars. The Government moved swiftly to meet the immediate needs for shelter, food and water, and established camps around the earthquake affected areas. Generous assistance was given from the international donor community to Pakistan especially to areas related to the protection and fulfillment of children's rights.

17. During June 2007 twisters with torrential rains paid havoc on Sindh and Balochistan provinces while killing several, injuring hundreds and disturbing life and livelihoods in the coastal areas of both provinces. Provincial Governments of Balochistan and Sindh initiated a comprehensive program for the rehabilitation of 300,000 vulnerable girls and women in 54 Union Councils of 9 Flood affected districts. The main emphasis of the program was to protect children from violence, abuse, exploitation and neglect by ensuring access to basic and protective services. The rehabilitative services included establishment of 88 mobile child protection teams. 25,000 vulnerable children registered and provided a birth certificate and their families in nine flood-affected districts. To prioritize and recognize vulnerable women and children in their relief efforts in the - 11 - communities, 100 local government representatives, 84 district level officials and 220 representatives from Civil Society Organizations were trained and sensitized, 51 Women and Child Friendly Spaces were established and 3,500 adolescents impaired during the

flood were equipped with life skills.

18. Pakistan continues to wage its battle against poverty, and its attendant negative ramifications, such as a high mortality rates, malnutrition and illiteracy, the greatest victims of which are children. 46.7 % of Pakistan's population consists of children below the age of eighteen years. Pakistan considers it a matter of utmost priority that its children grow and develop in health and happiness, receive education and develop skills, so that they can realize their full potential and effectively participate and contribute to the social, cultural and economic life of our nation.

19. Government of Pakistan is fully committed to universalization of elementary education, by not only making it a fundamental right of all our children, but also as a key strategy to address the problems arising from poverty.

20. Pakistan signed the "SAARC Convention on Prevention and Combating Trafficking in Women and Children for Prostitution". Cross-country trafficking can be addressed effectively through its operationalization.

21. Realization of children's rights certainly requires large resources. However, the key element in this effort is the "will of the community". Taking cognizance of this, the Government declared Year 2004 as "Year of the Child" in which massive awareness raising programs were undertaken together with Provincial Governments and other stakeholders. The progress made in the enjoyment of the rights of the child would be discussed in detail in this report. - 12 -

I. General Measures of Implementation

(arts. 4, 42 and 44, para. 6, of the Convention)

Observations/Recommendations of the Committee on the Rights of the Child

The Committee's previous recommendations

7. The Committee regrets that the progress report that the Committee in its previous

concluding observations (CRC/C/15/Add.18) requested the State party to submit by the end of 1996 was never submitted. The Committee further regrets that some of the concerns it expressed and the recommendations it made (paras. 22-35) after its consideration of the State party's initial report (CRC/C/3/Add.13) have been insufficiently addressed, in particular those regarding the inclusion of the Convention in the National Plan of Action and the development of training programs to combat violence against children and child Labour. Those concerns and recommendations are reiterated in the present document.

8. The Committee urges the State party to make every effort to address the previous recommendations that have not yet been implemented and the list of concerns contained in the present concluding observations.

22. The progress report about Committee's concluding observations on Pakistan's initial report was prepared accordingly and incorporated in Pakistan's Second Periodic Report and submitted to the Committee. The Committee's other recommendations regarding inclusion of the Convention in the National Plan of Action and the development of training programs to combat violence against children and child Labour have been addressed.

23. The Second National Plan of Action for Children has been developed by the government with the assistance of the United Nations Children's Fund (UNICEF), Save the Children Sweden, Save the Children UK and Civil Society Organizations. The NPA approved by the Cabinet in May 2006 uses a new approach. It has been formulated through elaborate consultations at the regional, provincial and district levels. UNICEF has also extended technical support to the provincial social welfare departments for developing their respective Plans of Action. On December 28-29 2004 and January 29-30 2005, the Government organized final consultations of stakeholders to look in depth into

the draft National Plan of Action and make recommendations for fine tuning of the NPA in accordance with the UNCRC. Our policy is based on the principles of the Convention on the Rights of the Child which is part of the NPA.

24. This National Plan of Action (NPA) for children has set targets and indicators to assess progress towards the achievement of the Goals and also envisaged a process of monitoring progress towards the achievement of the Goals. The National Plan of Action works in close collaboration with governmental and non-governmental agencies. The NPA has sets of goals that are to be met under a given time frame. Activities envisaged under the NPA are being carried out by the relevant Ministries/Departments under the PSDP/ADP allocation over a period of 2005-06 to 2015-16. In the fiscal year 2006-07 the Government established a cell to coordinate the implementation of the NPA. - 13 -

Training programs to combat violence against children and child Labour

25. Various steps have taken by the Government and NGOs to tackle violence against children in schools through improved teacher training. Many teacher training programs are being redefined as continuous professional development with several donors supporting the initiatives such as GTZ, the World Bank, CIDA, DFID UNICEF, US AID, UNESCO etc. Non-state providers of teacher training (both private sector and NGOs) are being increasingly asked to collaborate in partnership with the government and education foundations to undertake pre and in service training for both government and non-elite schools at primary and secondary levels. Since 2000 over 750,000 teaches have been trained and many re-trained through various trainings. Almost 20,000 teachers have been trained alone in the earthquake areas in disaster management, psycho social support, child based creative approaches, and subject based training.

26. UNICEF and International NGOs such as CRI, Save the Children Sweden and Save the Children UK, national NGOs such as Bunyad, Khewendo Kor, Sindh Education

Foundation, Sahil, SPARC, have developed various training programs to combat violence against children in society in general and in educational institutions in particular.

27. Sahil, a non governmental organization works exclusively on child sexual abuse and exploitation. A significant improvement was the close coordination between Sahil with the Government. Especially with the Department of Education which allowed Sahil to conduct its child protection training based on its Training Manual. This training is based on the story–cum-coloring book Meri Hifazat a book for primary school children that teaches the art of saying ‘NO’ and making them believe that “Its ok to say no” when they are in a susceptible situation. During January 2004-April 2007 a total of 2,974 Schools were covered and 5,215 teachers and 698 parents were trained on child rights in general and child sexual abuse in particular.

28. UNESCAP Training Module on Psychosocial and Medical Services for Sexually Abused and Sexually Exploited Children and Youth has been adapted by Rozan, in collaboration with the NCCWD, and UNICEF. Two batches of 25 participants each of Paramedics and Health Professionals have been trained as Master Trainers.

29. In 2006 Rozan conducted a counseling workshop, aiming to provide essential counseling tools to individuals who are working or planning to work with children, especially victims of violence. The workshop had a participant profile of psychologists and social and community workers working with street children, runaways, child Labourers and survivors of violence.

30. The Child Labour Resource Centre, Department of Labour and Human Resources, Government of Punjab, has developed a Training Kit with an aim to create a cadre of manpower belonging to all stakeholders and social partners who can join hands to build a partnership for elimination of child labour. The Training Kit on Child Labour being used for training inspectors of the Labour Department, nominees of relevant government

agencies, trade unions, NGOs, employers bodies and the relevant professionals from amongst the lawyers, journalists, doctors, teachers etc. The Training Kit extensively - 14 - covers related topics, relevant laws and international standards. It covers practical as well as theoretical aspects of the issue and illustrates good practices adopted all around the world to combat child Labour.

Measures to bring domestic legislation into conformity with the Convention

Observations/Recommendations of the Committee on the Rights of the Child

Legislation

9. The Committee takes note of the legislative measures that have been undertaken by the State party in order to ensure the implementation of the Convention. Nevertheless, the Committee remains concerned that:

(a) Legislative changes might not be fully implemented and recognized within the State party and that some existing laws may still need to be reviewed;

(b) Laws implementing the Convention on the Rights of the Child are not de facto applied in the Northern Tribal Territories, and therefore children living in these territories do not fully enjoy their rights under the Convention;

(c) The Zina and Haddood Ordinances are in conflict with the principles and provisions of the Convention.

10. The Committee reiterates its recommendation that the State party scrutinize carefully existing legislative and other measures, both at the federal and provincial levels, with a view to ensuring that the provisions and principles of the Convention are implemented throughout the territory. The Committee recommends that all appropriate measures be taken to ensure that the provisions and principles of the Convention are also recognized and enjoyed by children living in the Northern Tribal Territories, and strongly recommends that the State party review the Zina

and Hadood Ordinances to ensure their compatibility with the Convention.

31. The Employment of Children Act 1991 has already been reviewed and changes have been made. The schedule of banned occupations has been last revised in December 2005. Accordingly child Labour is now prohibited in 4 occupations and 34 processes.

(This list of hazardous occupations and process are included in the protection cluster.)

32. Amendments have been made in the Hadood Ordinance through the Prevention of Anti-Women Practices (Criminal Law) Amendment Act, 2006. The new law has been designed to end practices such as preventing or obstructing women to get their share in inheritance, sale of woman, forced marriage, Nikah with the Holy Quran, custom of 'Vani' or giving a woman in marriage to settle a feud and pronouncement of divorce three times. These inhuman practices have been made offences under the Pakistan Penal Code.

33. The Protection of Women (Criminal Laws Amendment) Act 2006 has brought in changes in the Zina and Hadood Ordinance to ensure that women's rights are protected and the Hadood laws are not used against them. Objective of the Protection of Women (Criminal Laws Amendment) Act 2006 is to bring in particular the laws relating to Zina and Qazf in conformity with the stated objectives of the Constitution and the Injunctions of Islam. - 15 -

New laws introduced

34. In the arena of education, for the purpose of improving literacy, with particular focus on girl child, through community schools and employment of teachers in areas where there is a requirement; improving quality of education through teachers training; promoting community participation; mainstreaming education imparted in religious schools and mosques; introducing innovative educational programs relating to literacy and giving loans to non-governmental organizations for establishment of elementary education schools, the Government of the NWFP enacted the North West Frontier

Province Elementary Education Foundation Ordinance, 2002.

35. Similarly the Government of Punjab, for the promotion of education, especially encouraging and supporting the efforts of the private sector in providing education to the poor, through public private partnership, introduced the Punjab Education Foundation Act-XII of 2004.

36. To prevent trafficking in general and child trafficking in particular the Government has promulgated "Prevention and Control of Human Trafficking Ordinance, 2002" which provides protection to the victims through imposing harsh penalties up to the 14 years imprisonment and fine. Government of Pakistan has also framed rules under this Ordinance called Prevention and Control of Human Trafficking Rules 2004 which provide guidelines to the law enforcement agencies for dealing with issues relating to victim rehabilitation. It also provides compensation and rehabilitation for reintegration in the society and prevents child trafficking.

37. Realizing the need to have a consolidated law for the rescue, protective custody, care and rehabilitation of destitute and neglected children in the Province of the Punjab other than those involved in criminal litigation; the Government of Punjab enacted the Punjab Destitute and Neglected Children Act 2004.

38. The Province of Sindh is also considering a Sindh Child Protection Authority Bill, currently under consideration of the Chief Minister, which will be sent to the Provincial Assembly for enactment once approved by the Chief Minister. Provincial Social Welfare Department Sindh is following up for the approval of the Bill from the Chief Minister Office.

39. The NWFP is considering introducing a Borstal Institutions Bill for the functioning of the Borstal Institutes, being established in the Province, in accordance with the UN Rules and Guidelines.

40. To meet its commitment to protect children from all forms of abuse, harm and exploitation, the Government is developing a formal policy to be endorsed by the Cabinet. Process is under way for the formulation of a Child Protection Policy. The Draft Child Protection Policy has positions on all issues related to child protection including abuse, exploitation, violence and neglect that take place in all settings including the family, school, workplace, community and institutions. This policy contains a strong commitment to safeguard children from abuse and exploitation. - 16 -

41. Similarly, following the approval of the National Child Protection Policy, a Child Protection Bill will be introduced which will bring positive changes, in accordance with the recommendations of the UN Committee, in various child protection related matters including increase in minimum age for criminal liability, prohibition of corporal punishment, criminalization of sexual abuse, violence and exploitation of children, prohibition of harmful traditional practices and establishment of institutions for protection and rehabilitation of children in need of care. The same Child Protection Policy is under the consideration of the Federal Cabinet after which the Child Protection Bill will be drafted in accordance with the framework of the Child Protection Policy

42. Under Article 247 (3) of the Constitution legislation in the country is extended to the PATA, FATA, FANA and Azad Jammu and Kashmir through a special notification. Law implementing the Convention on the Rights of the Child e.g. the Employment of Children Act 1991 was extended to FATA on November 16, 1998 and to PATA on November 25, 1998. Similarly, the Juvenile Justice System Ordinance 2000 has also been extended to PATA on October 21, 2004 and to FATA November 22, 2004 to make sure that children living in those parts of the country fully enjoy their rights enshrined in the Convention and following the recommendations of the Committee and. The required infra structure is being put in place i.e. judicial system, legal assistance, probation system

etc.

43. In 2006, the Federal Investigation Agency, Ministry of Interior and UNICEF commissioned an “Analysis of enforcement gaps in child related protection laws”. The review found that full protection to the child is not guaranteed by the current laws. Either the laws are not sufficient or they are vaguely applied. Secondly, the police, who are basically responsible for enforcement of laws, are not fully sensitized to child rights and child protection. Further there are delays experienced in the judiciary and recommendations have been made for making the justice system more efficient and capable to respond to the protection needs of the child. It is expected that findings of the review will help in increasing understanding of the gaps in the child protection environment in the country. Findings of the review were shared in a one day consultation in Islamabad where all the stakeholders were invited.

Remedies available and their accessibility to children, in cases of violation of the rights recognized by the Convention

Observations/Recommendations of the Committee on the Rights of the Child
Coordination

11. The Committee notes the State party’s intentions to establish the Pakistan Commission for the Welfare and Protection of the Rights of the Child, which is intended to replace the existing National Commission for Child Welfare and Development, and takes note of the different measures taken by the State party for coordinating the implementation of the Convention. The Committee is, however, of the view that greater coordination is still required among the different bodies of the Government at the federal, provincial and territorial levels responsible for the implementation and monitoring of the Convention. - 17 -

12. The Committee recommends that the State party:

(a) Take measures to ensure that the Pakistan Commission for the Welfare and Protection of the Rights of the Child is provided with adequate financial and human resources;

(b) Strengthen coordination mechanisms between all authorities involved in human rights and children's rights at both national and local levels.

44. Under the proposed Child Protection Bill Pakistan Commission for the Welfare and Protection of the Rights of the Child will be established. This body established through an Act of the Parliament will be instrumental in improving the state of child rights in Pakistan.

45. An assessment of the child protection monitoring and data collection system has been made in the country, with the technical assistance of UNICEF, and a Child Protection Monitoring and Data Collection System will be developed. This will also help in creating coordination among the concerned Ministries and Provincial Governments.

46. Findings from the assessment are presented in the form of an Assessment Report. From the assessment, it was ascertained that data is available across various official agencies, but not always in easily accessible form. Some of the major hurdles with using the existing data collection systems are that in some cases data is decentralized and present in units spread throughout the country; the data collection system is not computerized; and in various instances, the data is not disaggregated on age or gender basis. Another important observation was that the media is being used as a widely used source, by both official agencies and the civil society, to report data on Child Protection issues. Additionally, some of the indicators can only be measured by conducting a periodic survey nationwide, e.g. to ascertain the 'number of institutions with a formal complain mechanism'.

47. Since the Child Protection Monitoring and Reporting System will be managed by

the NCCWD, an assessment was also conducted of the relevant capacity of NCCWD and the supporting PCCWDs. Financial and Human Resource constraints are expected to hamper the role of these departments in data collection and system management. Based on the assessment, a set of Operational Guidelines are outlined to facilitate the development of a Child Protection Monitoring and Reporting System. These guidelines demonstrate specific operational linkages that would need to be developed with various information sources. Also, data collection tools have been designed to periodically gather information for each indicator.

48. This will be followed by an Operationalization Plan to guide the implementation plan of the system. The Operationalization Plan focuses on the issues of Linkages, Improving Human Resources and Operational Capacity, Development of a Computerized System, and Dissemination Strategy.

49. The draft report was shared in a consultative workshop to verify findings and determine additional resources that may have been overlooked during the assessment. - 18 -
The report was finalized based on the feedback of the numerous stakeholder representatives participating in the workshop.

50. Considering the operational and procedural challenges, to develop and maintain a Child Protection and Monitoring System is expected to be an intensive task, and strong commitment and patience will be required from both the NCCWD and donors in order to make the system operational.

51. Government has established a cell in the NCCWD to coordinate the implementation of the National Plan of Action for Children.

Independent national human rights institution

Observations/Recommendations of the Committee on the Rights of the Child

Independent monitoring structures

15. The Committee notes the existence of the ombudspersons. Nonetheless, the Committee is concerned at the lack of an independent monitoring structure with a mandate to regularly evaluate progress in the implementation of the Convention and that would also be empowered to receive and address individual complaints of violations of the rights of the child.

16. The Committee recommends that the State party:

(a) Establish an independent and effective monitoring mechanism in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles, General Assembly resolution 48/134, annex) and taking into account the Committee's general comment No. 2 on the role of independent human rights institutions, ensuring that it is provided with adequate human and financial resources and easily accessible to children. It should have a mandate to monitor the implementation of the Convention as well as to receive and address complaints from children, and do so in a child-sensitive and expeditious manner;

(b) Seek technical assistance in this regard from, among others, the Office of the High Commissioner for Human Rights.

52. Formation of Pakistan Commission for the Welfare and Protection of the Rights of the Child will include focusing on monitoring the evaluation of the Convention and will also look into addressing individual complaints of the child rights violations. Under the proposed child protection bill quasi judicial powers have been recommended for NCCWD to effectively work for the protection and promotion of child rights.

53. NCCWD is also looking into addressing the cases of child rights violations on a limited scale however; efforts are under way to devise mechanisms to address child rights violations. Informal monitoring mechanisms are in place where NCCWD, Gender Crime

Cell, Ministry of Interior and NGOs are consistently highlighting gaps/omissions in child protection. - 19 -

54. Senate of Pakistan in collaboration with International Parliamentarians Union (IPU) and UNICEF organized a Parliamentarians Regional Consultation on Child Protection with a focus on Juvenile Justice in Islamabad from June 27 to June 29, 2007. It was committed by the Parliamentarians from Pakistan to take the following measures with immediate effect:

- To raise the minimum age of criminal responsibility from 7 years to 12 years;
- To initiate legislation for setting up offices of the Ombudsperson for Children at federal and provincial level to redress children's grievances;
- To legislate to set up independent institution for data collection answerable to the Parliament;
- To establish separate section on child rights in Parliament's library;
- To assign two full time researchers to further explore information to enable us prepare for an informed debate in the Parliament leading to legislation;
- Relevant laws will be amended to make it mandatory on all political parties to include in their manifesto eLabourate program for protection of Child Rights.

Observations/Recommendations of the Committee on the Rights of the Child
National Plan of Action

17. Although the Committee regrets that the 1990 National Plan of Action did not allow for effective implementation of the principles and provisions of the Convention, it welcomes the current efforts to develop in a participatory manner, a National Plan of Action as a follow-up to the General Assembly Special Session on Children in 2002 and to link this plan with existing sectoral plans of action and with the poverty reduction strategy paper.

18. The Committee recommends that the State party adopt a rights-based approach based on the Convention on the Rights of the Child in the new National Plan of Action and ensure that it is developed through a participatory and decentralized process, including the participation of children.

19. The Committee recommends that the State party complete this process as soon as possible and take the necessary measures, including budget allocation, review of legislation, monitoring and evaluation, to fully implement the Plan of Action.

55. The National Plan of Action 2006 is a comprehensive document prepared in consultation with all the relevant stakeholders from grass roots to the top, and the main stakeholders to the plan of action including children from different walks of life (Annex I). Requirements of all regional and international commitments were given due consideration in this NPA. The child protection issues specially recommendations of Second World Congress against Child Abuse and Commercial Sexual Exploitation “Yokohama Global Commitments” were also covered in the NPA.

56. The National Plan of Action for children has set targets and indicators to assess progress towards the achievement of the Goals and also envisaged a process of monitoring progress towards the achievement of the Goals. The National Plan of Action - 20 - works in close collaboration with governmental and non-governmental agencies. The NPA has sets of goals that are to be met under a given timeframe.

57. Budgetary allocation of Rs.15 million has been made to facilitate the proper implementation of the NPA and a cell has been established in NCCWD to coordinate the implementation of the NPA at various levels and with relevant Ministries and Agencies. A series of consultations were held in the provincial headquarters, involving stakeholders from the provincial and local governments including elected representatives, to devise implementation, coordination and monitoring mechanisms at the district level.

58. The NPA endeavors to create a positive environment for realization of children's rights in the wider societal context and to awaken the conscience of the community to protect children from violation of their rights, while strengthening the family, society and the Nation.

Resources for children

20. Despite the commitments made by the State party at the fifty-ninth session of the Commission on Human Rights to invest liberally in the health, education and development of children, the Committee is concerned at the very limited resource allocations for children and at the modest portion of the budget that is allocated for social activities such as health and education. The Committee notes, in light of article 4 of the Convention that not enough attention has been paid to allocating budgetary resources for the implementation of the Convention.

21. The Committee recommends that the State party give priority attention to increasing budget allocations for children, ensuring a judicious distribution of the resources between different fields and paying particular attention to enhancing the budget allocations for social activities, in particular health, education and child development.

59. The total health expenditures, increased from Rs.28,814 million in 2002-03 to Rs.50,000 million in 2006-07.

60. In the education sector, the total expenditure was Rs. 5,640.580 billion in 2003-04, which increased to Rs. 8,706.917 billion in 2006-07. The increase in expenditures from 2000-01 to 2004-05 was 75.2%. The federal expenditures on education increased from Rs. 12,238 million in 2000-01 to Rs. 36,281 in 2004-05, showing the remarkable increase of 196.5%. The provincial expenditures on education also increased significantly from Rs. 63,648 million in 2000-01 to Rs. 96,637 million in 2004-05. This amounts to

51.8 % increase in expenditures.

61. The expenditures on primary education increased by 14 % from 2004 to 2005 and expenditures on secondary education increased by 16 % from 2004 to 2005. Provincial expenditure on primary and secondary education has also increased over the period. The mid term development framework plans to spend Rs. 103.44 billion for basic and college education for the period 2005-10. - 21 -

62. Punjab has declared education to be its number one priority in the past five years. This was an unprecedented step demonstrating unequivocal political will. The provincial government increased its development budget by 541 % under the Punjab Education Sector Reforms Program (PESRP) with the World Bank providing US \$300 million; focusing on improving access, equity, quality and governance.

63. Altogether, social sector and poverty related expenditures grew at an average rate of more than 20 percent per annum during the period 2001-06. MTF allocations for the social sector are 46.6 % of PSDP for the period of 2005-10.

64. The PRSP related expenditure on water and sanitation was Rs. 4.64 billion in 2001-02 which increased to Rs. 7.54 billion in 2005-06. During 2005-10 an overall financial outlay of Rs. 600 billion is envisaged to achieve the MTF targets, including Rs. 100 billion federal and provincial PSDPs.

65. Aggregate pro poor expenditures on human development (including health and education etc.) increased from Rs. 90.67 billion in 2001-02 to Rs. 196.84 billion in 2005-06.

66. To wean away children from the menace of child Labour Pakistan Bait-ul-Mal has so far spent Rs. 716.2462 million on the National Centers for Rehabilitation of Child Labour.

67. NCCWD is working for the promotion of child rights and implementation of the

UNCRC in the country. During the financial year 2005-06 a Non Development Budget of Rs. 2.840 million was allocated for NCCWD.

68. A Cell has been established in NCCWD, Ministry of Social Welfare and Special Education, to facilitate the implementation of the National Plan of Action, with a budgetary allocation of Rs. 15 million.

69. During the financial year 2005-06 an amount of Rs. 2,150 million was disbursed among 1.25 million beneficiaries under the 10 Food Support Program installments with budget of Rs. 3000 million.

70. Tawana Pakistan: School Nutrition Package for Girls was approved by ECNEC in September 2002 for 54 months with the budgetary allocation of Rs. 3,600 million to reach out to 5,30,000 girls in 29 high poverty districts in the country. On the directives of the President and the Prime Minister of Pakistan the Tawana Pakistan Project was extended to 50 high poverty districts of the country at a cost of Rs. 7,772.595 million for the period of five years (July 2007-June 2012). The project will reach out to 549,696 girls of 6,885 Government Girls Primary Schools.

71. Directorate General of Special Education has initiated a number of new projects and upgraded the existing projects during the reporting period regarding facilitating children with disabilities with a budgetary allocation of: - 22 -

Year Existing Projects

Budgetary Allocation

(Millions)

New Projects

Budgetary

Allocation

(Millions)

2003-04 170.186 167.874

2004-05 289.764 192.713

2005-06 178.396 207.681

2006-07 198.098 268.586

2007-08 231.017 281.122

72. To support social development at grass roots level and achieve MDGs, the Government of Pakistan established a fund with the name of Pakistan Human Development Fund (PHDF). President of Pakistan is the Patron-in-Chief of the Fund and it is supported by an initial grant of US\$ 33.3 million (including 12.5 million endowment fund) by the Government of Pakistan and seed capital of US\$ 2.6 million, donated by individual philanthropists comprised of expatriate and local Pakistanis. The initiative is further facilitated by the assistance of UNDP through a provision of US\$ 3.3 million. A two-pronged governance structure has been setup to create checks and balances through establishment of two interlinked yet, separate entities: NCHD and PHDF. NCHD is responsible for implementation of the Commission's core programs. Fund raising for the endeavors of NCHD are performed by its sister entity, PHDF. NCHD has main interventions in Health, Education, Capacity Development and Volunteerism.

Budget of NCHD

Year 2005-06 2006-07 2007-08

Total Budget 1,640,298,368 3,331,280,150 4,968,733,459

% allocation to

Health 12.3 11.1 23.4

% allocation to

Education 42.2 39.5 47.3

Observations/Recommendations of the Committee on the Rights of the Child

Data collection

22. The Committee is concerned at the lack of an adequate data collection mechanism in the State party allowing for the systematic and comprehensive collection of disaggregated quantitative and qualitative data for all areas covered by the Convention in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

23. The Committee recommends that the State party:

(a) Strengthen its efforts to establish a comprehensive and permanent mechanism to collect data, disaggregated by sex, age, and rural and urban area, incorporating all the areas covered by the Convention and covering all children below the age of 18 years, with emphasis on those who are particularly vulnerable; - 23 -

(b) Develop indicators to effectively monitor and evaluate progress achieved in the implementation of the Convention and assess the impact of policies that affect children;

(c) Seek technical assistance from, among other, the Statistics Division of the Department of Economic and Social Affairs of the Secretariat and UNICEF.

73. The Government records data on selected health and education indicators. For example the IMR, CMP, MMR, the number of hospitals, doctors per population figures; the percentage of population with safe water and latrine facilities; the NER and GER of children enrolled in schools, the number of teachers and schools per population figures. Besides reporting on the health, education and WES indicators in the Poverty Alleviation Strategy, the Govt. decided to add some social welfare indicators to the list. A set of 4 indicators were added, such as the number of children withdrawn from worst forms of child Labour, number of under trial children in jails; number of cases of violence against children registered with the police, and number of adolescents affected with HIV/AIDS.

74. However, there are gaps and constraints in the monitoring of child rights violations due to inadequate monitoring and information system. Government of Pakistan felt the existing vacuum in the availability of accurate and reliable data and the need to address it through the establishment of an effective Child Protection Monitoring and Data Collection System. An assessment of the child protection monitoring and data collection system has been made in the country, with the technical assistance of UNICEF, and a Child Protection Monitoring and Data Collection System is to be established in 2008.

75. Based on the assessment, a set of Operational Guidelines are outlined to facilitate the development of a Child Protection Monitoring and Reporting System. These guidelines demonstrate specific operational linkages that would need to be developed with various information sources. Also, data collection tools have been designed to periodically gather information for each indicator. This is followed by an Operationalization Plan to guide the implementation plan of the system. The Operationalization Plan focuses on the issues of Linkages, Improving Human Resources and Operational Capacity, Development of a Computerized System, and Dissemination Strategy.

76. The National Child Protection Monitoring & Data Collection System, includes close collaboration with the Provincial Monitoring & Data Collection Systems, therefore it has focused on how the Provincial Child Protection Monitoring & Data Collection Systems will be established under the PCCWDs, and the methodology for close collaboration with NGOs and other stakeholders. It has also suggested that what information products will be produced; what will be the timeline for their dissemination; and how the annual report on a set of National Indicators should be prepared.

77. In Balochistan, a Child Protection Monitoring Unit has been established in PCCWD as a pilot project. Partners have been identified.

78. In the first phase the system will gather and disseminate information on five areas of Child Protection, including Juvenile Justice, Child Trafficking, Sexual Exploitation, - 24 - Violence against Children, and Family Environment & Alternative Care and more indicators will be included gradually in the second phase.

Measures to make the principles and provisions of the Convention widely known

Observations/Recommendations of the Committee on the Rights of the Child

Training/dissemination of the Convention

24. The Committee welcomes the translation of the Convention into local languages and the efforts made to raise awareness of the Convention through seminars and workshops, but remains concerned that the level of awareness is rather low.

25. The Committee further welcomes the many activities undertaken with a view to training professionals working with or for children, but is concerned at the lack of a systematic and sustained approach in this regard.

26. The Committee recommends that the State party:

(a) Continue and strengthen its training and sensitization on children's rights for professional groups working with and for children, such as parliamentarians, judges, lawyers, law enforcement and health personnel, teachers, school administrators and others as required;

(b) Develop adequately resourced policies and programs for a systematic and sustained training process;

(c) Target the public at large through, inter alia, radio and television.

79. NCCWD, PCCWDs UNICEF, INGOs e.g. Plan Pakistan, Save the Children Sweden, Save the Children UK, World Vision etc. and Pakistan civil society organizations are working actively to create awareness among the professional groups working with children. They are also focusing on creating widespread awareness about

the Convention on the Rights of the Child, child rights and children related laws and policies in the country. In this regard, year 2004 was celebrated as the “Year of the Child” and various awareness raising activities were carried out during the year including issuance of a postal stamp, live TV shows on child rights with involvement of the President and other important personalities; pledges were made by the President and the Prime Minister. January 9th was declared as National Children’s Day. National Children’s Day is celebrated with fervor every year involving media.

80. NCCWD, PCCWDs and CSOs have published brochures in English, Urdu and local languages to create extensive awareness among the professionals, children and general public about the Convention. Translations of UNCRC in five local languages are also available on NCCWD’s website.

81. NCCWD developed training manuals for Judiciary, Prison and Police officials on the Convention and children related laws in the country.

82. National Institute of Public Administration (NIPA) regularly holds lectures on child rights for the senior level officials of the federal and provincial governments. - 25 -

83. SPARC has been producing and disseminating information materials in form of brochures, newsletters, posters and magazines. It generates media attention and promotes debate on child rights through print and electronic media. SPARC has a website with Child Rights Information Gateway and Kids Corner. SPARC has also initiated a Five Day Certificate Course on Introduction to Child Rights and Child Protection Issues targeting 40 participants per course.

84. Fazaldad Human Rights Institute, a civil society organization, has a huge training program for professionals working with and for children. Their Diploma course includes participants like Principals, Education Administrators, Educationists, teachers, instructional staff from Civil Services Academy, Pakistan Administrative Staff College,

NIPA, Judicial Academy, Police Academy and social workers from across the country.

Over 700 Master Trainers have been awarded diploma certificates in the last five years.

85. UNICEF is supporting the Government in building the capacity of the law enforcement personnel, a course was designed on Child Protection to be institutionalized in all the Police, FIA and Judicial Training Academies and Colleges; 36 national master trainers were trained in 2006 to further train 300 staff. 700 officials from Police, Probation, Prison, Judiciary and Social Welfare were trained on Juvenile Justice.

86. Child Rights Forums have been established in Sindh and Punjab Provinces by the PCCWDs. Similarly, various NGOs have also established Children's Groups and Clubs and children are being informed about the UN Convention on the Rights of the Child through lectures and meetings. Pakistan Boys' Scouts and Girls' Guides Association are regularly involved in all activities of the NCCWD and PCCWDs.

87. TV, Radio programs were produced and telecast on PTV and Radio to create awareness about UNCRC. Private TV channels also arranged debates and discussions on the UNCRC on National and Universal Children's Days and other occasions. NCCWD, UNICEF, Save the Children Sweden and CSOs involved journalists, both from print and electronic media, in their training programs on UNCRC and the state of child rights in the country.

Measures undertaken to make reports widely available to the public at large

88. Following the consideration of Pakistan's Second Periodic Report by the UN Committee; the report was printed along with the concluding observations and recommendations of the Committee and were shared with the larger audience through various means including seminars, consultations, publications and other activities.

89. Copies of the report were sent to all District Nazims (Mayors), Ministries, Provincial Governments and libraries in the country for their information and record.

90. Second Periodic Report along with the concluding observations and recommendations of the Committee on the Rights of the Child were put on the website of NCCWD. Similarly, translations of the Convention in Urdu, Pashto, Sindhi, Balochi and Punjabi have also been displayed on NCCWD's website. - 26 -

Cooperation with CSOs, including NGOs and children's and youth groups

Observations/Recommendations of the Committee on the Rights of the Child

Cooperation with non-governmental organizations

13. The Committee notes the cooperation between the State party and NGOs, but remains concerned that much of this cooperation is project based and may lack long-term planning and goals.

14. The Committee recommends that the State party strengthen its cooperation with NGOs, ensuring that such cooperation is planned for the long term.

91. The Government of Pakistan is working closely with NGOs/NPOs/VSWAs/SCOs throughout the country in the areas of capacity building, gender sensitization, training and implementation of projects in various areas.

92. The Government has developed a publicly accessible database of NGOs <http://www.ngosinfo.gov.pk> which will enable donors, beneficiaries, regulators and NGOs to learn and see where NGOs are located and operating and how they are using their resources. This is also a useful resource for information on potential partners. NGOs are strongly encouraged through different sources to add their updated information about their latest development activities so that impact of the Sector could be highlighted.

93. Trust for Voluntary Organizations (TVO) was established in February 1990, in pursuance of the Special Development Fund (SDF) agreement signed in 1988 between the Government of Pakistan and the United States of America with an endowment of Rs. 520 million. The purpose of establishment of TVO is to institutionalize it as an

indigenous grant making agency with a capacity to provide technical and financial assistance and training to development oriented NGOs.

94. TVO provide financial support for development projects and build capacity of NGOs/CBOs at the local level. During the Year 2005-06 TVO disbursed Rs. 43,648,744 to 69 projects. There were 127,266 beneficiaries of these projects. Detail of Sector wise distribution of projects and funds is as under:

Sector Number of Projects Funds in Pak Rupees

Primary Health Care 28 19,845,362

Primary Education 07 3,277,994

Poverty Alleviation 15 9,169,602

Safe Drinking Water 19 11,355,786

Total 69 43,648,744

95. Similarly, National Council for Social Welfare has been playing a pioneering role in fostering the growth and development of NGOs and other humanitarian services - 27 - throughout the country. NCSW is providing financial and technical assistance to NGOs.

Budgetary allocation for NCSW during the reporting period is as under:

2003-04 2004-05 2005-06 2006-07 2007-08

98,42,000 12,013,000 11,938,000 14,919,000 19,384,000

96. Technical Assistance Program was designed to initiate a process to improve NGO-Government inter-action in Pakistan by identifying needs of the Government and NGOs and to specify policy, institutional and operational areas of cooperation with the support of the Asian Development Bank (ADB). The total cost of TA was estimated a \$500,000 of which 80 percent was financed by ADB on a grant basis while the Government of Pakistan provided 20 percent.

97. NGOs have also been incorporated in the composition of the National

Commission for Child Welfare and Development and the Provincial Commissions for Child Welfare and Development, and are involved in all activities and policy making.

98. NCCWD is also working closely with the Thematic Groups on Child Sexual Abuse/Commercial Sexual Exploitation of Children and Child Trafficking where mostly National and International NGOs and UN Agencies are represented.

99. With regard to the preparation of the present report, a high level multi-sectoral National Steering Committee (NSC) comprising of relevant ministries and provincial government departments, non-governmental organizations and UN Agencies was formed.

Six prominent Civil Society Organizations including AGHS Legal Aid Cell, Lahore, Lawyers for Human Rights and Legal Aid (LHRLA), Karachi, Child Rights and Abuse Committee of Pakistan Pediatric Association (PPA), Peshawar, Society for Empowering Human Resource (SEHER), Quetta, Sahil, Islamabad and Idara-e-Taleem-o-Agahi (ITA), Lahore were in the National Steering Committee. Similarly, Save the Children Sweden, Plan International, UNICEF, UNESCO, UNFPA, UNDP, UNHCR, UN AIDS, WHO and ILO were also in the NSC. SPARC and Save the Children Sweden were also invited to be a part of the NSC however; they requested to be excluded as they are planning to submit alternative report.

100. In addition, five Technical Committees (TCs) were formed to look into Health, Protection, Education, Legislation and Emergencies with a focus on Earthquake Affected Areas. Dr. Iftikhar (Chief Health, Ministry of Health), Ms. Manizeh Bano (Director, SAHIL), Mr. Arif Majeed (Joint Educational Advisor, Ministry of Education), Dr. Riffat Sardar (Protection Officer, UNICEF) and Mr. Sadaqat Shah Roghani (Child Rights Advisor, Plan Pakistan) were the coordinators of the TCs. Most of the above mentioned organizations were involved in the meetings of the TCs and gave their input on each cluster of the report. Likewise, a series of Provincial Consultations was held in all

provinces followed by a National Consultation where civil society including I-NGOs, Media and lawyers were involved.

101. Provincial Children's Consultations were held where children from different walks of life and youth groups were involved in the consultative process. A diverse group - 28 - of street and run away children, working children, orphan children, school children, juvenile probationers, boys' scouts, girls' guides, refugee children and children living in various institutions and Madrassahs and children from minorities were involved. The participants were introduced to the UN Convention on the Rights of the Child, report writing process and objectives of the consultation and what is the purpose of them being there. Children actively participated in all consultations and gave their valuable recommendations and feedback.

102. During the 2005 earthquake and the 2007 floods Government worked closely with I-NGOs for the rehabilitation of the affected children. Various working and protection groups were established for better and effective coordination and cooperation.

103. The NCCWD has formed its own networks and is also member of different networks formed by the civil society to work for the promotion and protection of child rights in the country. - 29 -

II. Definition of the child

(art. 1)

Observations/Recommendations of the Committee on the Rights of the Child

27. The Committee is concerned about the legislative inconsistency concerning the definition of a child, and in particular, at the difference between the minimum legal age for marriage of boys (18 years) and that of girls (16 years); that the age of criminal responsibility is much too low (7 years); at the low and variable minimum ages for admission to employment; at the definition of a child contained in the Zina and Hadood

Ordinances, as well as about the widespread practice of early marriages.

28. The Committee recommends that the State party:

(a) Align the age of marriage of boys and girls by raising the minimum age of marriage for girls to 18 years;

(b) Take all necessary measures to prevent early and/or forced marriages;

(c) Establish clear minimum ages for compulsory education;

(d) Establish minimum ages for employment in accordance with international standards, especially International Labour Organization Convention No. 138;

(e) Raise the minimum age of criminal responsibility to an internationally acceptable level.

104. Child Marriages Restraint Act, 1929 prohibits the marriages of children under 18 for boys and 16 for girls. It treats the conclusion of such marriages as an offence for those arranging the marriage or registering it. However, in spite of the law prohibiting child marriages, there have been cases where children are getting married earlier than the prescribed, ages especially in rural areas.

105. The Law and Justice Commission of Pakistan therefore has examined the Child Marriages Restraint Act 1929. Punishment of imprisonment and fine provided under different sections of the Act for violation of the law has been enhanced for increasing the deterrence value of the law.

106. NCCWD's proposed Child Protection Bill, based on the recommendations of the Committee on the Rights of the Child and Regional Consultation for Ending Violence against Children, increases age of the girl child to 18 years, similarly the proposed law has strict punishments for those solemnizing a child marriage. Keeping in mind the role of parents or guardian in child marriages, punishments have also been proposed for them in case of violation of the law.

107. National Plan of Action for Children focuses on policy and strategic interventions for addressing key child protection issues including child marriages by establishing the networks and mechanisms at various levels.

108. Similarly Section 310 of the Pakistan Penal Code was amended to outlaw exchange marriages (Vani & Swara). The accompanying sentencing guidelines for those found guilty is a minimum of 3 years and a maximum of ten years imprisonment. The ratio of Vani cases decreased after the coming into force of the PPC's Section 310 A. The - 30 - Council of Islamic Ideology (CII) has drafted a Bill to take legal measures to stop the rare un-Islamic instances of marriage with the Holy Quran.

109. Apart from NPA for Children, the National Policy on Empowerment and Development of Women 2002, also have a chapter on the "girl child", addressing the issues around gender discrimination.

110. NGOs (ROZAN, LHRLA, PRWSWO and SPARC etc) have established Children's networks/clubs where children are campaigning to create awareness about child rights and protection issues including early marriages.

111. The Ministry of Social Welfare and Special Education in collaboration with UNICEF Regional Office for South Asia (ROSA) Kathmandu, Nepal hosted a Regional Consultation on Violence against Children on 19-21, May 2005 at Islamabad. Prior to this Regional Consultation, a children's consultation was also held from 17th to 18th May 2005. The objective was to provide an in-depth global picture of violence against children and propose recommendations for the improvement of legislation, policy and programs to address the issue. As an out come of this consultation, a secretariat of South Asia Regional Forum for Ending Violence against Children is also working in the NCCWD to coordinate at regional level. First meeting of the Forum at ministerial level has been held on the issue of corporal punishment and child marriages in July 2006. The

recommendations are being followed up for implementation at the SAARC level.

112. Under the provincial compulsory primary education laws 'child' means a child of either sex whose age at the beginning of the school year is not less than five years and not more than ten years.

113. After endorsement by the Parliament, the Government of Pakistan has ratified ILO Convention 138 on Minimum Age for Employment in 2006. Ministry of Labour is in the process of streamlining and consolidating all Labour laws to make them more cohesive and also reflect its new international commitments.

114. Following the ratification of these Conventions, a process has also been started for bringing the minimum legal age for employment in line with this convention. A task force on consolidation, rationalization and simplification of Labour laws has completed the work of streamlining and harmonizing the Labour laws and now it will be reviewed by the Federal cabinet before approval by the parliament. Draft on consolidation and simplification of Labour laws has been prepared and waiting for its final approval

115. Under the proposed Child Protection Bill minimum age for Criminal Responsibility, which is 7 years currently, has been raised to 12 years. - 31 -

III. General principles

(arts. 2, 3, 6 and 12)

(a) Non-discrimination (art. 2);

Observations/Recommendations of the Committee on the Rights of the Child

Non-discrimination

29. While acknowledging the actions taken to address discrimination against girls in education, the Committee is concerned at the persistence of discriminatory social attitudes and discrimination against minority children and against girls, early and forced marriages, low school enrolment and high dropout rates, honor killings, mutilation and

violence. Furthermore, the Committee is concerned at the disparities in the enjoyment of rights and the social discrimination experienced by children belonging to the most vulnerable groups, including children with disabilities, children belonging to a religious or other minority group and children living in rural areas.

30. The Committee recommends that the State party:

(a) Make greater efforts to ensure that, in accordance with article 2, all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, particularly girl children, children belonging to a religious or other minority group, children with disabilities and other vulnerable groups of children; and (b) Target social services at children belonging to the most vulnerable groups.

31. The Committee requests that specific information be included in the next periodic report on the measures and programs relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Program of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and taking account of general comment No. 1 on article 29, paragraph 1, of the Convention (aims of education).

116. To protect women from the discriminatory social attitudes and customs and abolish anti women and girl child practices, including depriving women from inheriting property, un-Islamic marriage with Holy Quran, Vani, Swara, and violence which are also contrary to the Islamic injunctions, therefore, it became necessary that such practices and customs were abolished and the perpetrators penalized. For this purpose the "Prevention of Anti-Women Practices (Criminal Law Amendment) Act, 2006" was passed by the Parliament.

117. Section 310 of the Pakistan Penal Code was amended to outlaw exchange

marriages (Vani & Swara). The accompanying sentencing guidelines for those found guilty is a minimum of 3 years and a maximum of ten years imprisonment. Vani cases decreased after the coming into force of the PPC's Section 310 A. The Council of Islamic Ideology (CII) has drafted a Bill to take legal measures to stop un-Islamic instances of marriage with the Holy Quran. - 32 -

118. On February 24, 2006 the Supreme Court declared Vani, and its equally criminal variant Swara, un-Islamic. After its landmark orders to the police in Punjab and the NWFP on Dec. 16, 2005 to protect women and girls from Vani marriages, the Supreme Court also instructed the inspector generals of the police in all four provinces and in the Northern Areas to act against the settlement of disputes through these mostly-rural customs. The cases of five girls: the oldest nine and the youngest two, two of them, five years old, were heard by the court. On August 15, 2007 the Supreme Court ordered the arrest of the members of a jirga, including a member of the Parliament that decided to hand over five minor girls for marriage to a family to compensate for a murder. The order came from a five-member SC bench, which took up a private citizen's complaint that five girls were given for marriage to the victim's family as compensation to settle a murder case. Upon the directions of the SC, a case was registered against the responsible people on the behalf of the state and all accused were arrested. The girls were rescued by the Police and handed over to their family.

119. A new law was introduced on honor killing in 2006, through which the punishment for honor killing was increased. The minimum punishment was 10 years imprisonment. A provision in the criminal law was also amended through legislation, which previously allowed a compromise between the family members during trial.

120. Under Section 3 of the Police Order 2002 it is mandatory for the police officers to take special care in cases where vulnerable groups, including children, are involved.

121. The National Policy on Empowerment and Development of Women 2002 also puts emphasis on improving the situation of girl child through enabling all girls (including those with disabilities) to develop their full potential and skills through equal access to education and training, nutrition, physical and mental health care and related information and services in line with Pakistan's own national vision and its commitment at regional (SAARC) and international (UN) level.

The Girl Child Project

122. The Girl Child Project was launched by UNICEF (and later on supported by the Swiss Agency for Development and Cooperation (SDC) in collaboration with the Family Planning Association of Pakistan to address problems faced by our adolescent girls in selected semi rural and urban poor areas throughout Pakistan. Overall Objectives of the Project:

- To raise awareness on the situation regarding children, girls and young women and its implications on the well being and development of families and communities;
- To empower girls and young women to participate at all levels of family and community activities in the areas of Health, Education and Economic Self Reliance, and to serve as role models and agents of social change within their families and communities. - 33 -

123. Achievements of the Project:

- o Expansion from 10 locations as a pilot project to 730 locations countrywide, with a spin off effect to over 2200 communities;
- o Five phases of the project have been completed;
- o Over 35,000 girls and 200,000 community members have directly benefited from the project.

(b) Best interests of the child (art. 3);

Observations/Recommendations of the Committee on the Rights of the Child

Best interests of the child

32. The Committee notes that the principle of the best interests of the child is taken into consideration in some pieces of legislation, but remains concerned that this principle is not fully taken into consideration in domestic law. The Committee is also concerned that customary law and social traditions can sometimes be an impediment to the implementation of this principle.

33. The Committee recommends that the State party take all appropriate measures to ensure that the general principle of the best interests of the child is appropriately integrated in all legislation, as well as in judicial and administrative decisions and in projects, programs and services which have an impact on children. The Committee also encourages the State party to take all necessary measures to ensure that customary law does not impede the implementation of this general principle, notably by raising awareness among community leaders.

124. The Government of Pakistan fully recognizes the principle of the best interest of the child, and it is given due consideration in the legislation concerning children. This is evident from the legislation, policies and plans of action following the ratification of the UNCRC. There, however, is a lack of awareness about child rights in general and the principles of the best interest of the child in particular. Awareness programs, therefore, are underway with assistance from UNICEF and other I-NGOs to create widespread awareness among the policy makers and the society in general about the best interests of the child.

125. On February 17, 2006 a full bench of the High Court of Sindh disposed off two references and transferred applications pertaining to trial of juveniles by CNS (Control of

Narcotic Substances) court by a majority judgment (3:2) with two judges recording dissenting judgment. The chief justice in a majority judgment ordered that cases of persons below eighteen years of age at the time of commission of offence under the CNS act shall stand transferred to juvenile courts comprising court of sessions and judicial magistrates of respective districts and will be preceded under procedure of Juvenile Justice System Ordinance 2000.

126. Such juvenile courts will proceed from the stage the case was transferred and no recalling of prosecution witnesses will be invoked. The bench recommended to provide protection to juvenile offenders in criminal litigation, adding that for their rehabilitation - 34 - in the society necessary amendments be made in the Juvenile Justice System Ordinance, 2000 to give it overriding effect on all other laws and to matters relating to their bail during trial. The Court further held that children shall not be arrested without taking permission from juvenile court and that the court officers and police dealing with juveniles should be given special training on how to deal with juveniles during trial so as to rehabilitate them to meet the guarantee given to child under Article 35 of the Constitution of Pakistan.

127. In all provinces, the provincial Education Departments issued directives to discontinue the practice of corporal punishment and warned teachers of action under the Removal from Service (Special Powers) Ordinance of 2000 if they were found guilty of corporal punishment.

128. The proposed Child Protection Bill embodies the spirit of the Article 3 of the Convention and suggests various steps in line with the principle of the best interests of the child. The proposed bill clearly abolishes Corporal Punishment and gives a clear definition of corporal punishment. It states that corporal punishment stands abolished in all its kinds and manifestations and its practice in any form is prohibited.

129. The NCCWD, with technical assistance of Save the Children UK, has initiated a project “Protection of Children in Institutional Care”. Objective of the Project is to develop quality care standards for residential childcare institutions in line with the principle of the best interests of the child and compatible with the international requirements and standards. The project aims to assess the situation of children’s residential centers, public and private (orphanages, juvenile detention centers, Madrassahs) in Pakistan; develop care and protection guidelines for the staff of these centers; build the capacity of the staff of residential care in accordance with the human/child rights standards; influence policy decision to establish child care and protection guidelines for these centers; influence policy of deinstitutionalization of orphanages in favor of community based child care protection and develop alternative care options in light of the principle of the best interests of the child.

130. In line with the Convention and with a focus on Article 3, NCCWD in collaboration with UNICEF is working on a Policy and Procedures for the licensing of residential child care institutions in Pakistan with a focus on the earthquake affected areas initially.

131. Regarding best interests of the child in child protection including juvenile justice system, legislation, policy making and involvement of parliamentarians and media a National Child Protection Policy is in the offing. The policy has currently been sent to Provincial Governments for their input.

132. NCCWD in collaboration with UNICEF and other I-NGOs has launched various awareness raising programs and projects. At the Provincial level respective PCCWDs have their own awareness raising programs about the UNCRC and best interests of the child. The Government has also established various other committees in different sectors i.e. The National Committee on Child Labour. Several NGOs are working at the grass - 35 -

roots level to create awareness among the communities about the rights of the child. Most of these NGOs and UNICEF has also established their child rights committees, core groups or children's clubs to involve various stakeholders.

(c) The right to life, survival and development (art. 6);

Observations/Recommendations of the Committee on the Rights of the Child

Right to life

34. The Committee takes note of the recognition given to the problem of honor killings by the State party, but is nonetheless very concerned at the widespread and increasing problem of so-called honor killings, affecting children both directly and, through their mothers, indirectly. The Committee is seriously concerned that, despite the efforts of the State party, the police are often reluctant to arrest the perpetrators and that the latter receive lenient or token punishment.

35. The Committee recommends that the State party take all necessary measures to ensure that there is no discriminatory treatment for crimes of honor and that they are promptly, fairly and thoroughly investigated and prosecuted. In addition, the Committee recommends that the State party undertake a thorough review of the existing legislation and strengthen awareness-raising campaigns in this regard.

133. The Government and civil society in Pakistan are fully committed to route out the menace of honor killing. Besides the introduction of a law on honor killing in 2006, in which the punishment for honor killing has been increased and the minimum punishment is now 10 years imprisonment. An awareness raising campaign has also been started by the concerned Government agencies, civil society and media. Furthermore, the criminal law was also amended through legislation to outlaw compromise, which previously allowed a compromise between the family members during trial. The Police Order 2002 makes it mandatory for the police officers to take special care in cases where vulnerable

groups are involved.

134. The Government and people of Pakistan realize that violence against children is a serious issue. The Government is in the process to introduce and implement a policy of bringing civil society aware on the issue of violence against children. There exists at the policy level a high level awareness of the need to combat it. The President of Pakistan has denounced the practice of so-called honor killings a number of times. Violence against women and children is regularly highlighted and reported in the media, creating a heightened awareness of this serious problem.

135. The judiciary has played a pro-active and constructive role in combating violence against women. It has also taken suo-moto notice of such cases and has declared, Karo Kari / Siah Kari as illegal. A full bench of Supreme Court (2000 SCMR 406) declared that grave and sudden provocation is not an excuse for honor killings and such killings are murders. Similarly Sindh High Court (PLD 2003 Karachi 655) declared that as Karo Kari or Siah Kari is already dealt with under offence of Zina (Haddood Ordinance 1979), so no one shall be permitted to take law into his own hands on the pretext of being guilty of "illicit relations". Laws have also been amended criminalizing honor killings and - 36 - various other discriminatory practices in Pakistan Penal Code, Section 302(C), proviso (1).

136. These amendments relate to several categories of 'honor crimes', murder, and attempted murder. The objective of the amendments is to ensure that the perpetrators do not escape punishment (Qisas or Ta'azir) for their crimes, either because they are not liable to Qisas under the law, or because of compromises, or compounding of offences by the Walis or victims. The amendments seek to ensure that there are no loopholes left in the law, which allow courts to let them off with minimum or no penalty.

137. The main problem, which Pakistan shares with other developing countries, is the

low level of implementation of laws. Mostly this is due to lack of adequate training to appropriately deal with the situation and apply the relevant provisions of the law.

138. A number of administrative measures have been taken to combat violence against women. A new section, 174-A, has been added to the Code of Criminal Procedure 1898, which is specifically directed at curbing dowry related violence. Under this provision all burn cases are required to be reported to the nearest Magistrate by the registered medical practitioner designated by Provincial Government and Officer in Charge of a Police Station. The medical practitioner shall record the statement of the burn victim immediately on arrival. Should the victim not survive, this statement will be accepted as a dying declaration.

139. The National Commission on the Status of Women has organized various debates and discussions on the subject to create awareness.

140. The British Council Pakistan has initiated an anti honor killing project. In 2006, the British Council organized a three-day international conference on 'Murder in the name of so-called honor' in Karachi. The aims of this conference were to enhance awareness about the legislative systems against honor killings and to examine ways to better understand the cultural context in which 'honor' crimes take place, particularly in Pakistan.

141. Similarly, the European Union is supporting various projects throughout Pakistan to end violence against women and reduce the violation of women's rights through awareness, strengthening support system and advocating for changes in legislation. OXFAM GB is one of the implementing partners in all provinces. Another project to empower and strengthen the capacity of local NGOs in the field of promoting and advocating for the human rights of women and children has been funded by the EU. Furthermore the Pakistan Press Foundation is being supported to build the capacity of

civil society organizations (CSOs) and local journalists to improve the media coverage of violence against women, which in turn would lead to increased awareness among the public of the scale and nature of the problem.

142. The Government under the directive of the President established Gender Crime Cell in the National Police Bureau Islamabad on 1st April 2006 in order to effectively monitor the cases of violence against women. During nine months, from 1st April to 31st - 37 - December 2006, the Cell handled 299 cases of violence against women including girl child. The cases received included from the Minister for Interior, Advisor on Women Development and Crises Centers across the country. The Gender Crime Cell also acted proactively on press reports and took up all serious cases of violence against women with the concerned authorities and in most cases relief was promptly provided to the victims.

The cases ranged from murder, honor killing, Karo Kari, rape, gang-rape, nonregistration of FIR, non-arrest of the accused, kidnapping, abduction, Wannu and

domestic violence. The Gender Crime Cell provided assistance to women victims of crime not only in the registration of FIRs and arrest of the accused but also in matters connected with their medico-legal examination and personal security.

(d) Respect for the views of the child (art. 12).

Observations/Recommendations of the Committee on the Rights of the Child

Respect for the views of the child

36. The Committee is concerned that the views of the child are not given sufficient priority and that the provisions of article 12 are not fully integrated into the State party's legislation and administrative and judicial decisions, or in policies and programs relevant to children at both national and local levels.

37. The Committee recommends that the State party:

(a) Promote and facilitate respect for the views of children and ensure their participation in all matters affecting them in all spheres of society, particularly in

the family, in school and in local communities, including in traditional communities, in accordance with article 12 of the Convention;

(b) Provide educational information to, among others, parents, teachers, government administrative officials, the judiciary, traditional leaders and society at large on children's right to participate and to have their views taken into account;

(c) Amend national legislation so that the principle of respect for the views of the child is recognized and respected, inter alia within custody disputes and other legal matters affecting children.

143. Children Action Forums, Youth Forums and Provincial Adolescents' Forums were established in all provinces where children from all walks of life are involved. The National AIDS Control Program in collaboration with UNICEF conducted a National Youth Forum (NYF) in Islamabad in July 2006 with the slogan of the forum being Unite for Children Unite against AIDS. The NYF focused on advocacy for stopping the spread of HIV amongst youth. Similarly, Child Clubs have been established by various civil society organizations in schools across the country to create awareness about child rights.

144. SPARC, through its school project, reaches children in schools and deliver lectures on child rights. Child rights clubs are also formed which give the children a chance to voice their opinions and participate and organize various child rights activities. SPARC facilitates clubs to undertake activities and promotes self-initiatives. Annual meetings of these clubs are held and outstanding performances are rewarded. Children are facilitated in the production of a child magazine

Article 13. - 38 -

145. Members of these forums and clubs participate in various activities nationally and internationally. Adolescents become facilitators to work with other children and prepare them for the task.

146. Children's consultations were held in all provinces during the report writing

process of the current report and children's views/comments were sought about the implementation of the CRC in Pakistan. Children openly shared their views about the state of child rights in Pakistan.

147. Child Facilitation Desks have been established in all provinces. In May 2007, 11 children from the earthquake affected areas were sent to Bangkok, in collaboration with UNICEF, to participate in the International Conference on Children Affected by Calamities.

148. A Youth Parliament has been established which regularly holds its sessions and give its views on various issues of national interest. The Youth Parliament is an initiative of Pakistan Institute of Legislative Development and Transparency (PILDAT) and works on the pattern of the National Assembly.

149. Steps have been undertaken to forge alliances for children and ensure their participation in policy formulation and implementation of plans concerning children at national and sub-national levels;

- Children actively participated at provincial and national workshops organized to design and draft the National Plan of Action for Children.
- Consultations with children were held to review the mid term progress on Yokohama commitment against commercial sexual exploitation of children.
- Children participated in the development of National Plan of Action against Child Sexual Abuse and Exploitation, at national and provincial levels.
- A Network of NGOs, under the name of "Working Group against Child Sexual Abuse and Exploitation" is doing research, advocacy and capacity building work on child protection at national level.
- Child friendly version of the National Plan of Action against Child Sexual Abuse and Exploitation have been developed and disseminated to children.

- NCCWD held a number of consultations with children during the process of Country report preparation at provincial and national levels.

- The NCCWD and several NGOs have launched awareness raising programs on CRC, Child Participation etc. directly targeting at children.

Implementation in relation to children belonging to the most disadvantaged groups

150. Universal Children's Day, National Children's Day and Child Labour Day are observed regularly and the events are used to disseminate information about the Convention and ensure participation of children belonging to the most disadvantaged groups. Children's delegation visited the Parliament on the World Day against Child Labour in 2006 and held a meeting with the Prime Minister. Representatives of the working children of Pakistan also presented a Charter on Protection of Children and - 39 - Abolition of Child Labour to the Prime Minister, leaders, ministers and other key decision makers.

151. Street children, working children, children from orphanages, children from Madrassahs, child probationers, boys scouts, girls guides and children from formal and non-formal schools and children from government and private schools were involved in all these activities.

Measures taken to protect children from xenophobia and other forms of intolerance

152. Madrassahs have been a source of education in the Muslim world and in South Asia. They have played an important role in imparting education. The Madrassahs in Pakistan have also been involved in the public service of providing education to children from families that are economically challenged. Madrassahs students constituted 4.5 per cent of the enrolled students in the country. Among the students enrolled Deeni Madaris one third are girls. Cases of abuse and indoctrination abound and are reported often in the media. There is a sub-culture which pervades the running of Madaris of rigid teachings,

perception of society to be uni-polar, and discipline beyond rationality and rights.

153. In view of this criticism of Madrassah, the Madrassah Reforms Program has been launched. Termed as “mainstreaming of Madrassahs”, it has inserted in madrassah education programs subjects offered in regular schools including English, computer and science subjects. It also aims at providing teachers support, training and maximum perks to teachers and improving the quality of education. Madrassah reforms aims to bring the Madrassahs in mainstream to ensure that children don't have a uni-polar perception of the society and they have positive attitudes towards other gender, sects and religions.

Measures to ensure that persons under 18 are not subject to the death penalty

154. Following the promulgation of the Juvenile Justice System Ordinance 2000 and during the reporting period, no cases of children under-18 subjected to death penalty have been recorded. Only one case was reported in Peshawar wherein review petitions were filed and that matter was heard by the Supreme Court as well but it could not be proved that the person was below 18 years of age at the time of the occurrence of the crime.

Measures to help mentally disturbed children

155. Children, who are abused or are faced with other problems and anxieties, and in some cases, are unable to find solutions to problems they may have. Proper counseling helps in such cases and also prevents suicide among such children. Although there is no organized system to deal with such issues, some steps have been taken in this regard.

Civil Society Organizations, National Child Protection Centre and Child Protection and Welfare Bureau Punjab have established help lines to assist children in finding solutions to their problems and their proper counseling.

156. The NCCWD, UNICEF and other UN and donor agencies and national/international NGOs are working with children and adolescents to impart them with life skills and knowledge to protect themselves from sexually transmitted diseases - 40 -

and coping with different issues in day to day life. UNICEF in collaboration with National AIDS Control Program and Ministry of Education trained in Life Skill Based Education (LSBE) 390,887 in school and out of school adolescents, of whom 240,393 were girls and 154,309 were boys. A generic life skills manual for in school adolescents was also developed. Discussions are under way between UNICEF and the Ministry of Education to include LSBE into school curricula and an extra curriculum activity.

157. During these trainings children/adolescents were provided with information and training on self awareness, empathy, coping with emotions, coping with stress, communication skills, interpersonal communications, creative thinking, critical thinking, problems solving, decision making, HIV and AIDS, Hepatitis B and C, Drug Abuse and Prevention etc.

158. There is no formal system of monitoring the incidence of suicide among children however, some NGOs e.g. Lawyers for Human Rights and Legal Aid (LHRLA) and Human Rights Commission of Pakistan (HRCP) are monitoring suicide among children reported in the newspapers. - 41 -

IV. Civil rights and freedoms

(arts. 7, 8, 13-17 and 37 (a))

(a) Name and nationality (art. 7);

Observations/Recommendations of the Committee on the Rights of the Child

Birth registration

38. While noting the many efforts made by the State party to promote timely birth registration, the Committee is concerned at the fact that a very significant number of children are not registered at birth, especially children belonging to a religious or other minority group and children living in rural areas, which has negative consequences on the full enjoyment of fundamental rights and freedoms by the children.

39. The Committee recommends that the State party strengthen and increase its measures to ensure the timely registration of all births, particularly of children belonging to a religious or other minority group and children living in rural areas, in accordance with article 7 of the Convention.

159. The legal obligation to register children at birth is provided by the Births, Deaths and Marriages Registration Act (1886), the Cantonment Act (1924), the National Registration Act (1973), the NADRA (National Data Registration Authority) Ordinance 2000 and the Local Government Ordinance 2001. However, there is a general lack of awareness in society regarding the importance to register children at birth, as well as on the increased legal protection this provides to children and adults throughout their lives. Consequently, birth registration rates in Pakistan are low, as in other parts of South Asia. At present, according to the recently conducted survey of Plan Pakistan in collaboration with Provincial Governments, the details of birth registration is presented in the table below:

Areas Punjab Sindh NWFP Balochistan Northern

Areas/FANA

AJ&K Pakistan

Total

Urban 60% 40% 40% 30% 30% 30% 39%

Rural 30% 25% 20% 10% 20% 15% 20%

Total 45% 32.5% 30% 20% 25.5% 22.5% 29.5%

160. To improve the system of birth registration in the country, the Government has constituted a National Committee on the Registration of Child at Birth. Local government institutions responsible for birth registration have, under instruction from the Government, initiated a process of reviewing their by-laws so as to remove bottlenecks

and simplify the procedure for birth registration.

161. Plan Pakistan in collaboration with the provincial local government departments, NADRA and NCCWD launched a three year project 2005-07 to improve the prevailing birth registration situation in Pakistan. The project focused on making the system of birth registration functional through capacity building of the union council and its - 42 - administration and raising the awareness of the parents to register their children. Besides this the project did advocacy with all the levels of the government to prioritize birth registration through declaring it free and introducing user friendly laws. The project is being implemented in 30 districts of the country, including 24 districts of NWFP and 2 in Sindh and 4 in Balochistan, benefiting a population of around 23 million with the financial outlay of US\$ 2 million.

162. In NWFP a pilot project was launched in four districts prior to the current project. The success of the pilot project encouraged the stakeholders and the Government of NWFP extended it to the entire province in collaboration with Plan. In other two province two districts each had to be chosen to pilot the activities, but due to ethnic diversity in Balochistan two districts each had to be chosen from the two major ethnic groups.

163. All the union councils of the 30 districts have been provided government approved standardized stationery for registration of births. All the Nazims, Naib Nazims and the Secretaries of these union councils have also been trained in child rights, child sensitive planning and birth registration and data flow mechanisms. Resultantly now more than 90% union councils are reporting birth registration figures to the specially designated government official at the district level.

164. The National Database and Registration Authority (NADRA) has launched computerized birth registration giving it an interface with the national database, this big breakthrough will lead making BR very useful for the people and government. Earlier

than this, the National Commission for Child Welfare and Development (NCCWD) resolved the issue of duplication of roles between NADRA and the provincial governments. NCCWD convened a high-level meeting in 2004 where dichotomy between the functions of NADRA and local governments in relation to BR was discussed. NADRA decided that it would support the Union Councils in BR rather than doing it on their own. The decision has supported the cause of BR and now local government and NADRA are doing joint projects in some districts.

165. Standard Rules for BR, to be applicable across the country have been finalized and will be operational soon.

166. The effort of the government and Plan has so far been able to enhance registration at birth from 4% to around 30% in the project districts where more than a million births have been registered. This includes the areas in the north of NWFP and Balochistan where there was no concept of birth registration earlier.

Balochistan

167. The Government of Balochistan declared 2007 as the year of birth registration. The Government of Balochistan launched an extensive media campaign and a message of the Provincial Chief Minister was televised.

168. The Government of Balochistan is seeking support from other development projects to gradually computerize birth registration and is coordinating with NADRA and UNICEF for computerization. - 43 -

NWFP

169. Universal Birth Registration Project is targeting all 24 Districts in the Province. The project is focusing on making system functional and creating demand for BR. A well thought-out awareness campaign regarding birth registration was launched targeting particularly parents of different segments of the society and by adopting appropriate

means of communication. Hallmark of the awareness campaign was the TV message of the Chief Minister NWFP urging people to register their children. A recently conducted research revealed that 50% of the targeted population got the message about birth registration. The Government of NWFP declared 2006 & 07 as the year of birth registration and made birth registration and certification free for all under the age of 18.

170. The commitment of the government to promote birth registration is becoming evident through their allocation of funds and erecting mechanisms such as the government of NWFP has committed to computerize all the union councils in the province with a cost of US\$ 1 million. Similarly, the government also notified District Child Rights Committees as a permanent body at the district to monitor the progress of birth registration and ensure the implementation of the CRC in the districts.

171. Resultantly now in NWFP, reporting of over 80 percent Union Councils to Districts and Districts to Province. Health and Education Departments' outreach are also supporting BR. Parents are now approaching UCs for the BR of their children.

Punjab

172. Following an agreement with NADRA about Child Birth Registration Certificate (CBRC), the Government of Punjab in collaboration with NADRA has computerized over 1500 union councils. Punjab is leading the process of computerization.

Sindh

173. Civil Registration Management System (CRMS) is functional in some UCs of Sindh.

Child Registration Certificate

174. In line with Article 7 of the Convention National Database Registration Authority (NADRA) has now initiated the provision of a Child Registration Certificate (CRC) to every Pakistani child, aged 18 years or less. The certificate contains essential information

about the child, including the minor's name and registration number, date of birth, place of birth, gender, and parents' names and CNIC numbers. The Child is allotted same registration number when he/she applies for CNIC upon attaining 18 years of age. It is the responsibility of every child's parents/guardians to get registered the children under 18 years of age. - 44 -

Awareness and advocacy

175. An awareness and advocacy strategy was developed by Plan Pakistan, according to which an advocacy campaign targeting policy and decision makers and an awareness campaign to raise demand for BR among parents and other relevant segments of the society were initiated. The campaign is comprised of a mix of different media tools, such as television, radio, print and IEC. Collaboration has also been initiated with Girls Guides of Pakistan and Boys Scouts Association to form children's forums at the district level for advocacy and raising awareness within the general population, but particularly with elected representatives and parents.

176. SPARC in collaboration with Plan Pakistan has developed an information booklet which contains basic information about BR and its importance, the situation of BR in Pakistan and the steps taken by the Federal and Provincial Governments for raising awareness about BR and increasing the BR ratio. The booklet has guidelines for BR and instructions for secretaries of the UCs. It also contains copies of the relevant forms etc.

Challenges and difficulties

- The dichotomy of functions between the local government system and the National Database Registration Authority;
- The non-existence of detailed by-laws for birth registration;
- Lack of awareness about the importance of birth registration;
- Poor capacity of the local government functionaries to perform the function.

(b) Preservation of identity (art. 8);

177. Please refer to paras 128-131 of the Second Periodic Report.

(c) Freedom of expression (art. 13);

178. Freedom of expression is a fundamental right, available to every person in Pakistan, including children. Children's active involvement in the media has improved considerably in the past few years. Private TV Channels are televising several programs for children including programs where children are also the anchorpersons. Many newspapers in Pakistan publish articles written by children and keep aside a page once a week for children to express their opinions and ideas on various issues. Some private schools in Pakistan have school magazines run by children, and children participate in school parliaments and voice their concerns. PTV and Radio Pakistan also broadcast children's programs. NGOs also create opportunities for children to express their views freely. SPARC is facilitating children in the production of a child magazine Article 13 where children share their views through essays, letters, poems and cartoons.

179. Child participation is one of the key elements of the NPA for Children Provincial and regional level consultations were held with children and their view and comments were considered while finalizing the NPA. Adolescents' Forums and Child Clubs have been established by different civil society organizations across the country. - 45 -

180. During the current report writing process, children's consultations were held in all provincial headquarters where children from different backgrounds were informed about the report writing process and their views were sought regarding the implementation of the UNCRC and the state of child rights in the country.

181. It should be noted, however, that often these opportunities are less accessible to the children living in the rural areas. Non-Governmental Organizations and CBOs are working with children in the remote areas to encourage them to form their own ideas and

provide a platform for them to share their own views and opinions.

182. NCCWD is trying hard to ensure child participation in all children related planning etc. In the first meeting of the South Asia Forum for ending Violence against Children held at Rawalpindi in July 2006 children were fully involved from all the regional countries. In their concluding recommendations children suggested the following actions for Governments to take:

- Government must ban physical and psychological punishment.
- Governments should create a separate authority for monitoring implementation of existing and new laws and review existing laws.
- Governments should include child rights in the school curriculum from a young age. They should raise awareness of physical and psychological punishment through the media, rallies etc.
- Governments should create child friendly complaint centers for children. They should listen to complaints from children and act upon them. These centers should also give children information on child rights.
- Governments should provide financial support to child rights clubs.
- Organize international / regional meetings every year on how to stop child violations and how to act upon the solutions.
- Governments should support and encourage child rights clubs and youth parliaments.
- Governments should gather information about the types of violence from all parts of the country and region.
- Governments should help NGOs to prevent physical and psychological punishment in consultation with children.

183. Various steps have been devised to implement the above mentioned actions

starting from Child Protection Policy, Initiation of Implementation of National Plan of Action for Children, Shelter homes for Children in difficult circumstances, launching of help-lines for missing children and abused children and communication strategy.

(d) Freedom of thought, conscience and religion (art. 14);

184. Please refer to paras 149-150 of the Second Periodic Report.

(e) Freedom of association and of peaceful assembly (art. 15); - 46 -

185. There is no bar on children against forming associations or assembling peacefully in Pakistan. Although there is no specific legislation enacted to establish the conditions under which children are allowed to create or join associations, there are no restrictions on creating or joining associations.

186. The Boys Scouts Association, with approximately 1 million, and Girls Guides Association with 117,895 memberships are the largest youth organizations in the country. Furthermore, Children Action Forums, Youth Forums and Provincial Adolescents' Forums, where children from all walks of life are involved, have also been established. Similarly, Child Clubs have been established by various civil society organizations in schools across the country.

(f) Protection of privacy (art. 16);

187. Please refer to paras 154-157 of the Second Periodic Report

188. The JJSO 2000 put special emphasis on the protection of privacy of the juveniles in contact with the law which is also evident from certain provisions of the law:

- A juvenile court shall not ordinarily take up any other case on a day when the case of a child accused is fixed for evidence on such day;
- No person shall be present at any sitting of a juvenile court except: members and officers of the juvenile court; parties concerned to the case before the juvenile court and such other persons who are directly concerned with the proceedings

including the police officers; such other persons as the juvenile court directs, to be present and guardian of the child;

- At any stage during the course of the trial of a case, the juvenile court may, in the interest of such child, decency or morality, direct any person to withdraw from court for such period as the court may direct;
- If the juvenile court is satisfied that the attendance of the child is not essential for the purposes of the trial, the juvenile court may dispense with the attendance and proceed with the trial of the case in absence of the child.

189. The practice of above provisions is evident from the proceedings of Juvenile Court, Karachi, which strictly follows the recommended course of action as prescribed in the JJSO. The Juvenile court is not allowing the general public to such hearings of Juvenile cases to protect the right of privacy of the juveniles. Further the proceedings are conducted in a highly child friendly manner.

190. Similarly, unless specifically authorized by the juvenile court, the court proceedings could not be published in any form, which may disclose the name, address, schools, or any identification of such child nor shall any picture of the child be published.

(g) Access to appropriate information (art. 17);

191. Please refer to paras 137-148 of the Second Periodic Report - 47 -

192. Pakistan Television and Radio Pakistan are broadcasting programs for children. Private TV Channels are televising several programs for children including programs where children are also the anchorpersons. Many newspapers in Pakistan publish articles written by children and keep aside a page once a week for children to express their opinions and ideas on various issues. Some private schools in Pakistan have school magazines run by children, and children participate in school parliaments and voice their concerns. NGOs also create opportunities for children to express their views freely.

SPARC is facilitating children in the production of a child magazine Article 13 where children share their views through essays, letters, poems and cartoons.

(h) The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, including corporal punishment (art. 37 (a)).

Observations/Recommendations of the Committee on the Rights of the Child

Torture and other cruel, inhuman or degrading treatment or punishment

40. Although the State party is undertaking some training of police officers and other professionals working with children to promote respect for children's rights, the Committee is deeply concerned at the numerous reports of torture, serious ill-treatment and sexual abuse of children, including children belonging to religious or other minority groups, by police officers in detention facilities and other State institutions.

41. The Committee recommends that the State party:

(a) Assess the scope, nature and causes of violence against children, in particular sexual violence against girls, with a view to adopting a comprehensive strategy and effective measures and policies and to changing attitudes;

(b) Properly investigate cases of violence, through a child-sensitive judicial procedure, notably by giving appropriate weight to children's views in legal proceedings, and apply sanctions against perpetrators, with due regard given to guaranteeing the right to privacy of the child;

(c) Add a definition of torture to the Constitution and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(d) Undertake public education campaigns to promote a culture of non-violence.

193. Awareness raising campaigns are being carried out by the NCCWD and PCCWDs to train police about the UNCRC, JJSO 2000 and promote respect for the rights of the child among police officials. Special sessions are also held with different ranks of police

officials at the police training academies. These activities are supported by UNICEF, Save the Children Sweden and other national/international agencies.

194. Supreme Court of Pakistan and respective High Courts, on media reports, have taken suo moto notices of cases of police torture and violence against children.

195. UNHCR and local civil society organizations organized orientation workshops on 'International Refugee Protection' for the trainers of the Police Training Centre in Quetta. Aim of the workshops was to explain the human rights foundations and the basic - 48 - concepts of the international refugee protection system to the police trainers who could further pass the knowledge to trainees.

National Media Strategy on Violence against Children

196. In order to educate the primary stakeholders including children and general population regarding the affects of Violence against Children, a broad based National Media Strategy is required. Owing to the importance of the role of media, NCCWD is evolving a participatory and effective National Media Strategy on Violence against Children (NMS-VAC). This strategy has clear goals, objectives, activities and a constant follow up mechanism. It is expected that the media and communications specialists will use that strategy to develop creative, sensitive and effective programs that will increase awareness and thereby reduce the incidence of violence against children in our society and protect child's rights.

197. The NCCWD hope that the strategy will encourage media professionals to address the issue of violence against children in a consistent, sensitive, and effective manner, consonant with the rights and best interests of the child.

198. SAF Secretariat-NCCWD, in collaboration with Save the Children Sweden, UNICEF and Plan Pakistan organized national launch of UN Study on Violence against Children on the occasion of International Children's Day; 20 November 2006. The

National Launch was preceded by a children's consultation where children who have participated in the process of study were involved and were presented with findings of the study by Save the Children Sweden.

Observations/Recommendations of the Committee on the Rights of the Child

Corporal punishment

42. The Committee is deeply concerned that the State party's Penal Code (sect. 89) allows for corporal punishment to be used as a disciplinary measure in schools and at the fact that corporal punishment is widely practiced, especially within educational and other institutions and within the family, many times resulting in serious injuries. The Committee is further concerned that, despite the 1996 Abolition of the Punishment of Whipping Act, whipping is still used as a sentence for Hadood crimes.

43. The Committee recommends that the State party, as a matter of urgency:

(a) Repeal section 89 of the Penal Code of 1860 and explicitly prohibit all forms of corporal punishment;

(b) Abolish the sentence of whipping, under any circumstance or law;

(c) Undertake well-targeted public awareness campaigns on the negative impact of corporal punishment on children, and provide teachers and parents with training on non-violent forms of discipline as an alternative to corporal punishment.

199. The proposed Child Protection Bill abolishes Corporal Punishment and prohibits its practice in any form, and states that decisions on prosecution and sentencing shall have regard to the best interests of the child. - 49 -

200. Similarly, punishments have been suggested for causing Corporal Punishment with imprisonment for a term, which may extend to two years or with fine, which may extend to fifty thousand rupees, or with both. The law even goes a step further in protecting children from ill-treatment and states "Whosoever having actual control over a

child, willfully assaults, ill-treats, neglects, abandons, exposes him, causes or procures him to be assaulted, ill-treated, neglected, abandoned, exposed to danger or negligently fails to provide adequate food, clothes, medical care, educational or other necessitates of life, shall be punished with imprisonment for a term which may extend to three years and with fine which may extend to fifty thousand rupees, or with both.”

201. Following Committee’s concern various steps were taken to eliminate the menace of corporal punishment from schools. Directives were issued by the Provincial Governments in all Provinces to discontinue the practice. The teachers’ training curriculum has also been changed to include positive disciplining techniques.

202. In Punjab the provincial Education Department warned teachers of action under the Punjab Removal from Service (Special Powers) Ordinance of 2000 if they were found guilty of corporal punishment. To set an example, two teachers were dismissed on charges of corporal punishment in 2004. In September 2005, the department devised a stern policy on the issue and came up with the slogan “Mar Naheen Pyar” (Affection Not Violence). Government and private schools were directed to display the slogan on their gates and were warned that their registrations would be cancelled if they did not comply by September 28, 2005. A special monitoring team was later formed to make surprise visits to schools and ensure compliance. The instructions clearly read that corporal punishment had been banned and teachers violating the ban could be dismissed from service. The practice has not stop completely and more effective action is required.

203. In 2003-04, Save the Children (Sweden), Save the Children (UK) and UNICEF, in collaboration with the Schools and Literacy Department, Government of NWFP, carried out an extensive participatory study on corporal punishment in homes and schools in Peshawar, DI Khan and Hangu districts. The study draws on the experiences of children, recording their views on how they are disciplined, both at home and in school.

The findings provide a solid factual base for designing interventions to mitigate corporal punishment. In a series of far reaching recommendations, it also usefully identifies positive alternative disciplining methods.

204. To keep the research focused and to ensure optimum participation of children in the study, a Children Consultation Toolkit was designed. The toolkit provided to facilitate children in identifying causes of physical and psychological violence, types of punishments they are subjected to in homes and in schools, those who inflict corporal punishment in both settings, the impact of corporal punishment on children, changes children want in their environment and impediments to those changes.

205. In the SCS project on Protection of Children from Physical and Psychological Punishment, a significant progress has been made in terms of making ending physical punishment. At each union council of the target district Child Rights Forums (CRF) have been formed who have been extensively trained in child rights, child protection and - 50 - community mobilization. These forums have played a key role in motivating communities to play an effective role in improving physical and learning environments in the schools. The CRFs conducted a survey of out of school children from their respective areas and identified 551 children, among them 69 were suffering from physical or mental disabilities and 111 were orphans. These children are being enrolled in schools. At each school Parent Teacher Associations have been transformed into Parent Teacher Student Association, to ensure children's participation in schools. Teachers from the 15 schools have also been trained on child protection and positive discipline.

National media workshop to combat violence against children

206. In September 2007, NCCWD in collaboration with Plan Pakistan organized a two day National Media workshop on combating violence against children with a focus on child marriages and corporal punishment. Objective of the workshop was to sensitize

media professionals/experts on the harmful consequences of child marriages and corporal punishment; and to use media to create awareness among the general public about its negative consequences and to eradicate this menace. - 51 -

V. Family environment and alternative care

(arts. 5, 9-11, 18, paras. 1 and 2; 19-21, 25, 27, para. 4 and 39)

(a) Parental guidance (art. 5);

207. Please refer to Paras 162-170 of the Second Periodic Report.

(b) Parental responsibilities (art. 18, paras. 1 and 2);

Observations/Recommendations of the Committee on the Rights of the Child

Parental responsibilities

44. The Committee is concerned that the State party's legislation uses age limits, instead of the best interests of the child, as criteria in determining custody in case of divorce.

Such permission, in addition to implying that siblings can be separated, discriminates between the sexes and fails to acknowledge the child's right to express her/his views and have them taken into account.

45. The Committee recommends that the State party review its current legislation concerning custody in order to ensure that the principle of the best interests of the child is a primary consideration, in order to prevent siblings being separated only because of sex and/or age, and in order to ensure that children's views are heard and duly taken into consideration in custody decisions, in accordance with the principles and provisions of the Convention.

208. According to Divorce Act 1869, in any claim for obtaining a judicial separation the Court may from time to time, before making its decree, make such interim orders, and may make such provision in the decree, as it deems proper with respect to the custody, maintenance and education of the minor children, the marriage of whose parents is the

subject of such suit, and may, if it think fit, direct proceedings to be taken for placing such children under the protection of the said Court.

209. Similarly, under the Guardians and Wards Act 1890 consideration has been paid to the best interests of the child for the appointing guardian of the child.

(c) Separation from parents (art. 9);

210. Please refer to Paras 185-195 of the Second Periodic Report.

(d) Family reunification (art. 10);

211. At the federal level, particularly in case related to reunification of children with their parents and families at the international level, NCCWD is collaborating with International Social Services in various countries and a number of cases have been dealt with. - 52 -

212. For details also see paras 196-200 of the Second Periodic Report.

213. Besides NCCWD, Child Protection and Welfare Bureau has also reunited 700 runaway children and children repatriated from the UAE, former camel jockeys, with their families with assistance from UNICEF. Large number (78 %) of former camel jockey children were provided with conditional cash grants, with conditions that include regular school or vocation centre enrolment. In addition, a bicycle has also been provided to each child to improve their mobility. In the next phase of the project, funded by the Government of the United Arab Emirates through UNICEF, Integrated Community Development Plans are being initiated to link these marginalized children and communities to services such as zakat and bait ul mall.

214. CPWB, UNICEF and the Government of the United Arab Emirates have signed an agreement to help return and re-integrate under-age camel racers in their home communities. 331 former camel jockeys have been repatriated, 325 of whom have been reunited with their families through CPWB.

215. Similarly, NGOs also have family reunification projects for children. Negehban Centers, Child Protection and Welfare Bureau, Street Children Projects, Missing Children Desks and various other projects are working on family reunification of the missing and run away children in the country.

216. Edhi Foundation, through its family reunification project, has reunified scores of children with their families with assistance from Radio Pakistan and Pakistan Television. Likewise, SPARC project in General Bus Stand Peshawar has reunified 43 runaway children including 3 girls with their families throughout the country in the current year. SPARC's target for year 2007 is reunification of 100 runaway or lost children with their families. Reunification of juvenile inmates with their families has also been arranged by writing letters to their families who are not aware of their whereabouts.

217. According to a report of the Edhi Foundation 20,000 abandoned babies have been saved by putting Jhoola (cradle) in front of Edhi's offices/centres to put unwanted children, e.g. children born out of the wedlock, into it. These children are provided with medical care and foster parents are found for them.

218. LHRLA has established Centre for Missing and Exploited Children in Karachi. Parents and guardians of missing and exploited children are provided with assistance in taking the most effective steps towards the safe recovery and rehabilitation of their children. 69 children were recovered; these children and their families were provided with psychosocial counseling and legal assistance for reintegration purposes. A total of 172 cases were provided with services of counseling and legal aid.

219. Idara Kidmat-e-Insaniyat, a Lahore based NGO working for the welfare of runaway children during July 2006 to June 2007 received 2,208 runaway and missing children. 1,605 were reunited with their families and 603 were handed over to the Negehban Centre of the Social Welfare Department. - 53 -

220. International Committee of Red Cross has registered 160 children as separated from their families following the earthquake. ICRC, in collaboration with the Department of Social Welfare, has reunified 159 of these children with their families.

(e) Recovery of maintenance for the child (art. 27, para. 4);

221. Please refer to Paras 201-202 of the Second Periodic Report.

(f) Children deprived of a family environment (art. 20);

Observations/Recommendations of the Committee on the Rights of the Child

Children deprived of a family environment

46. While welcoming the State party's preference for family forms of alternative care, the Committee remains concerned that the existing institutions for children in need of alternative care are inadequate, both qualitatively and quantitatively, and that recordkeeping on children in need of these services is poor. Furthermore, the Committee is concerned at the absence of a mechanism for conducting periodic reviews of placement.

47. The Committee recommends that the State party:

(a) Encourage and monitor the current practice of placement within the extended family, ensuring that the rights of children are met in this context;

(b) Establish standards and procedures, guaranteed in legislation, for alternative care, including in the areas of health, education and safety and in accordance with the principles and provisions of the Convention;

(c) Ensure that treatment in institutions is periodically reviewed, in light of article 25 under the Convention;

(d) Provide appropriate assistance to parents in the performance of their child-rearing responsibilities, as foreseen by article 18, paragraph 2, of the Convention.

222. The impact of the October 8, 2005 earthquake on vulnerable groups particularly on children was devastating. Children, who lost one or both parents, have been made

vulnerable to exploitation and child Labour, in particular when from poorer households. Following the earthquake approximately 40,000 children were orphaned; majority of children who lost parents remain with their extended families however, a number of these children were admitted to institutional care. According to the National Plan of Action for the Most Vulnerable Population in the Earthquake Affected Areas most children were taken in by members of their extended family. 160 separated children have been reunited with their family by the ICRC.

223. 248 children were admitted to Aashiana and out of which 138 were handed over to SOS Villages. 153 children were reunited with their parents or extended family in collaboration with ICRC.

224. It was acknowledged by a number of international volunteers and social scientists working in the area that there is an impressive child protection capacity in the society due to strong family and community bonds. Most of the children found someone from their - 54 - extended families to care for them following the devastation. Similarly, children, without parental care, all over the country are placed in extended families.

225. The NCCWD, with technical assistance of Save the Children UK, has initiated a project "Protection of Children in Institutional Care". Objective of the Project is to develop quality care standards for residential childcare institutions compatible with the international requirements and standards. The project aims to assess the situation of children's residential centers, public and private (orphanages, juvenile detention centers, Madrassahs) in Pakistan; develop care and protection guidelines for the staff of these centers; build the capacity of the staff of residential care in accordance with the human/child rights standards; influence policy decision to establish child care and protection guidelines for these centers; influence policy of deinstitutionalization of orphanages in favor of community based child care protection and develop alternative

care options.

226. An assessment is being carried out to understand the realities of child care in residences/institutions and to review the needs of children. Consultations have been held with children and other stakeholders about the content and coverage of quality childcare standards.

Minimum service standards & licensing of institutions, children's homes, orphanages or full-time care in Madrassahs

227. The priority of the Government is for children to grow up in a family; in their birth family or extended family wherever possible, or in a substitute family. The use of residential care in an institution, orphanage, children's home, full-time care in a Madrassah, or any other form of residential care are only last resort short term solutions.

228. In this regard, the Ministry of Social Welfare & Special Education, NCCWD in collaboration with UNICEF has started a process to develop a National Policy for the Protection of Orphans and Vulnerable Children in the earthquake affected areas. Later on the policy could be replicated in the whole country.

229. In light of the policy, the Government of Pakistan and the Government of AJK will bring forward new and supplementary legislation to require institutions providing residential care for children to meet national minimum service standards as a condition of an operating license. Legislation will include arrangements to monitor and inspect institutions to ensure minimum standards are provided as a condition of continued operation. Save the Children UK is supporting NCCWD in drawing up minimum standards for the care institutions.

230. Minimum standards will cover the built environment, the care program or regime provided for the children, staff training and qualification, and other matters.

231. Licensing requirements will restrict admission to institutions to children assessed

by Child Protection Officers as requiring residential care and be subject to the authorization of a District Admissions Panel. - 55 -

232. Operators of residential institutions will be required to provide information about child residents to Child Protection Units and cooperate in the periodic review of the care of resident children.

Food Support Program

233. It is accepted responsibility of the state to devise such policies that the overall production and availability of major food items should match with the minimum caloric level required by the poor. Food Support Program (FSP) was launched in August 2000 and since then is continuing for its efficacy and appeal to target communities. In the current financial year 2007-08 the annual budget of FSP has been increased from Rs 4.38 (b) to 6 (b). Since inception of the Food Support Program; Rs 18.368 (m) has been paid. A third party Program and Management audit for impact analysis of the program was carried out in 2001, according to which 96% beneficiaries deserved.

234. Annual subsidy of Rs 3000/- is paid to each of 1.46 million households i.e. 10 million beneficiaries (@6.8 persons per household). The focus is on poorest of the poor. Poor minority households have 3% quota in the selected households. Women headed households are given priority. Food Support Steering Committees have been constituted at Federal, Provincial, Regional and District levels for implementation and monitoring of the program. Beneficiaries are identified and approved by the District Food Support Steering Committees (DFSSCs). Assistance is provided to the needy individuals having no support or source of income in following order of priority: Individual with major ailments/disability; widows with dependent children; invalid with dependent children; orphans; elderly and destitute.

235. The Government has approved to pilot a Program the Child Support Program

from 2006-07 for Food Support Program beneficiaries at the rate of RS 200 per month to family with one child and RS 350 per month to families with two or more children of age group 5-12 years conditional on sending their children to school.

(g) Adoption (art. 21);

236. Please refer to Paras 204-205 of the Second Periodic Report.

237. The NCCWD is reviewing legal provisions for the long term care of children including adoption, kafala, foster care and guardianship but that any provision must achieve the best interests of the child within sharia law.

(h) Illicit transfer and non-return (art. 11);

238. Please refer to Para 206 of the Second Periodic Report. - 56 -

(i) Abuse and neglect (art. 19), including physical and psychological recovery and social reintegration (art. 39);

Observations/Recommendations of the Committee on the Rights of the Child

Abuse and neglect

48. The Committee is deeply concerned at the high prevalence of violence, abuse, including sexual abuse, and neglect of children in the State party, and at the lack of effective measures to combat this problem. For instance, the existing legal provisions do not protect children sufficiently and, as noted by the State party (report, para. 207), the implementation of laws concerning child abuse and neglect is not systematic.

49. The Committee recommends that the State party:

(a) Assess the scope, nature and causes of child abuse and neglect with a view to adopting a comprehensive strategy;

(b) Adopt effective measures and policies aimed at changing attitudes, such as counseling for parents and guardians;

(c) Thoroughly investigate cases of violence and apply sanctions against

perpetrators;

(d) Gather data on child abuse and neglect;

(e) Provide services for the physical and psychological recovery and social reintegration to victims of sexual abuse and any other child victims of abuse, neglect, ill-treatment, violence or exploitation, and take appropriate measures to prevent the criminalization and stigmatization of victims, including through cooperation with NGOs; and

(f) Seek technical assistance from, among others, UNICEF and the WHO.

National Child Protection Policy

239. To address and prevent violence, abuse and neglect, exploitation and discrimination affecting children and to create a protective environment for children which gives highest priority to prevent children from getting affected by violence, abuse, exploitation, neglect and discrimination through a secure family life backed and supported by protective law and regulations, and which has the capacity to respond to victims of violence, abuse and exploitation by providing them with care and support through rescue, relief, rehabilitation and reintegration services, the Draft National Child Protection Policy is focusing, as a priority, on the following:

a. Making legal provisions for:

a. Definition of a child as under 18 years of age.

b. Definition of child sexual abuse and sexual exploitation with penalties.

c. Revising the minimum age of criminal responsibility from 7 years to 12 years.

d. Definition of internal trafficking of children with penalties.

e. Eliminating Child domestic work. - 57 -

b. Rules and regulations for provision of protective services for children,

including minimum standards of care, “kafala” of children orphaned or without parental care; and social protection of the children in poorest families.

240. The draft policy has been shared with Chief Ministers of the Provinces and federal secretaries of concerned ministries for their views/comments and input. In light of the views/comments and input of the stakeholders necessary changes will be made in the draft and it will be sent to the Prime Minister for approval.

Data on child abuse and neglect

241. Even in the most developed countries, it is not easy to document the actual incidence or prevalence of child abuse. It is always difficult to obtain information on sensitive and highly stigmatized issues, and even more difficult when the victims are children who cannot narrate their woes. Until recent past, the issue of child sexual abuse and exploitation was not accepted as a problem of Pakistani society. The common perception was that being an ideological nation-state following Islamic ideals; the society was somehow immune to immorality and even if there was a problem of CSA/CSEC, its magnitude was very small. Given the sensitivity of the issue in Pakistan, the development of NPA is a leap forward from a mode of denial to one of acceptance. IEC material on CSA /CSEC has been developed and printed by Rozan, Sahil, LHRLA, SPARC, World Vision and PPA.

Recovery and rehabilitation of victims

242. A Manual on Psychosocial Recovery and Rehabilitation of Victims of CSA/CSEC has been developed by NCCWD in collaboration with Rozan and other members of the Core Group and UNICEF. LHRLA, PPA and other members of the Core Group have organized training events for a limited number of professionals.

243. Civil Society Organizations like Alleviate Addiction Suffering Trust (AAS), Rozan, Bedari, SHARP, SEHER, Sahil, Konpal Child Abuse Preventions Society,

LHRLA, Pahchaan, War against Rape (WAR) and Child Psychiatrists and Counselors have launched help lines and are providing services to deal with legal and psychological needs of children including victims of CSA. The help line has received a tremendous response from the general public.

244. UNICEF has conducted a Knowledge, Attitudes and Practices (KAP) study to assess social norms/attitudes on child protection rights. The findings of the study will serve as a base for developing a communication strategy in each province/district to address the gaps, for development of orientation packages for duty bearers, child rights actors, teachers and parents.

245. UNICEF, through its various interventions, have reached out to more than 15,000 children victims of violence, abuse and exploitation, of whom 6,227 girls and 8,800 boys have been provided with protective services such as counseling, legal aid, referral to specialized services shelter, reintegration into their families. Three new help lines have - 58 - been established in Peshawar, Quetta and Lahore based on the model developed in Karachi.

(j) Periodic review of placement (art. 25).

246. At present there is no proper system or mechanism to review placement of children on regular basis however; the National Policy for the Protection of Orphans and Vulnerable Children being prepared for the Earthquake affected areas by the NCCWD and UNICEF has reference to periodic reviews, "Operators of residential institutions will be required to provide information about child residents to Child Protection Units and cooperate in the periodic review of the care of resident children".

247. Please also refer to Paras 208 of the Second Periodic Report.

Relevant bilateral or multilateral agreements, treaties or conventions acceded

248. In January 2003, senior judges from the UK and Pakistan signed the UK-Pakistan

Judicial Protocol on Children Matters.

249. This is an understanding between the judges of each country that the courts of a child's home country are best placed to determine the welfare of that child. Therefore, when a child is wrongfully removed from, or retained in, the UK or Pakistan, the courts in that country will not normally make decisions about residence (custody) or contact. Instead, they will order the child to be returned to his or her home country, so that the courts there can hear the case.

250. A system of liaison judges in the UK and Pakistan facilitates the workings of this understanding. The liaison judges ensure that the courts in each other's country are aware of any pre-existing court orders from the child's home country. If a parent choose to pursue the return of his/her child to the UK under the UK-Pakistan Protocol, he/she will need to commence legal proceedings first in the UK courts and then in the Pakistani courts.

251. In May 2005, UNICEF and the Government of the United Arab Emirates (UAE) have signed an agreement to help return and re-integrate under-age camel racers in their home communities. Since the large majority is from Punjab so the Government of Pakistan has given the important mandate to Child Protection and Welfare Bureau Punjab. 331 former camel jockeys have been repatriated, 325 of whom have been reunited with their families through Child Protection and Welfare Bureau. Various rehabilitation programs have been initiated for the rehabilitation of these children and their families and communities. Similarly, 352 self returned camel jockey children have also been provided with all the rehabilitation facilities. - 59 -

VI. Basic health and welfare

(arts. 6, 18, para. 3, 23, 24, 26, and 27, paras. 1-3)

(a) Survival and development (art. 6, para. 2);

252. Government of Pakistan has launched a number of programs to ensure the survival and development of the child. The Expanded Program of Immunization aims at protecting children by immunizing them against Measles, Poliomyelitis, Diphtheria, Pertussis and Childhood Tuberculosis and also protects mothers against Neonatal Tetanus. Hepatitis B has been introduced countrywide in EPI program since 2002. Polio is near eradication because of intense supplementary immunization activities (NIDs and SNIDs) in addition to regular EPI program.

253. Although the number of polio cases in 2006 has increased from 28 in 2005 to 33. The cases are much more restricted geographically and genetically. The number of infected districts has been reduced from 18 in 2005 down to 16 in 2006. The Global Advisory Committee on Polio Eradication has highlighted that with 8 high quality immunization campaigns, Pakistan could be the next polio free country in the world.

254. The program has significantly progressed during the period of time in terms of immunization coverage and disease reduction and has developed its own surveillance system, cold chain system, field supervisory mechanism, regular monitoring system, evaluation strategy and sufficiently trained manpower at all levels throughout the country. Federal EPI/CDD Cell has prepared a new five year PC-1 of RS 11,470.030 million which has been approved by the ECNEC for the period 2004-05 to 2008-09.

255. Global Alliance for Vaccine and Immunization (GAVI) is also supporting Pakistan in reducing the vaccine preventable diseases. Pakistan submitted its technical proposals for all the three GAVI accounts/ windows i.e. new and under used vaccines, Immunizations Services Strengthening and injection safety. These were approved in the meetings of Independent Review Committee of GAVI. The total worth of this support as estimated in December 2005 is US\$ 89.294 million.

256. UNICEF carried out capacity building/ training of facility staff and Community

Health Workers (CHWs) on Child Survival and Development in target districts and expanded to cover more areas. Practitioners were trained on emergency skills in child health in all provinces as well as public medical colleges. A total of 1.3 million health workers were oriented/ trained for vaccine delivery in more than 100,000 training sessions for NIDs countrywide.

257. The Immunization Plus Project supported the development of guidelines for improving district routine immunization coverage. The guidelines have been translated into Urdu and printed for the vaccination staff. UNICEF has supported the development of measles campaign guidelines, micro-planning tools and social mobilization activities to support the Government's plan for accelerated measles control and a catch up campaign. A maternal and neonatal tetanus elimination campaign was held in 11 districts - 60 - of NWFP. UNICEF also supported Government in 6 rounds of National Immunization Days and 2 Supplementary Immunization Days in 2006 that included micro planning, social mobilization and training activities. During these polio campaigns the emphasis has been placed on having local inaugurations, involving the local leaders.

Coverage Evaluation Survey

258. In the year 2006, a Coverage Evaluation Survey (CES) was conducted to assess the EPI coverage status nationwide by Contech International (independent evaluation). More than 400 professionals and field staff were engaged in completing the task. The survey reported that 56.8 % of 12-23 months old children were fully immunized, and 62.4 % of the same age group were immunized against measles. The coverage of DPT-3 was 64.5%.

259. During the reporting period, mass media have remained central to the Pakistan Polio Eradication Initiative. Radio broadcasting is really showing its impact with the focus on targeted and local programming; a key element for EPI communication.

Stronger emphasis has been placed on securing ongoing programming on immunization between the polio campaigns.

260. Similarly, National AIDS Control Program, National TB Control Program, Malaria Control Program, Nutrition Improvement Program, Prime Minister's Program for Prevention and Control of Hepatitis and various other programs have been started to ensure survival and development of the child. All these programs have been elaborated upon in the paragraphs ahead.

(b) Children with disabilities (art. 23);

Observations/Recommendations of the Committee on the Rights of the Child

Children with disabilities

50. While being aware of the 49 special education centers and disabled-friendly cities initiatives, the Committee remains concerned at the limited integration of children with disabilities in schools, social events and cultural activities and at the low level of support received by these children and their families.

51. In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex) and of the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), the Committee recommends that the State party continue and strengthen its efforts to integrate children with disabilities into education and recreational programs currently used by children without disabilities, notably through the improvement of the physical access of children with disabilities to public service buildings, including schools.- 61 -

261. Vast majority of children with disabilities in Pakistan never attend school and majority of children with disabilities drops out if at all they manage to get admission due to inaccessible school infrastructure and unfriendly school environment from a disability

perspective. The lack of disability friendly transport services, buildings and trained teachers in rural areas who can handle the learning needs of special children are greater problems than social prejudice and parental attitude in slum areas. There are some schools in big cities and all of them are virtually not accessible to children with disability living in far off places or in rural areas.

262. Following the ratification of the CRC, Government of Pakistan has taken various steps to protect and promote the rights of children belonging to various sections of the society including special children and is trying to provide all sorts of facilities to special children irrespective of their disabilities as a basic human right. Ministry of Social Welfare and Special Education has prepared a National Plan of Action to implement the National Policy for Persons with Disabilities. Main thrust of the NPA 2006, include early intervention, assessment and medical treatment, education and training, vocational training, employment and rehabilitation, research and development, barrier free buildings, parks and public places, strengthening of institutional mechanisms and adequate funding.

263. Directorate General of Special Education in collaboration with Ministry of Education and provincial departments of education is working on a Pilot Project for Integrated Education of Children with Disabilities. To attain the goal of mainstreaming, 14 regular schools of federal/provincial Governments have been selected for introduction of concept of inclusive education with targets of 25-50 students in each year in each school. The equipment provided to 14 selected primary schools each for boys and girls includes Braille Machines, Audiovisual, Hearing Aids, Wheel Chairs Crutches, other education equipment and furniture items. Similar programs are initiated with the technical and financial assistance of Sight Saver UK, World Bank and Brailow Norway. The main purpose of this program is to shift from a focus on disability to seeing inclusive

education as fundamental right of every child and a mean of achieving the Millennium Development Goals.

Number of special Children enrolled

Institutions Enrolment

Federal Government Institutions 5,645

Provincial Government Institutions (Punjab) 14,000

Provincial Government Institutions (Sindh) 1,608

Provincial Government Institutions (NWFP) 1,382

Provincial Government Institutions

(Balochistan)

400

Total (Provinces) 17,390

Grand Total 23,035 - 62 -

264. All Special Education Centers under the Ministry of Social Welfare and Special

Education provide free recreational facilities to the special children regularly.

Competitions in various programs, quiz programs, debates, sports i.e. cricket, badminton, table tennis, hockey and tug of war etc.

265. Five major cities of Pakistan namely Islamabad, Peshawar, Karachi, Quetta and

Lahore have been declared disabled friendly cities. Ministry of Social Welfare and

Special Education has arranged Melody Food Market for the recreation of normal as well as special persons.

266. To provide recreational facilities a Park for Disabled has been constructed in F-9

Park, with all the facilities entertainment, games, and open air theatres. This park is unique and one-of-a-kind in South Asia in view of the facilities it offers.

267. Directorate General of Special Education has prepared Design Manual and Model

Projects for the building by laws and creation of barrier free environment for special persons. Design manual has been prepared on the underlying assumptions that normal building by laws and codes, regulatory mechanisms and implementation of the framework of building and planning control and approvals already exists and are operative at local, provincial and federal government level. The accessibility codes supplement that regulatory infrastructure to meet the specific needs of people with disabilities regarding use of building, facilities and areas for their convenience and safety.

268. National Institute for Handicapped is also working to provide health care facilities for all types of disabilities. The main objective of the Institute besides routine health services for the handicapped are to introduce, test and provide innovative rehabilitative techniques, do research and act as a repository of information related to disabilities, provide technical support and guidance to policy makers and planners and the system as a whole on the care of the disabled.

(c) Health and health services (art. 24);

Observations/Recommendations of the Committee on the Rights of the Child

Health and health services

52. The Committee notes the efforts of the State party in the area of basic health and welfare, such as the immunization and control of diarrhoeal diseases programs and the consequent decreases in polio and the infant mortality rate. The Committee also welcomes the promulgation of the Protection of Breastfeeding and Young Child Nutrition Ordinance (2002). Nonetheless, the Committee is extremely concerned at the very poor health situation of children and the unavailability of health-care services in the State party for them. Particular matters of concern are:

(a) The very low spending on health in the State party;

(b) The insufficient focus on preventive health care;

(c) The still very high infant, under-5 and maternal mortality rates, due partly to weak antenatal and postnatal care and maternal malnutrition; - 63 -

(d) The high prevalence of malnutrition among children as well as diarrhoea, acute respiratory tract infections, malaria and iodine deficiency which leads to both physical and mental health problems among children;

(e) The poor provision of health care, particularly in rural areas, owing to lack of necessary support structures such as education, communication, transport and other facilities, as well as reports of corruption within the framework of projects supported by international organizations;

(f) The still very low immunization coverage, with an estimated 160,000 deaths due to vaccine-preventable diseases;

(g) The lack of coordination regarding health care, notably between health care providers and donor communities concerning the distribution of medical equipment.

53. The Committee recommends that the State party:

(a) Allocate appropriate resources for health and develop and implement comprehensive policies and programs to improve the health situation of children;

(b) Emphasize the role of preventive health care;

(c) Continue and strengthen efforts to decrease the infant, under-5 and maternal mortality rates by, inter alia, providing adequate ante- and postnatal care;

(d) Expand programs to alleviate widespread child and maternal malnutrition and its serious consequences on health and psychological development, notably by promoting breastfeeding;

(e) Improve access to health care, especially in rural areas, through coordinated and comprehensive health-care strategies, as well as transparent allocation and distribution of donor funds and other forms of international assistance;

(f) Improve immunization.

269. Allocation to health sector over the past few years has shown some progress in the right direction. At the federal level a new approach for resource allocation with considerable inclination towards preventive interventions, have been implemented under the Mid Term Budgetary Framework. Under MTBF the MoH is planning to enhance allocation to health sector with an average annual increase of 16%. Moreover the preventive share in the total allocation will be enhanced from less than 55% at present to about 65% over the next few years through a rolling plan. The MTBF approach will be extended to provincial health departments.

270. The consolidated expenditure trends of public health in Pakistan in real and nominal terms are highlighted in the table below:

Years Total

Health

Expenditures

(in millions)

Developme

nt

Expenditure

(in millions)

Percentage

change in

nominal

terms

Percentage

Change in

Real Terms

Health

Expendit

ure as %

of GDP

2002-03 28814 6609 13.4 10.3 0.59

2003-04 32805 8500 13.8 9.23 0.58

2004-05 38000 11000 15.8 6.52 0.57

2005-06 40000 16000 5.3 -2.62 0.51

2006-07 50000 20000 25 16.86 0.61- 64 -

271. New programs have been started to improve the health situation of children in Pakistan. These programs include National Hepatitis Control Program, Maternal and Neonatal Child Health Services, Prevention of Blindness, Integrated Management of Childhood Illnesses and National Nutrition Program including micro nutrient malnutrition through fortifications, supplementation and diversification.

272. The Child mortality rates have shown a steady decline, however progress has remained sluggish. Many causes of infant deaths, specially the ones relating to neonatal deaths, including neonatal tetanus can be prevented. The ongoing acceleration of Tetanus Toxoid (TT) vaccination for 10 million women of childbearing age in 61 high-risk districts is likely to have positive effects.

273. In relation to immunization in general, the GoP is committed to the Extended Program for Immunization (EPI), and has projected EPI coverage of more than 80% in the near future. The incidence of diarrhoea has seen a steep decline, and then a tapering off of the rate of decline. Children under-5 averages between 5-12 episodes of diarrhoea annually. Emphasis on the treatment of diarrhoeal dehydration through oral dehydration therapy (ORT) has helped to keep mortality due to diarrhoea in check, despite the

stagnation in the rate of fall of the diarrhoea. There are marked intra-category variations, but no consistent trends can be seen between urban-rural data or over time.

274. Lady Health Workers provide important services and substantial coverage of population for creating awareness of mother-child welfare practices as well as to complement immunization coverage and outreach programs. The LHWs' coverage of the target population of 121,003,280 (100% rural + 30% urban slums) is 75% through its 96000 LHWs and expected to reach 100% eventually.

275. In March 2007, the single largest project costing Rs26.5 billion was approved in the health sector on a country-wide basis. The cost of National Program for Family Health Program for Lady Health Workers was increased by Rs5 billion because of its success involving about 96,000 LHWs. The increased cost would result in the increase of salaries for LHWs from Rs 1900 to Rs 2500 per month. A Rs15.84 billion Clean Drinking Water Project for All and Rs26.5 billion LHWs project would be spread to all parts of the country.

276. The LHW program functions to contribute towards the following indicators at the national level. The following table provides the visible contrast between the LHWs catchment areas and LHWs un-covered areas:

INDICATORS NATIONAL LHWs

Maternal Mortality Ratio (MMR) 340 180

Infant Mortality Rate (IMR) 77.9 50

Contraceptive Prevalence Rate (CPR) 36% 38%

Tetanus Toxoid Vaccination (TT2) 51% 57%

Ante Natal Care (ANC) 43% 49%

Skilled Birth Attendance (SBA) 31% 55% - 65 -

277. Pakistan is on track to accomplish the target in MDG for child mortality. The

challenges like inadequate access to health services, poor utilization of PHC facilities and low health expenditure needs to be addressed properly for timely achievement of the targets.

278. One of the most significant indicators for women's health and availability of essential health care services is maternal mortality ratio. MMR stands as high as 350-400 per 100,000 live births in Pakistan. This is mostly attributed to a high fertility rate, low skilled birth attendance rate, illiteracy, insufficient access to emergency obstetric care services, malnutrition and socio-cultural practices, which limit women's choices and mobility. It is also expected that with a high total fertility rate (TFR) and an improvement in child survival rates the percentage of women in the reproductive age group is likely to double and the situation will become more difficult in terms of availability of emergency obstetric care services (EmOC).

279. Taking notice of the mentioned issues the Government of Pakistan has approved a National Maternal, Newborn and Child Health (MNCH) Program in November 2006. The program is based upon the recommendations of the Framework, which was a result of extensive consultative workshops at provincial and district levels, and which was endorsed by the Prime Minister of Pakistan and unanimously adopted by all provinces and AJK in the National Public Health Forum in April 2005. WHO and other partners were instrumental in supporting the Government efforts to establish this important program.

280. Government of Pakistan (GoP) is committed to improve maternal and child health through a number of interventions e.g. the Maternal and Newborn Child Health Program. This program will integrate ongoing projects, introduce new initiatives and harmonize the delivery of MNCH services. The program provides an important strategic arm both for the National Health Policy (2001), Ten Year Perspective Development Plan, National

Poverty Reduction Strategy Papers, and Medium Term Planning Framework 2005-10.

The overall vision is to ensure “health for all” with attention directed towards the primary and secondary levels of the health care system coupled with community outreach services through an integrated system-wide approaches.

281. The objective is to reduce maternal, neonatal and child mortality and morbidity, which reflects the Government’s commitment to improve the health of the population.

282. The Framework presents a number of innovative strategies to strengthen district health systems to prepare them for efficient delivery of MNCH care.

283. The program aims to fill in the gaps in health service provision in the country with a view to reinstate the trust of the communities in the public sector health system and to provide them services that are of a high standard and are affordable. This program together with the provincial contribution will reorient the health system to be more consumer-friendly and rationalize the use of existing resources through coordination with other major health programs. The program will ensure that maternal and child health interventions are equitably distributed and readily accessible. The component on - 66 - Maternal Health in addition to strengthening health facilities and improving referral linkages will also aim to improve availability of skilled birth attendants in the communities

284. The collaborative efforts of GoP and other partners have finally paid off. Planning Commission of the Government of Pakistan has approved the National MNCH Program revised PC-1 which costs 20 billion PKR (equivalent to US\$ 333 million approximately) for 5 years (2006-2012). About 60% of which has been secured by the Government while 40% are pledged by international development partners.

285. This is a comprehensive program aiming at strengthening, upgrading and integrating ongoing interventions and introducing new strategies. The program will:

- Strengthen district health systems through improvement in technical and managerial capacity at all levels and upgrading institutions and facilities.
- Streamline and strengthen services for provision of basic and comprehensive emergency obstetric and newborn care (EmONC) and supportive outreach services and community-based interventions.
- Integrate all services related with MNCH at the district level.
- Address the major childhood killers through scaling up IMNCI in FLCF
- Introduce a cadre of community-based skilled birth attendants (community midwives).
- Increase demand for health services through targeted, socially acceptable communication and mobilization strategies.

286. The salient features of the MNCH Program are

- Universal coverage
- Comprehensive Essential Services Package at all levels of healthcare system
- Functional Integration of services
- Quality of care
- District focus

287. The estimated population covered and served by the program is approximately 110 million. The Program will be implemented in two phases: launching and initiation 2007-2009 and expansion and consolidation 2009-2012.

288. It is worth mentioning that the role of development partners in achieving this landmark is commendable and their continuous support from all levels: HQ, Regional and Country office along with other partners UNICEF, UNFPA, DFID, World Bank and Save the Children/US made this success possible. The program is co-financed by GoP and DFID.

289. In order to assure effective implementation of the program, the Federal, provincial and district Governments together with partners are trying to fulfill their commitments to this ambitious program and overcome obstacles and barriers. - 67 -

Programs to alleviate child and maternal malnutrition

290. Malnutrition is one of the major contributors to childhood mortality and morbidity. Many deaths could be prevented, if mothers and children are properly fed and provided with proper nutritional care. Pakistan is not a food deficient country, but the mal-distribution at provincial, district and household levels, and poor nutritional practices are the underlying factors for the widespread malnutrition. This situation is further aggravated by the micronutrient malnutrition; specially iron deficiency anemia, iodine deficiency disorders, and Vitamin A deficiency. Over 35 % of children below 5 years are short for their age, over 10% are underweight for their height, and over one-half are anemic. Localized studies indicate that in poor families 25-30% of the babies are born with a birth weight below 2.5 kilogram (kg), while in economically better off families the rate is only 10%.

291. The situation of under 5 years child malnutrition, as indicated by weight for age, has remained stagnant for the last couple of decades. This is due to the fact that no national level program has been launched to combat protein-energy malnutrition. Pakistan is not a food deficit country, and on average, for every Pakistani individual, the available per capita calories and protein is adequate. Poor childhood feeding and weaning practices, lack of exclusive breast feeding, the rising trends of formula feeding, poor feeding during diarrhoea and other childhood illnesses including food taboos, are the main factors responsible for the high prevalence of malnutrition. The Government is cognizant of this situation, and has initiated a flour fortification program in collaboration with the private sector to address the micronutrient deficiency. Furthermore, the

Government response to WFFC is contained in the plan for food security and other programs like TAWANA Pakistan where female education has been linked to food supplementation in schools.

292. The recent National Nutrition Survey 2001-02 (Government of Pakistan, UNICEF & PIDE) shows an improvement in levels of malnutrition, with an average of 41.5% underweight compared with 51.5% in National Nutrition Survey of 1985-86.

Nutrition Improvement Program

293. Primary objective of the program is to improve the nutritional status of the people of Pakistan in general, with special emphasis on certain sub groups: women of child bearing age, adolescent girls and children. In this regard, the National Plan of Action for Control of Micronutrient Malnutrition has been launched and the Nutrition Strategic Plan of Action has been approved.

294. The National Nutrition Strategy addresses the population's nutritional needs at every life stage including pregnant women, infants and children, adolescents, adults and geriatrics. The strategy outlines four types of intervention strategies: behavior change communication strategies, fortification strategies and programs, food safety and regulatory issues and institutionalization of nutrition and management strategies. - 68 -

Malaria Control Program

295. Malaria Control Program improved its human resource and technical capacities significantly over last year. It received technical assistance from the TAMA for development of guidelines and manuals. Program received additional support through the GFATM, WHO/JPRM to enhance the activities of Roll Back Malaria in 53 selected districts in Pakistan.

296. The Goal of the program is to improve the health status of Pakistani population by effectively controlling malaria through implementation of RBM Strategies. The Five

Year Plan is a step towards achieving the WHO global RBM target of 50 percent reduction in the malaria burden by the year 2010. The current data shows Annual Parasite Incidence (API) as 0.8 cases per 1000 population. Considerable progress has been made with regard to program planning and capacity building; involvement of NGOs, awareness and advocacy and operational research.

Acute Respiratory Infection (ARI) Control Program

297. Acute respiratory tract infections account for more than quarter of all the childhood illnesses incidence of ARI. In the year 2000, 43.7% of all the health problems (Priority Diseases) were related to upper respiratory tract. ARI can be life threatening to infants and young children if timely and appropriate treatment is not provided. A national program for ARI control has been launched with emphasis on adopting WHO standardized guidelines of treatment, awareness on seeking medical care once respiratory symptoms appear in a young child.

National Iodine Deficiency Control Program

298. Iodine deficiency is a major problem in Pakistan and at least 23 percent children under five do not consume enough of the important mineral. The mineral iodine, in the form of iodide, is found naturally in seafood, seaweed and some vegetable yet these foods are not a part of the typical Pakistani diet. However, supplementation can prevent the effects of iodine deficiency on children. Iodized salt is the simplest and best way to add iodine into the diet but only 17 percent of Pakistani households use iodized salt. It is believed that this low figure can be attributed to non-availability, high price and family planning related rumors.

299. The Government has been addressing the issue in collaboration with UNICEF through National Iodine Deficiency Control Program. The recently approved National Plan of Action for Micronutrient and Malnutrition Control addresses the problem and the

Iodine Deficiency Control Program has been revived. UNICEF and the World Food Program have revived the fight against iodine deficiency and are supporting over 70 local iodination projects in all four provinces.

Improving immunization

300. Global Alliance for Vaccine and Immunization (GAVI) is supporting Pakistan in reducing the vaccine preventable diseases. Pakistan submitted its technical proposals for - 69 - all the three GAVI accounts/ windows i.e. new and under used vaccines, Immunizations Services Strengthening and injection safety. These were approved in the meetings of Independent Review Committee of GAVI. The total worth of this support as estimated in December 2005 is US\$ 89.294 million.

301. The Immunization Plus Project supported the development of guidelines for improving district routine immunization coverage. The guidelines have been translated into Urdu and printed for the vaccination staff. UNICEF has supported the development of measles campaign guidelines, micro-planning tools and social mobilization activities to support the Government's plan for accelerated measles control and a catch up campaign. A maternal and neonatal tetanus elimination campaign was held in 11 districts of NWFP.

302. UNICEF Supported Government in 6 rounds of National Immunization Days and 2 Supplementary Immunization Days in 2006 that included micro planning, social mobilization and training activities. During these polio campaigns the emphasis has been placed on having local inaugurations, involving the local leaders.

Observations/Recommendations of the Committee on the Rights of the Child

Adolescent health

54. The Committee notes the efforts made by the State party to reduce fertility and the crude birth rate, but remains concerned that there is no organized system of reproductive

health counseling and services, and that there is neither family life education for adolescents nor education on the harmful effect of drugs and on sexual abuse.

55. The Committee recommends that the State party continue to strengthen its efforts to address adolescent health issues and develop a comprehensive policy to provide adolescents in both urban and rural areas with reproductive health counseling and services, including family life education, especially on the effects of early marriage and on family planning, as well as to prevent and combat HIV/AIDS and the harmful effects of drugs. In this respect, the State party is encouraged to seek technical assistance from United Nations agencies such as WHO, UNAIDS, UNICEF and the United Nations Population Fund.

303. Pakistan is a young country as the major segment of population is of youth. In Pakistan, young people aged 10-24 make up more than 32 percent of the total population. The Government of Pakistan is well aware that the need of the hour is to keep youth perspective on top priority. However, the concept of adolescence is new in the society, and the notion of adolescent reproductive health or adolescent's health still has little acceptance in the culture.

304. UNICEF has targeted adolescents to impart them with life skills and knowledge to protect themselves from HIV, STIs and drug use. A total of 390,887 in-school and out-of-school adolescents, of whom 240,393 girls and 154,309 boys, were trained in Life Skill Based Education. With support, NACP and the Ministry of Education have developed generic life skills manual for in school adolescents. The existing life skills training - 70 - manuals were improved and adapted to the needs of out-of-school adolescents, and widely disseminated.

305. NACP in collaboration with UNICEF launched the HIV and AIDS Prevention Strategy for Adolescents and Youth People at the National launch of the Unite for Children, Unite against AIDS Campaign. Advocacy poster sets in English and Urdu were

developed from Positive Diaries; a collection of testimonies of adolescents infected with HIV, were exhibited on World AIDS Day 2006 and given to the key policy makers including parliamentarians and the Minister of Health.

306. UNICEF developed and disseminated IEC materials, including flip charts and accompanying brochures on HIV prevention for LSBE peer educators. On World AIDS Day several media advocacy PSAs were aired on multiple channels including a Unite for Children PSA with the Pakistan cricket team players and with Strings, our National Ambassadors for Unite for Children were aired on multiple channels.

307. MARA (Most At Risk Adolescents) and EVA (Especially Vulnerable Adolescents) were identified for more focused programming by UNICEF. Pilot projects in behaviorally specific life skills focusing on HIV prevention and drug abuse were implemented through drop in centers. A project with affected children was also piloted, initiating support groups and providing psycho-social assistance to affected children and families. The dialogue with Religious Leaders continued for discussions and dissemination of information on HIV and AIDS. Seminars were held for religious leaders on child protection rights, including prevention of HIV in which more than 100 religious scholars and leaders from different religions participated, resulting in the signing of a Declaration to support child protection activities and to sensitize the masses about HIV and AIDS through religious gatherings.

308. World Population Foundation is also working in the arena of adolescents' health. A project on Life Skills Based Education Program is currently under way in different districts of all provinces in collaboration with local partners. 381 teachers have been trained to deliver WPF's Life Skills Based Education program in secondary schools; 161 private and public secondary schools with WPF's LSBE curriculum in place; 16045 young people enrolled in the LSBE program and whole of School activities are running to

hit the target of 23,000 additional young people more broadly exposed to HIV/AIDS education in schools; Project duration 2003-10. WFP, with support of Westberg Foundation and in collaboration with Tehrik-e-Niswan, has produced videos and facilitators guides on Adolescents Reproductive and Sexual Health issues.

309. UNFPA has initiated Reproductive Health Initiative for Youth in South Asia (RIHYA) Project in Pakistan. The goal of RIHYA is to contribute to the improved adolescent reproductive health and overall wellbeing of young people and adolescents in Pakistan. The program is being implemented with an objective to support the standard of the youths.

310. Ministry of Education (Curriculum Wing) in collaboration with UNESCO has developed a Guide Book for Teachers on “Moral and physical health of adolescents”. - 71 - Basic objective of the development of this guide book is to help teachers to be able to guide adolescents during this critical period of psychological, emotional and physical changes in their lives and make them able to protect themselves from STDs. This guide book consists of four chapters: Parents and teachers’ responsibilities; Physical, emotional and psychological changes during adolescence; Teachers’ consultation and guidance and Sexually Transmitted Diseases and its impact including drug abuse etc.

311. Although different UN Agencies and international and national NGOs are working to address the adolescents’ health issues and create awareness among them, the activities still need to be extended to all parts of the country particularly the rural and tribal areas of the country.

Observations/Recommendations of the Committee on the Rights of the Child

Harmful traditional practices

56. The Committee reiterates its concern at the existence of harmful traditional practices, including forced and/or early child marriages and dowry-related violence, which pose

very serious threats to children, and emphasizes the lack of interventions on the part of the State party to address these issues.

57. The Committee recommends that the State party, as a matter of urgency, take all necessary measures to eradicate all traditional practices harmful to the physical and psychological well-being of children, which affect the girl child in particular.

312. Child Marriages Restraint Act, 1929 prohibits the marriages of children under 18 for boys and 16 for girls. It treats the conclusion of such marriages as an offence, not only for the parties, but also for those arranging the marriage or registering it. However, in spite of the law prohibiting child marriages, there have been cases where children are getting married earlier than these ages especially in rural areas.

313. NCCWD's proposed Child Protection Bill, based on the recommendations of the Committee on the Rights of the Child and Regional Consultation for Ending Violence against Children, increases age of the girl child to 18 years. Similarly, the proposed law has strict punishments for those solemnizing a child marriage. Keeping in mind the role of parents or guardian in child marriages, punishments have also been proposed for them in case of violation of the law.

314. National Plan of Action for Children, which focuses on policy and strategic interventions for addressing key child protection issues including child marriages by establishing the networks and mechanisms at various levels.

315. Similarly, Section 310 of the Pakistan Penal Code was amended to outlaw exchange marriages (Vani & Swara). The accompanying sentencing guidelines for those found guilty is a minimum of 3 years and a maximum of ten years imprisonment. The ratio of Vani cases decreased after the coming into force of the PPC's Section 310 A. The Council of Islamic Ideology (CII) has drafted a Bill to take legal measure to stop the un-Islamic incidence of marriage with the Holy Quran. Apart from NPA for Children, the - 72 -

National Policy on Empowerment and Development of Women 2002, also have a chapter on the “girl child”, addressing the issues around gender discrimination.

316. NGOs have established Children’s networks/clubs where children are campaigning to create awareness about child rights and protection issues including early marriages.

317. The Ministry of Social Welfare and Special Education in collaboration with UNICEF Regional Office for South Asia (ROSA) Kathmandu, Nepal hosted a Regional Consultation on Violence against Children on 19-21, May 2005 at Islamabad. Prior to this Regional Consultation, a children’s consultation was also held from 17th to 18th May 2005. The objective was to provide an in-depth global picture of violence against children and propose recommendations for the improvement of legislation, policy and programs to address the issue. As an out come of this consultation, a secretariat of South Asia Regional Forum for Ending Violence against Children is also working in the NCCWD to monitor the violence at regional level. First meeting of the Forum at ministerial level has been held on the issue of corporal punishment and child marriages in July 2006. The recommendations are being followed up for implementation at the SAARC level.

Social security and childcare services and facilities (arts. 26 and 18, para. 3);

318. The social insurance system in Pakistan includes Old Age, Invalidity and Widow Pensions and Health Care government by EOBI and Provincial Social Security Institutions. Old age benefits are provided by EOBI. Medical care is provided through social security hospitals and health dispensaries.

319. Employees’ Old-Age Benefits Institution (EOBI): The EOBI is funded by an employer contribution of 5 % of wages and a limited Federal contribution and provides monetary benefits to its insured persons in their old age.

320. Workers Welfare Fund (WWF): The major objectives of the Fund is to finance development projects like establishment of Labour colonies and construction of houses, hospitals and schools for the industrial workers and finance education, training, re-skill and apprenticeship for the welfare of workers. Employers of industrial establishments in the private sector under the WWF Ordinance 1971 are required to pay 2% of their assessable income exceeding Rs 0.1 million in any year of accounts to the Fund. The fund has established 38 schools across the country in which 30,000 students are enrolled. Free education up to Matric is being provided to children of workers. Scholarships are being given to 5,000 talented children of workers.

321. In the health sector, 200 bedded National Institute of Kidney diseases has been established and 4 kidney centers of 50 bedded each in each province has been established. In the housing, 13,245 houses and 4729 flats were constructed. Similarly 35,120 plots were developed. - 73 -

(e) Standard of living (art. 27, paras. 1-3).

Observations/Recommendations of the Committee on the Rights of the Child

Right to an adequate standard of living

58. The Committee is very concerned at the high number of children living in poverty, the shortage of adequate housing, clean water, adequate sanitation and sewage and the problem of air pollution, all of which have a serious negative impact on the living conditions of children in the State party, causing injuries, sickness and death.

59. In accordance with article 27 of the Convention, the Committee recommends that the State party:

(a) Reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living;

(b) Pay particular attention to the rights and needs of children in its poverty reduction strategy paper and in all programs intended to improve the standard of living in the country, including access to clean water and unpolluted air;

(c) Strengthen the social security system to broaden its coverage so as to include non-working parents.

322. In 1998 "Housing Backlog" was 4.3 million units, which increased to 6 million in 2004, indicating an annual incremental demand of 570,000 units, whereas supply is around 300,000 units. The MTFD 2005-10 proposes construction of new housing units in a manner that by 2010 entire incremental housing needs to be met by creating effective demand for the housing sector through provision of credit facilities, particularly microcredit to the low income groups and incentives as enacted in the PRSP.

323. Expanding the water supply and access to sanitation could theoretically achieve significant impact in terms of promoting healthy lives for children and adolescents. Indeed it is hardly conceivable that promoting healthy lives can be achieved without addressing the environmental conditions in which children and youth inhabit. This indicator is a top priority agenda item for the Government. The PRSP projection for access to clean drinking water for the 2004 was targeted for 89 percent in urban and 83 percent coverage in rural areas. According to a recent survey (CWIQ), this access has declined particularly in rural areas i.e. from 80 percent in the year 2001-2002 to 76 percent in the year 2004-05; perhaps due to the fact that use of hand pumps as resource of drinking water in rural areas has declined by 17 percent during the same period.

324. Under the President's New Initiative, by the end of 2007, all the Union Councils were planned to have filtration plants for safe drinking water. An allocation of Rs.7 Billion has been made to achieve this target. On completion, it will make a substantial dent in childhood mortality and morbidity rates as a result of decreased incidence of acute watery diarrhoea and other water-borne diseases. It is strongly believed that this target

will most likely be achieved.

325. The National Environmental Policy 2005 is geared towards protecting, conserving and restoring Pakistan's environment and the MTFDF incorporates a significant increase in - 74 - budgetary resources for this purpose. Mega projects for improving access to clean drinking water, namely 'Clean Drinking Water Initiative' and 'Clean Drinking Water for All' are being implemented. The "Clean Drinking Water for All" project is catering for installation of around 6,035 water purification plants of different capacities, one in each Union Council of Pakistan.

326. The program was approved by the Central Development Working Party (CDWP) at a cost of Rs. 115.09 Million in July 2004 and was included in the Medium Term Development Framework 2005-10. The Clean Drinking Water for All is now a SubProgram of Khushal Pakistan program and a high level task force has been notified for overall supervision and monitoring of the program. An amount of Rs.10 billion has been earmarked for the program.

327. The MTFDF aims to increase the water supply systems coverage from 65 percent in 2005 to 76 percent in 2010, and sanitation coverage from 42 in 2005 to 50 percent in 2010. A particular emphasis would be rural water supply and sanitation, with full coverage of all villages having population in excess of 100 households during the MTFDF.

328. The National Sanitation Policy was approved in September 2006; the Policy resolves to meet the Millennium Development Goals (MDGs) and targets whereby the proportion of people without sustainable access to improved sanitation will be reduced by half, by the year 2015 and 100 per cent population will be served by 2025 with improved sanitation. The policy aims to link and integrate sanitation program with city and regional planning policies, health, environment, housing and education. It also facilitate access of all citizens to basic level of services in sanitation including the installation of sanitary latrines in each house-hold, in rural and urban areas, schools, bus stations and important

public places and also community latrines in densely populated areas.

329. The Education Census 2005 revealed that out of the total covered institutions 12,737, 35 percent were without boundary wall, 31 percent were found to be without drinking water, 54 were without electricity, 38 percent were without proper Latrine and 6 percent were without a building. Lack of physical infrastructure is increasingly becoming one of the major causes for low enrolment and high drop out rates in the country.

330. For this purpose the government has earmarked Rs. 1.05 billion in the year 2006-07 for the provision of missing facilities to the government schools under the Education Sector Reforms. The amount would be spent on provision of water, toilets, science and computer labs and other facilities. This program would continue until all the schools have been brought to a respectable state.

331. UNICEF has been providing major support to the government in the finalization of the draft National Drinking Water Policy. In addition, in 2006 UNICEF has also been working on the provision of safe drinking and sanitary latrine facilities and imparting hygiene education to over 80,000 girls in 700 primary schools. 450,000 families received messages on safe hygiene practices including sanitation promotion through interpersonal communication by LHWs and female mobilizer. Training was provided to 3000 LHWs.

Over 2 million people in Punjab, Sindh and NWFP were provided with safe water during - 75 - various emergencies through improving the water quality (installation of chlorinators) and provision of family level water purification tablets.

332. Pakistan's growth performance over the last five years is enviable in many respects. Sound macroeconomic policies along with structural reforms have transformed Pakistan into a stable and resurgent economy. With economic growth at 7.0 percent in 2006-07, Pakistan's real GDP has grown at an average rate of 7.5 percent per annum in the last four years. The real per capita income has grown at an average rate of 6.6 percent

per annum over the last four years. The economic growth of such a pace for reasonably long period is bound to create jobs and therefore reduce unemployment and poverty. In recent years the role of remittances in reducing poverty has been acknowledged.

333. As Pakistan's economy entered the fifth year (FY 2007-08) of above 7.0 percent growth, its poverty headcount had fallen from one-third to less than one-fourth of the population. The confluence of growth accelerating government policies, nature's blessings and annual growth of 21% in pro-poor expenditures during the period contributed to approximately 13 million people moving out of poverty. In the immediate to short-run the challenge is to maintain the hard won improvement in poverty levels and even improve upon it through sustained growth (a necessary condition) in the range of 6-8 percent per annum.

334. However, growth alone does not suffice to reduce poverty levels. It has to be reinforced by job creation. Since FY 02, the economy created 10.62 million jobs, thereby reducing the open unemployment rate to 6.2 percent by FY 05-06. Foreign inflows in the form of remittances also have salutary impact on poverty. Development expenditure as a ratio of GDP, increase in human capital base, and openness of the economy are some of the other important factors that reduce the absolute poverty levels in Pakistan. On the debit side, food inflation increases poverty levels. The economy has witnessed a gradual increase in all the former set of determinants, while food inflation remained benign till 2004-05.

335. The FY 06 was also the year of successful culmination of 3-year Poverty Reduction Strategy Program I (PRSP-I). During the period the pro poor expenditures rose from Rs.167.25 billion in FY 02-03 to Rs.452.4 billion in FY 05-06. As a ratio of GDP the pro-poor expenditures rose from 3.9 percent in FY 02-03 to 5.6 percent in FY 06-07. PRSP-II covering the period FY 08-10 is in the final stages of completion and approval.

It is a reflection of government's unflinching commitment to achieve the MD Goal 1 of halving poverty by 2015 from 26.1 percent in 1990. The visionary and ambitious PRSP II strategy relies on higher incomes from demographic dividend, consumer credit and economies of scale from higher domestic consumption and bigger domestic markets to accelerate the economic growth rate, achieve competitiveness in exports and thereby reduce poverty.

Measures to combat HIV and AIDS particularly among vulnerable children

336. HIV epidemic was considered to be at "low level" till the year 2004, indicating the infection among identified high risk groups was less than 1%. However alarming - 76 - revelations have been made through two studies commissioned by National AIDS Control Program. These studies are conducted to identify the level of HIV and STI among various high-risk groups, including intravenous drug users (IDUs). One is the National Study of Reproductive Tract and Sexually Transmitted Infections conducted by Family Health International in 2004-05 and a very recent pilot study conducted by the HIV and AIDS Surveillance Project. Two studies reported current prevalence of HIV infection among IDUs in Karachi as 23% and 27% respectively. This level of infection among high risk group shifts entire epidemic scenario of the country to a higher stage i.e. "concentrated epidemic" level.

337. At the end of 2005 UNAIDS/WHO estimated the number of HIV and AIDS cases in Pakistan at around 85,000 (46,000-210,000). Most reported cases are in the age group of 20-44 years, with males outnumbering females by a ratio of 7 to 1. The NACP in the Round 7 Global Fund proposal estimated 1700 under 15 years living with HIV or AIDS. Pakistan is currently in a concentrated HIV and AIDS epidemic with prevalence rates over 5% in at least two subpopulations. The Pakistan epidemic follows the Asian Epidemic Model with injecting drug users driving the epidemic, which moves into sex

workers and then into the general population. Prevalence rates of 7% were found amongst male sex workers in Karachi. Adolescents are also amongst these most-at-risk populations. Behavioral and biological indicators for HIV are also collected amongst female sex workers, hijra, jail inmates and truck drivers.

338. Heterosexual transmission accounts for the majority of reported cases (67%).

Other modes of transmission include: infection through contaminated blood and blood products (18%), homo or bisexual sex (6%), injecting drug users (4%), and mother to child transmission (1.3%). The National AIDS Control Program reported only 0.03 percent prevalence of HIV in pregnant women and it further reports that the overall prevalence amongst the high-risk groups is only 2 percent. Although prevalence rates in some high-risk groups are well over 5%, making Pakistan a concentrated epidemic.

339. The Government of Pakistan is channeling its response to HIV and AIDS through the NACP, which is an umbrella project coordinated through a federal cell, which lays down the policy guidelines for implementation through provincial AIDS Control Programs and NGOs. This multi-sectoral national strategic framework, as espoused by the NACP, focuses mainly on prevention taking adolescents and youth as one of the target group and change agents, prioritizing those most-at-risk to HIV. Other measures taken to date include the recent ordinance on safe blood transfusion services whereby any health worker transfusing blood or blood products will ensure that the blood is healthy and free from HIV and opportunistic infection. The program is earmarked as a priority program with enhanced budgets for the next decade.

340. The Enhanced Program of the National AIDS Control Program, funded primarily by the World Bank, is the primary source of funding for HIV and AIDS activities in Pakistan. The WB contributed 37.1 million USD (9 million grant, the rest credit) for a period of 23 December 2003 through the end of the year 2008. By June 2006, only 11.7

million had been disbursed. The Government contributed 6.6 million. In addition CIDA, DFID, USAID, UN Agencies, EC and the Global Fund support the Enhanced HIV-AIDS - 77 - Control Program. The Government recently requested a top-up of the funds at 45 million USD from the World Bank.

341. The Enhanced Program awards service delivery package (SDP) to NGOs. SDP have a set menu of services that must be offered including STI treatment, HIV awareness/promotion, condom distribution, VCT and needle exchange for IDUs. The AIDS Control Program is aiming at carrying out awareness campaign through the print and electronic media and 47 surveillance centers have been established, of which few are fully functional to date. A cumulative number of 3.648 million blood tests for HIV and AIDS have been performed since 1986. Some serological and behavioral studies have also been undertaken to establish a baseline for HIV and AIDS and to design appropriate interventions for the future. The Expanded Response to HIV and AIDS Program has a budget of US\$ 10 million for blood safety measures. Thus, this area remains problematic with only 50% screened for HIV before transfusion of about 1.5 million blood bags transfused annually.

Teacher training manual on HIV and AIDS

342. The Ministry of Education (Curriculum Wing) in collaboration with UNESCO developed a teacher-training manual on "Reducing HIV and AIDS Vulnerability among Students in the Schools Settings". This teachers training manual is an adaptation of a training manual developed by UNESCO Regional Office, Bangkok. This manual outlines impact of HIV and AIDS, its causes and prevention, life skills and health related issues, basics of growing up (understanding of adolescence) drug abuse, human rights and care and support to people living with HIV and AIDS. The manual has been published both in English and Urdu and trainings of elementary school teachers has been initiated in all

provinces. By September 2007 3000 elementary school teachers have been imparted training on the manual who are expected to pass on the knowledge to under training teachers across the country.

Measures to promote and protect the rights of young people in the context of adolescent health

343. Reduction in HIV prevalence, among young men and women aged 15-24 years by 25 percent by 2008 and a further 25 percent by 2015. This target will be met by 2010 through intensification of Voluntary Counseling & testing/diagnostic and treatment services and using media education and awareness campaigns with special approach to vulnerable target groups and counseling on appropriate sexual behavior and use of safety methods. Establishment of HIV diagnostics set up with availability of all concerned equipment and chemicals at all teaching hospitals, DHQ hospitals and THQ hospitals. Development of a comprehensive package to ensure screening of all blood and its products for HIV and Hepatitis B, both in public and private sector, free of cost.

344. Reduction in the proportion of infants infected with HIV by 25 percent by 2008 and further reduction of 25 percent by 2015. The target will be achieved by educating about HIV and AIDS to 80 percent pregnant women, visiting health facilities for antenatal care and through LHWs, and by providing Prevention of Parent to Child - 78 - Transmission services (including ARV prophylaxis) to dramatically reduce the chance of HIV positive mothers transmitting HIV to their babies. Children born to HIV positive mothers will have access to treatment care and support through the HIV centers run by the National and Provincial AIDS Control Programs. Extended training to health services staff, Education (teachers), Social Welfare, Local Government staff, Community.

345. UNICEF has supported development of National guidelines for Prevention of Parent to Child Transmission of HIV and clinical guidelines on PPTCT and Paediatric

HIV and AIDS management. Five PPTCT centers have been initiated in the country to provide services in coordination with NACP, PACPs and PLHIV NGOs.

Involvement of Religious leaders in awareness drive against HIV and AIDS

346. More than 1000 religious leaders were trained on HIV and AIDS prevention and care issues by NACP in collaboration with Ministry and departments of Health with support from UNICEF. The religious leaders were organized to form an Inter-faith council. The Ministry of Health and the Inter-Religious Council for Health have initiated a campaign to discuss ways and means to strengthen the role of religious leaders of all religions and sects in the country in the fight against HIV and AIDS. A National Interfaith Religious Seminar was also organized in Islamabad in this regard on February 19, 2007.

Preventive Health Care Programs

National Tuberculosis Control Program is underway with the following objectives:

1. To enhance the capacity of technical and managerial staff, including trainers at provincial and district levels.
2. To strengthen the functioning of a countrywide Laboratory network through supplementing 20% equipment requirement, 10% Laboratory supplies and operationalizing the quality control arrangements through staff training, equipment and mobility support
3. To supplement 10% of the total drug requirement for public sector facilities for ensuring uninterrupted availability of quality drugs.
4. To standardize the management and care delivery practices by strengthening/supporting the supervision, monitoring and evaluation arrangements at national, provincial and district levels.
5. To enhance the program performance by planning, implementing and evaluating joint activities, through sharing of resources, with other health programs and

sectors.

6. To ensure evidence-based program strategies and operations by enhancing the capacity to design and conduct research on priority issues.

7. To help implement, evaluate and scale up the public private partnership for effective tuberculosis control in the context of devolution in districts.

347. Prime Minister's Program for Prevention and Control of Hepatitis (2005-2010) has been launched to reduce in incidence, prevalence and morbidity and mortality - 79 - due to Hepatitis in the general public, Advocacy and behavior change for prevention of Hepatitis through education of general masses.

348. National Program for Prevention and Control of Blindness aims to prevent blindness in over two million people, strengthening and up-gradation of 63 District eye units and 147 Tehsil eye units, restore sight of two million people and develop 07 centers of excellence. Among others the program will achieve the target of restoring useful vision to 15,000 children.

349. National Program for Family Planning and Primary Health Care LHW Program is improving the health status of its community by promoting health and reducing poverty by linking the community with health services by providing integrated health services at the doorsteps .The Total expenditure incurred from 1994 till June 2006 by the National Program is Rs 18604.076 Million and the Program will continue with the following objectives:

1. To develop the necessary health manpower in support of the Program by selection, training and deployment of 100,000 LHWs (87,600 under NP, 8,000 under WHP and 4,400 under RHP) throughout the country.
2. To address the primary health care problems in the community, providing promotive, preventive, curative and appropriate rehabilitative services to which

the entire population has effective access.

3. To bring about community participation through creation of awareness, changing of attitudes, organization and mobilization of support.

4. To expand the family planning services availability in urban slums and rural areas of Pakistan.

350. The Program targets include contributing to:

1. A reduction of IMR from 85 to 55 per 1000 live births,

2. A reduction of MMR from 400 to 180 per 100,000 live births,

3. An increase in the Contraceptive Prevalence Rate from existing 22% to 42% in rural area and from 40% to 58% in urban area.

4. An increase in immunization coverage in children aged 12-35 months fully vaccinated from 45% to 80% in rural areas and from 64% to above 90% in urban areas. (In liaison with EPI),

5. Increase TT-5 immunization coverage amongst women of childbearing age from 12% to 40%.

6. An increase in the percentage of children being exclusively breastfed till age of 6 months from existing 18% to 50%.

7. An increase in births assisted by skilled birth attendant from existing 12% to 30% in rural areas and from 43% to 80% in urban areas covered by the Program.

351. The principal sources for the verification of the Program's performance against these targets will be the "independent" Program Evaluations and PIHS and in addition the Program monitoring and supervisory system. Three evaluations have been carried out, the - 80 - third extensive program evaluation was carried out by Oxford policy management from Oct, 2000 to April, and 2001. The key findings are as under:

352. The Program is having a significant impact on a range of health outcomes. This is a result that is very rarely found in community health programs of this size. The population served by the LHWs was found to have substantial better health indicators than the control areas especially in the use of preventive child health services and the treatment of childhood diseases i.e. ARI, Diarrhoea, malnutrition and measles and the use of Antenatal, natal and Family planning services.

1. The Program has adhered to the policies especially in recruitment

2. LHWs are having a substantial impact on the uptake of important primary health services which include:

- A large and positive impact on childhood vaccination rates;
- A large and positive impact on reversible methods of contraception (pills, condoms)
- An increased uptake of antenatal services;
- Lower rates of childhood diarrhoea.

353. The Program is providing more services to low income and poor households than any alternative service provider in the public sector.

354. Maternal Health; The maternal health has a direct bearing on the growth of the child throughout its life cycle therefore the program lays special emphasis on the health of the child bearing women. The main findings regarding the maternal health in LHW and control areas are shown in the graphs below. Women who had a birth since 1997 - reporting on last birth;

57

51

46 49

44

26 29

37

0

10

20

30

40

50

60

at least one antenatal
consultation at a health
facility

Tetanus toxoid 2
injection in the last
pregnancy

% who took iron tablets
during last pregnancy

% of births attended by
doctor, nurse or LHV or
trained dai

% o f w o m e n w h o ..

LHW Areas Control Areas- 81 -

The table below shows comparison amongst main health indicators

Indicator Baseline

1994

National

(2006)

PSLM/EC

LHWs

(2006)

LHWMIS

MDG

Target

(2015)

Maternal Mortality Ratio /

100000 L.B (MMR)

500 340 180 140

Infant Mortality Rate / 1000

L.B (IMR)

105 77 50 40

Contraceptive Prevalence

Rate (CPR)

11 % 36% 38% 55 %

Fully Immunized Children 75 68 80% >90

Skilled Birth Attendance

(SBA)

22% 31% 55% 90%

355. The population served especially in rural areas by the Program was found to have substantially better health indicators than the control population as shown above. LHWs have a direct role in the provision of services which they may provide themselves or for

which they refer clients to the FLCFs. In the population served LHWs supplied 44% of pills and condoms users, they were also the largest single source of growth monitoring services in the population they serve. Now the LHWs have been involved in TB DOTS and Rollback malaria.

356. Overall the LHWs program according to the evaluation seems to have had a substantial impact on the uptake of important preventive health services in the population they serve.

357. The program management has planned to include injectable contraceptive during 2007 through LHWs which have been successfully piloted, thus increasing the choices for her clients. LHWs will also be trained to provide 7 EPI vaccines within their community throughout the country. They have also been trained in giving TT vaccination during MNT campaign in 63 high risk districts. Due to high prevalence of iron deficiency anaemia amongst children another project known as sprinkle project is being piloted in four district covering 94000 infants and children and then to scale up throughout the country. Due to increase in the burden of Non communicable diseases in our country we are in collaboration of NCD project under Nutrition wing to develop a training module on creating awareness through health education messages and BCC strategy to prevent Hypertension, Diabetes, epilepsy and injuries by adopting healthy lifestyles practices in their community.

358. Emergency Obstetric Care is key to reducing maternal mortality ratio and GoP has recently completed the Women Health Project in 20 districts of Pakistan with ADB - 82 - support. Emergency Obstetric Care services and essential newborn care services are also being strengthened in 17 districts by UNICEF support and another 11 districts by UNFPA. Staffing constraints and inadequate safety nets for deserving poor patients remain the biggest challenge.

359. A USAID funded project, PAIMAN is also strengthening emergency obstetric care in another 10 districts with inclusive package of BCC and newborn care.

Improvement of child health care services in FATA

360. A three year program, worth US \$ 11.5 million, to improve child health care services in the Federally Administered Tribal Areas was launched by USAID to be implemented by Save the Children USA. The new initiative will deliver a health package for children under the age of five that will cover newborn care and nutrition, immunization and treatment for lung infections and other diseases. The program is aimed at training health care providers and helping improve the people's access to quality health services across the region. The program will provide health coverage to 1.5 million adults and over 210,000 children under the age of five. - 83 -

VII. Education, leisure and cultural activities

(arts. 28, 29 and 31)

(a) Education, including vocational training and guidance (art. 28);

Observations/Recommendations of the Committee on the Rights of the Child

60. The Committee welcomes the measures taken to increase the attendance of girls at schools and the information that a national "Compulsory Primary Education Ordinance" has been promulgated (March 2002), and also notes the modest improvement in the gross primary enrolment rate. However, the Committee remains deeply concerned that:

(a) The public expenditure on education (as a percentage of the gross domestic product)

in the State party is extremely low and has been sinking in recent years;

(b) The considerable amounts of international aid invested in the State party

for the purpose of promoting education have not been used in an efficient or adequate way;

(c) School enrolment and literacy rates are very low;

(d) Dropout rates are very high and secondary education enrolment rates have decreased;

(e) Gender and geographical disparities remain very high;

(f) The quality of education is poor;

(g) The code of conduct for teachers does not prohibit corporal punishment, nor does it deal with the problem of violence against children in school.

61. The Committee is very concerned about reports of violence and sexual abuse within Madrassahs, as well as the narrow content of the education provided within these schools.

In this regard, the Committee notes with appreciation the initiatives by the State party to streamline the education given in Madrassahs so that it is more compatible with regular public education, and to eradicate violence against children.

62. The Committee is further concerned at reports of Madrassahs being involved in recruiting children, including forcibly, to participate in armed conflicts, especially in Afghanistan and in Jammu and Kashmir.

63. The Committee recommends that the State party:

(a) Ensure that primary education is free and compulsory for all children;

(b) Abolish the age limit that prohibits access to primary education after age 12;

(c) Ensure, as a matter of urgency, that adequate resources are allocated for education, in particular for improving the quality of and access to education;

(d) Continue and strengthen its efforts to ensure that all children have equal access to educational opportunities, with a view to eliminating the prevailing disparities between girls and boys as well as between urban and rural areas;

(e) Identify the causes of the high school dropout rate and strengthen the measures taken to address this problem;

(f) Take measures to improve the quality of education, including non-formal education, inter alia by strengthening the current training of teachers, by ensuring

that schools are adequately equipped and by introducing a monitoring system for the attainment of the education targets;

(g) Allocate resources to hire new teachers in order to improve the teacher/student ratio, especially in primary schools; - 84 -

(h) Introduce, strengthen and systemize human rights education, including on the rights of the child, in school curricula, beginning in primary school;

(i) Take proactive measures to eliminate violence against children in schools, notably by including in the code of conduct for teachers the prohibition of corporal punishment and by limiting the role of school counselors to those functions that help the pupil and revoking their disciplinary functions.

64. The Committee recommends that the State party:

(a) Ensure the protection of children from maltreatment within Madrassahs through the establishment of an adequate monitoring mechanism;

(b) Continue and strengthen its planned reform of Madrassahs, with a view to broadening the scope of the education given in Madrassahs;

(c) Take effective measures to ensure that children below the age of 18 years are not involved in hostilities and to protect children from forced recruitment.

Free and compulsory primary education

361. Education in general and primary education in particular is on the concurrent list of the constitution of Pakistan and therefore is not a federal subject. After nationwide devolution in 2001, education up to grade 12 is a district subject. All implementation lies at district and provincial level. National compulsory primary education law cannot be devised as this action is done at the provincial level. Three of the four provinces, Federally Administered Areas and the Islamabad Capital Territory (ICT) have compulsory primary education laws. Primary education was made compulsory in the

provinces through promulgation of the Punjab Compulsory Primary Education Act 1994, NWFP Compulsory Primary Education Act 1996 and Sindh Compulsory Primary Education Ordinance 2001, in the Federally Administered Areas by the promulgation of the Federally Administered Areas Compulsory Primary Education Ordinance 2002 and in the Federal Capital through Islamabad Capital Compulsory Primary Education Ordinance 2002.

362. Despite the fact that compulsory primary education laws have been introduced in almost all parts of the country except Balochistan province the implementation machinery is not up to capacity for full and effective implementation of these laws.

363. However, mobilization efforts are being made to ensure that the every child in the school going age attends school. Ministry of Education in collaboration with UNESCO is holding a National Conference to discuss the implementation of compulsory primary education laws, the hurdles in the implementation of these laws and how to improve the situation.

364. An EFA National Plan of Action (NPA) has been developed through broad-based consultations with the principal actors of EFA and other stakeholders. The Ten Year Perspective Development Plan 2001-2011 links education with other social sectors and views EFA as the centerpiece of human capital formation. Emphasis is placed on three main priority areas, with targets to be reached by 2015, namely:

- Universal primary education and quality EFA. - 85 -
- Raising the net participation rate of early childhood education to 50 percent.
- Adult literacy rate raised to 86 percent.

365. The Ministry of Education launched the National Plan of Action for Education For All on 3rd April 2003, for achieving universal primary education by 2015. Gender disparities are being narrowed through mixed primary schools, compensatory programs

(nutrition, stipends) targeted towards girls at the primary, middle and matric levels, and appointment of female teachers.

366. In Pakistan the overall education provision by public and private sector is 65:35%. Most non-state providers or private sector charges fees or user charges to sustain costs. However, some providers belonging to philanthropic concerns provide free or virtually free of cost education such as the Citizen's Foundation, as well as the Provincial Education Foundations through its Financially Assisted Schools (FAS) program is ensuring that education is provided completely free of cost @ Rs. 300 per child in nonelite private schools. Education Foundations being quasi government institutions are acting on behalf of the government to buy places for children in the private sector up to secondary level to provide choice and quality. The National Education Foundation and the Sindh Education Foundation also subscribe to highly subsidized community based schools for the disadvantaged. The overall reach of these programs is about .5 million children.

Establishment of Non Formal Basic Education Schools

367. ECNEC in its meeting held on March 07, 2007 approved the project titled "Establishment and Operation of Basic Education Schools in the Country" at a cost of Rs. 7000 million for establishment of 20,000 BEC Schools (10,185 existing and 9,815 new) for a period of three years from July 01, 2006 to June 30, 2009.

368. A new project has been approved for the establishment of 82,000 non formal basis education schools under the Basic Education Literacy Authority (BELA). This year an allocation of over Rs. 1 billion has been made for this initiative. The project, based on the idea of a home school to be run through NGOs and CBOs, was to be implemented within a period of five years.

369. Non-formal and literacy/vocational programs have also been set up explicitly for child Labour across the country through support of Pakistan Bait ul Maal, Education

Foundations, ILO and Save the Children Alliance. These programs targeted to address worst and general forms of child Labour are intensive, innovative requiring multi-sectoral interventions simultaneously of education, mainstreaming, vocational training, health and rehabilitation. However, these are not well funded by the public sector since its costing is different than the general non-formal education programs. - 86 -

Adult Literacy Centers in Pakistan

Province/Area Adult Literacy Centers

by Government

NCHD Total

NWFP 7,542 7,520 15,062

Balochistan - 4,350 4,350

Sindh 1,820 11,900 13,720

Punjab 4,041 23,760 27,801

FATA - 1000 1000

FANA - 430 430

AJ & K - 1000 1000

Total 13,403 49,960 63,363

370. In NWFP, the Elementary Education Foundation was established under “The North West Frontier Province Elementary Education Foundation Ordinance, 2002” with objectives to improve literacy, with particular focus on women, through Community schools and employment of teachers in deficient areas; improve quality of education through teachers training; promote community participation; mainstream the education imparted in religious schools and mosques; introduce innovative educational programs relating to literacy and give loan to non-governmental organizations for establishment of elementary education schools. The Government of NWFP has allocated an amount of 400

million rupees as seed money. This capital amount has been invested in various Developmental Financial Institutions. Other sources of funds include endowments, grants, donations, trusts, bequest by Government of Pakistan, Local and International Agencies. Elementary Education Foundation was operationalized in the year 2003-2004.

371. Literacy For All (LFA) Project has established 29,649 Literacy Centers (LCs) and 6,82,288 illiterates made literate in the last 5 batches as in the table below:

Literacy Centres (LCs)

Gender	Batch-1	Batch-2	Batch-3	Batch-4	Batch-5	Total
Male	1788	1673	2222	2680	2680	11043
Female	2600	3160	4124	4361	4361	18606
Total	4388	4833	6346	7041	7041	29,649
Learners						
Male	39373	35185	50733	56369	69652	251312
Female	59123	71941	95915	98347	105650	430976
Total	98496	107126	146648	154716	175302	6,82,288

372. In Sindh, the Sindh Education Foundation's Community Supported Schools

Program, engages communities to establish schools for female education and facilitate a participatory development process. Currently, the CSSP is operational in 5 districts of Sindh, and caters to the educational needs of approximately 4,000 children. - 87 -

373. In Balochistan, the Balochistan Education Foundation (BEF), a semi-autonomous apex financing body with the mandate of supporting public-private and community partnerships in education. The project has three components which are implemented under partnership arrangements between BEF and three distinct types of implementation partners (IPs). These are: (i) Community Schools Implementation Partners (CIPs); (ii) Private School Implementation Partners (PIPs); and (iii) Technical Assistance

Implementation Partners (TIPs).

374. In Punjab, the Punjab Education Foundation was established under the Punjab Education Foundation Act of 1991 as an autonomous statutory body to encourage and promote education in the private sector operating on non-commercial/ non-profit basis. It has been restructured under the Punjab Education Foundation Act-XII of 2004 for the promotion of education, especially encouraging and supporting the efforts of the private sector in providing education to the poor, through public private partnership.

375. Although, in Punjab, education up to secondary level is free in public sector now, educational institutions and students in primary grades of government schools are provided free textbooks but even low income households prefer to send their children to private schools, which have come to be identified with a measure of quality education. In urban areas where the social demand for education is strong, private educational institutions thrive, accounting for close to 50% of enrolment.

376. PEF Foundation Assisted Schools (FAS) is the flagship program of the Punjab Education Foundation to encourage and promote access to, and improve the quality of education. PEF has demonstrated that through public private partnership, better quality education can be provided at much less cost as compared to the cost by the Government of Punjab to educate a child at the primary level in the public schooling system. The financial assistance on per child enrolment basis (PEF-FAS) is driven by considerations of equity and access to all.

377. During the financial year 2005-06, the PEF made a budgetary allocation of Rs.70 million for the financial assistance of private schools in less affluent areas on a per child enrolled basis. The target schools under PEF-FAS are those charging up to a maximum of Rs.300 per month as tuition fees and related/allied charges (excluding actual board examination fee). The financial assistance on per child enrolment basis, provided by PEF

cannot be spent on office building or anything else except the promotion of education i.e. salaries of teachers, development of teaching material, Library, Classrooms, Furniture, Laboratory, purchase of science equipment etc. There are ceilings on management cost as a proportion of total expenditure on the running of the school. The recipient educational institution indicates the management cost and the expenditure on the management cost is a part of terms of partnership. The delivery of quality education is the most significant variable for financial assistance by PEF. The Quality Assurance Tests is the chief determinant for the continuation of partnership agreement.

378. The financial assistance to the recipient institution is discontinued in case the school does not meet the quality standards set by the PEF. It is mandatory that the 2/3rd students of the partner school under PEF-FAS must pass the quality assurance test, with - 88 - at least 40% marks, for continuation of partnership. For the purpose of budgetary allocations, preference is given to districts with lower rates of literacy.

Abolition of Age limit

379. Whilst there is an age bar for formal government schools which is often not adhered to allowing both over age and under age children to be enrolled, this is not so in the non-state sector and particularly for non-formal education which is meant to address all the children who are over age, miss outs and drop outs. Gross Enrolment Rate (GER) for Pakistan is currently 86% whilst the Net Enrolment Rate (NER) for primary education is 52%. This large gap of 34% between GER and NER illustrates that children of all ages are being admitted defacto as they are reflected in the GER excluding the Katchi or pre primary grade. Two indicators namely Gross Enrolment Rate (GER) and Net Enrolment Rate are commonly used for enrolments.

380. GER has increased from 72 percent in the year 2000-01 to 87 percent in the year 2005-06 PSLM, which is quite impressive. Net Enrolment Rate (NER) has also shown

upward trend as it increased from 42 percent in the year 2000 to 52 percent in the year 2005-06. Various public sector compensatory programs have been initiated across the country including free textbooks, abolition of user charges, school nutrition program, and stipends for girls' education at post primary, i.e., middle and secondary level are in place. The GER and NER at middle level have an average difference of 30% points revealing counting of over age children. (PSLMs 2004-05)

Increase in Budgetary allocation for Education

381. In the education sector, the total expenditure was Rs. 75887 million in 2000-01, which increased to Rs. 132918 million in 2004-05. The increase in expenditures from 2000-01 to 2004-05 was 75.2%. The federal expenditures on education increased from Rs. 12238 million in 2000-01 to Rs. 36281 million in 2004-05, showing the remarkable increase of 196.5%. The provincial expenditures on education also increased significantly from Rs. 63648 million in 2000-01 to Rs. 96637 million in 2004-05. This amounts to 51.8 % increase in expenditures.

Year GDP

(in Billion

Rs)

Public sector Expenditure

on Education (million Rs)

Expenditure on

education as % of

GDP

2003-04 5,640,580 124.3 2.20%

2004-05 6,581,103 139.96 2.13%

2005-06 7,713.064 148.2 1.92%

2006-07 8,706.917 211.1 2.42%

382. The expenditures on primary education increased by 14 % from 2004 to 2005 and expenditures on secondary education increased by 16 % from 2004 to 2005. Provincial expenditure on primary and secondary education has also increased over the period. The medium term development framework (MTDF) has earmarked Rs. 103.44 billion for basic and college education for the period 2005-10. An additional amount of Rs. 107 - 89 - billion is required for skills based literacy and technology education at elementary and secondary level.

383. The Federal Cabinet reviewed the educational atmosphere in light of the reforms introduced by the government and found all indicators encouraging. Billions of rupees had been set aside to enhance facilities in the public sector educational institutions, providing free education up to matriculation with textbooks and increasing scholarships.

384. The federal cabinet on February 14, 2007 decided to increase the public investment in the education sector to four per cent of the Gross Domestic Product next year, from 2.6 per cent, and lift the literacy rate to 65 per cent from 53 per cent. Expenditure on education would be gradually raised to 4% of the GDP from the present allocation of 2.2%.

385. According to the NEC (National Education Census), 2005 survey expenditure incurred by the private sector as the non-state contribution to education is Rs. 35,914, 012,702 in 76,047 institutions providing coverage to 12.12 million students. This is in addition to the public sector expenditure.

Gender Disparities

386. Gender disparity in literacy and enrollment is one of the key concerns of the Government. Pakistan's overall record in promoting and delivering gender equality has been weak. Gender gap in NER at the primary school level remains unchanged at

national level between periods of the year 2000-01 to 2004-05. However, overall gender gap in the GER has been considerably reduced. This can be attributed to increase in female enrolment rate during the same period.

387. There are, however, areas in which significant progress has been made and indicators point to a steady though slow improvement in the ratio of girls to boys at all levels of education, the ratio of literate females to males, share of women in urban employment (as proxy indicator for share of women in wage employment in nonagricultural sector) has improved marginally and improvement in participation of women in national decision making process.

388. Statistics show that gender disparity has been declining since 1998-99, however the recent decline is only marginal from 26 percent in 2001-02 to 25 percent in 2004-05. Reducing gender gap in education at all levels will ensure equality of opportunity and economic participation for females. Gender disparity in literacy is lower in urban areas where it is 16 percent, as compared to 29 percent in rural areas in 2004-05. In fact there has been no progress in reducing the gender gap either between the urban and rural areas or between genders in both areas.

389. There are several explanations for this persistent gap in literacy. A recent World Bank Country Gender Assessment Report 2005 highlights the two most important constraining factors that impede female access to education. Distance from school and physical costs of attending schools for girls affect their enrollment. The latest PRHS-2 - 90 - 2004-05 also indicate lack of access of girls. Only 46 percent of the sample villages in Sindh and Punjab had a girl's elementary school inside the village. In contrast, 87 percent had a boy's elementary school within the village.⁵ According to Participatory Poverty Assessment (PPA) 2003, in the Northern Areas poor households consider investment in a girl's education to be pointless, as they have to get married and go to another house.

390. In the past year, 2187 new primary schools were established, 1221 in the public

sector and 881 in the private sector. This increase has occurred in both rural and urban areas. The expansion in the number of institutions is inconsistent with the need to provide easy access to the half the country's school going population. The public sector was able to establish only 999 new primary schools for girls in 2004-05. The responsibility of expanding the primary and middle schools for girls has been devolved to District Governments under the devolution plan.

391. Whilst female literacy ranges from 19% in Balochistan rural to 66% in Punjab urban, remains a key challenge, the provincial overall disparities from 37% in Balochistan to 56% in Sindh also continue to be a source of major concern for the government/s. Many major national initiatives are underway including the work being done by the NCHD, the ministry/departments of education and literacy but compared to the quantum of the problem the interventions are still far from sufficient. Allocations to literacy are also inadequate and program design limited to attract young and adult learners of 12 years plus who would like to have access to programs with literacy and vocational skills simultaneously. NWFP and Punjab are aggressively addressing the issue with their own resources whilst other provinces still rely on federal allocations.

392. Government of Pakistan has taken various steps to eliminate gender disparities at both rural and urban levels. Female participation is also encouraged by projects like Tawana Pakistan to provide nutrition to female students in rural and disadvantaged areas. Girls Community Model Schools have been established throughout the country to provide facilities and quality education. Scholarships are granted to girl students and stipends are provided to families to encourage girls to schools. Various other incentives are also being given to parents to send their girls to schools.

393. Furthermore, the World Food Program (WFP) is also working with the Provincial Governments for the promotion of primary education for girls in the selected far flung

districts where gender disparities are quite visible and alarming. The Government of NWFP, in collaboration with WFP, is in Phase III (July 2004-June 2009) of the promotion of primary education for girls in 7 selected districts mostly in Provincially Administered Tribal Areas (PATA). A budget of 893.962 million has been allocated for the project with 14 percent share by the Provincial Government. Objectives of the project are to promote primary education for girls in rural food insecure areas and increase girls literacy rate; Increase enrolment, improve attendance and retention rates at selected girls primary schools in target areas and to reduce absenteeism of female teachers and enhance their role at the assisted schools. Number of beneficiaries was 117,218 by May 2007.

394. Likewise, another project has been initiated by the Government of NWFP in collaboration with UNICEF on “Accelerating Girls Education” in selected Districts of the - 91 - Province with the overall goal to increase enrolment, retention and completion rates in primary schools for 80 percent girls aged 5-12 years by the year 2008-2010. Project achievements include enrolment of 85,500 girls, mobility support for 400 female teachers, provision of new supplies for 500 schools, 150 new female teachers appointed, and 400 teachers trained in Child Friendly Approaches.

395. AusAID’s has been funding the ‘Increasing Access of Girls to Higher Quality Primary Education in Balochistan Province’ project (2003-2006) {\$2.4 million}. Thematic areas of support included improved quality of education, development of tools to measure learning achievements of students, teacher training in joyful learning, and improved learning environment of schools. The project was implemented by GoB and UNICEF in selected districts of Balochistan.

396. Similarly NGOs have also launched various programs and advocacy campaigns to eliminate gender disparity and create awareness about the importance of female education in the masses. Many local and national NGOs have formed National and

Provincial Coalition for Education, NGOs including Strengthening Participatory Organization (SPO), Khewendo Kor (KK), ITA, Bunyaad, Alif Laila, AKES, HANDS, SPARC and various other NGOs regularly celebrate Education Week every year where awareness raising campaigns are launched.

Measures to address high school drop out rates

397. The overall national drop out rate is almost 31 percent at primary level (PSLM 2004-05). Steps have been taken to improve in-service training and improve the school environment. Corporal punishment has been banned through official notifications and an awareness campaign has been started among the teachers against this menace. Teachers involved in physical, psychological and moral violence especially corporal punishment have experienced strict disciplinary action.

398. To encourage regular attendance at schools and to reduce drop out rates many positive measures have been taken. Extensive compensatory support programs are in place to offset costs of education and reduce household burden. In the far flung areas of Pakistan there are large initiatives of World Food Program and Tawana or School Nutrition Program to support students and their families. The latter program in progress across 25 poorest districts in the country was reviewed and revamped from providing hot cooked meals on the premises to high nutrition milk and biscuits and scaled up to 55 districts. However, this is restricted to government schools targeting girls and mixed schools. Provincial Governments have waived user charges and are providing free books up to matric level, to attract students who cannot continue their studies due to poverty. Scholarships are being provided to students particularly female students to increase enrolment.

Missing facilities

399. The Education Census 2005 revealed that out of the total covered institutions

12737, 35 percent were without boundary wall, 31 percent were found to be without - 92 - drinking water, 54 were without electricity, 38 percent were without proper Latrine and 6 percent were without a building. Lack of physical infrastructure is increasingly becoming one of the major causes for low enrolment and high drop out rates in the country.

400. Around 41 percent of total schools in Sindh were found to be without building, 35 percent in Punjab, 12 percent in NWFP and 6 percent in Balochistan. Around 39 percent schools in Punjab, 27 percent in Sindh, 17 percent in NWFP and 9 percent in Balochistan are without electricity. In Punjab 29 percent of schools are without proper arrangement of clean drinking water as compared to 25 percent in Sindh, 21 percent in NWFP and 12 percent in Balochistan. The percentage of schools without proper Latrine ranges from 39 percent in Punjab, 22 percent in Sindh, 18 percent in NWFP and to 11 percent in Balochistan.

401. For this purpose, the government has earmarked Rs. 1.05 billion in the year 2006-07 for the provision of missing facilities to the government schools under the Education Sector Reforms. The amount would be spent on provision of water, toilets, science and computer labs and other facilities. This program would continue until all the schools have been brought to a respectable state.

402. The Provincial governments have also taken various steps, under the Provincial Education Sector Reforms to solve these issues and for the improvement of access to education in the provinces. Some of the initiatives taken by the government of Punjab are following.

403. As lack of basic infrastructure is one reason for low attendance at schools. PESRP has a plan for provisioning of missing infrastructure facilities to schools in Punjab. In this regard since FY 04-05, Rs. 150 million have been given to each of the 34 districts for the provision of basic facilities in primary schools.

UNICEF supporting girls' education through creating enabling environment

404. Water, Environment and Sanitation section is supporting girls' education through creating enabling environment by providing water and sanitation facilities in girls' primary schools. The focus is based mainly on the principle of geographic convergence of activities (in girls' schools) and integrating the activities to ensure the optimum outcome.

Measures to improve teacher/student ratio

405. Teacher student ratio in government schools varies from province to province, district to district and school to school. It also varies by level of schooling. Nationally it stands at 1:38 for boy at primary level currently. For girls the teacher student ratio stands at 1:41 in the country. The official norm for PTR is 40:1 for pupil teachers, which is not the best level but as this has been shown in some dated studies that PTR is not the most critical variable for higher learning levels but the availability of textbooks is. The government has lifted the ban on teachers' recruitment and steps are being taken to hire teachers with higher qualifications. Punjab has already stopped recruiting teachers with - 93 - grade 11 but are now only contracting school based teachers with 15 years of education. To date 50,000 teachers have been hired. Efforts are being made to bring the teacher student ratio for formal 1:30 and Non-formal 1:25.

406. Across the 90s there was a ban on teacher hiring leading to major problems in schools which were only with one teacher or two teachers; in middle and high schools for subject specialists etc. In Pakistan, this ban has been lifted over the past five years to allow for teachers hiring. Teachers are being increasingly hired through contracts rather than permanent posts.

Teachers Qualifications

407. There is a general trend to ensure higher qualified teachers for primary level than

the previous qualification of matric plus one year of primary teaching certificate (PTC) or at elementary level with 13 years of schooling. However, each province/area have their own criteria. This lack of uniformity is an issue on basic teacher recruitment policies.

Punjab has installed a policy only to hire contract graduate teachers with at least 15 years of education and pre service training. These posts are school specific and their continuity is performance based. Tenure based teachers are being phased out. To date 50,000 teachers have been hired under this system with a pay which is low at Rs. 5000. This strategy has its pros and cons as the teaching community feels that their status has been eroded with little job security. The Federal Directorate of Education (FDE) has raised both teachers' qualification and basic pays handsomely. Other provinces have not been that aggressive on this with fears on account of teacher unions.

Status of teachers in NFE

408. With Non-formal basic education programs increasing in size and need the status of NFE teachers (over 10,000) needs to be improved. The teachers demand better pays, which have been agreed to increases from Rs. 1200 to Rs. 2500 if not Rs. 3000. NFE teachers also want their trainings to have certification so that they too can work with their formal counterparts.

Human Rights Education

409. Human Rights Education Curricula has been developed through consultative processes at the Curriculum Wing since 2001 supported by the Norwegian and Canadian governments. Law, Justice and Human Rights Division in cooperation with Norway (NORAD) and Government of Switzerland worked jointly with the Ministry of Education on a project "Human Rights Mass Awareness for Education". The most important step taken in this direction is the incorporation of the main concepts related to child rights into curriculum and teachers training materials. The materials produced have been

incorporated in the relevant subjects taught at school levels. Textbooks contain messages of human rights together with articles of the Universal Declaration of Human Rights. In Sindh textbooks on human rights education, citizenship and conflict resolution education have been integrated in the government prescribed social studies textbooks of primary and elementary levels. The new National Curriculum has made efforts to include - 94 - principles of human rights, upholding diversity and difference along with universal rights.

410. The Ministry of Education (Curriculum Wing) in collaboration with UNESCO developed a Manual for Teachers on Peace Education and Human Rights. The manual not only cater to human rights education but also give detailed information about teaching activities.

Steps taken to eliminate violence against children

411. Some provinces have been more proactive than others to eliminate corporal punishment from schools. In Punjab the provincial Education Department warned teachers of action under the Punjab Removal from Service (Special Powers) Ordinance of 2000 if they were found guilty of corporal punishment. To set an example, two teachers were dismissed on charges of corporal punishment in 2004. Directives were issued by the Provincial Governments in all Provinces to discontinue the practice.

412. In September 2005, the department of education, Punjab devised a stern policy on the issue and came up with the slogan Mar Naheen Pyar (Affection Not Violence) Government and private schools were directed to display the slogan on their gates and were warned that their registrations would be cancelled if they did not comply by September 28, 2005. A special monitoring team was later formed to make surprise visits to schools and ensure compliance. The instructions clearly read that corporal punishment had been banned and teachers violating the ban could be dismissed from service. The

practice has reduced but has not stopped completely. The teachers' reaction has been negative and they have complained against this measure on every forum, as giving rights to students but taking away the prerogative of teachers. Some have predicted that this will lead to lowering of grades/results as there is no 'fear' of punishment if students come to school without learning their texts. Punjab has developed a Composite Index for school monitoring with 12 indicators but this is not one of the indicators included as it is difficult to measure through records but can or cannot be witnessed by the Monitoring Education Assistants (MEAs).

413. Violence against children however, is not just a matter restricted to schools but is a prevalent practice at homes and the workplace. Much more advocacy is to be done for this practice to be eliminated at multiple levels of social acceptance.

(b) Aims of education (art. 29) with reference also to quality of education;

Measures to improve the quality of education

414. The Education Sector Reforms (ESR) aims at the sector wide development of the education sector from early childhood to the university level. The ESR Action Plan 2001-2005/6 addressed the development of the education sector comprehensively for access and quality, through investment in school rehabilitation, curriculum reforms, textbooks development, examination and assessment system reform, teacher training and supervision. These reforms encompassed revision of curricula for classes I-XII, harmonization of teacher training programs, introduction of multiple text books scheme, - 95 - professional development of planners, managers, teacher educators, teachers at all levels. Curricula was revised in 2002 and then revised again in 2006. 24 out of 40 core subjects have been revised and notified.

415. Incremental financial resources are being allocated by the Federal and Provincial Government for ESR's implementation by the Provincial/ Area Governments. The

implementation of ESRs has proved to be slower than anticipated especially in the areas of technical education, Madaris and literacy. However, continuous oversight of implementation and policy processes of ESR Programs through the National Steering Committee meetings has led to maximizing opportunities and appropriate adjustments in response to provincial requirements.

416. The Government of Punjab has declared education to be its number one priority. In this spirit, the Punjab Education Sector Reform Program was created in 2003. A three year program was set up and 5 billion was spent each year, from 2004 to 2006, to improve missing facilities in the schools. In 2006, PESRP revised its procedures so that financial contributions to the schools would be deposited directly in the schools' bank accounts. This realignment has given schools rapid and full access to the funds.

417. Another PESRP initiative has produced a significant increase in girls' school enrolment: an amount of Rs. 200 per month is given to families of girls in 15 low literacy districts of the Punjab, provided that the student has shown an attendance rate of at least 80 percent that month.

418. The PESRP is focusing to ensure that provincial and district governments enter a performance contract to fulfill district based targets: for enhancing enrolment, reduction of drop out rate, increase in completion rates, operationalization of non-functional schools and non-salary expenditures.

419. Under the Sindh Education Sector Strategy, the Government of Sindh is implementing a multi pronged strategy to improve outcomes that include providing adequate resources and improving their utilization, strengthening governance and accountability, ensuring the participation of communities and increasing the role of the private sector. Key elements of the Government's strategy to increase are: reducing regional and gender disparities; appointment of only female teachers at the primary level;

making primary education free and compulsory; implementation of regular enrolment drives; initiation of province-wide public awareness campaign through media and other means; distribution of free textbooks to all primary school children in government schools; scholarships for girls in middle schools; reaching out of school children through non formal initiatives to prepare them for entry into the formal system.

420. There have been initiatives in NWFP for setting up of professional cadres for planning and management of education and that of teachers. In addition strengthening of teacher training institutions through debt swaps have been launched as have the training of trainers. These have been supported by examination reforms and setting up of examination boards in private sector, establishment of national education assessment system, system of academic audit, increase in financial support etc. - 96 -

421. The NWFP Reforms Program has made educational improvement the foundation for achieving longer term economic development and poverty alleviation in the province. "Education is the first priority, second priority and third priority of the government" according to the government of NWFP. The Government's medium term objectives in the sector are to:

1. improve primary education (both enrolment and quality of instruction);
2. reduce gender and rural urban disparities; and
3. expand the capacity at the secondary school level.

422. Balochistan has undertaken a detailed situation analysis of core indicators disaggregated by districts, gender and poverty ranking. Focus of Education Strategy in Balochistan are: to improve primary education, reduce gender disparity, strengthen governance and accountability, ensure participation of communities and private sector, develop vocational education and training, to ensure that the gap between primary and middle provision is narrowed drastically with due focus to opportunities for girls.

423. Regarding improvement in quality of education UNICEF focused on three main interventions under the umbrella concept of Child Friendly Learning. First of all improved teaching learning processes, such as teacher training, mentoring, provision of teaching learning material and basic school supplies, supplementary material and teachers' toolkits, development of a continuous professional development framework for teachers. The program also established monitoring and enhancement of learning achievements through reform of examination system grade 5 and 8 (Punjab), baseline studies (Balochistan) and supporting pre primary schooling (Katchi) through the dissemination of Pre Primary class curriculum, development of a pre primary class teacher guide and pre primary class teaching learning material package ensuring that children have better start when entering grade one.

Establishment of National Education Assessment System (NEAS)

424. The Government's Education Policy (1998-2010) and the Education Sector Reforms (ESR) Action Plan 2002-2006 recognizes the fact that quality of education is an important contributory factor in national development. The monitoring of learning achievements of students is, therefore, one of the key components to assess and to improve the quality of education. National Education Assessment System (NEAS) is one of the key programs under the Education Policy to improve the quality of education at elementary level. The program aims to develop national capacity for monitoring the learning achievements of elementary level students in order to improve the quality of services (curriculum, textual material, teachers' delivery, policy formulation, etc) in the education sector.

425. NEAS has been established as a priority program under the Ministry of Education's Education Sector Reforms Action Plan. A specific priority within the overall plan is to build assessment capacity at school, provincial and federal levels to better

measure learning outcomes and improve the quality and effectiveness of program interventions. Central to the project is the development of the institutional capacity of - 97 - Ministry of Education at the federal level and in the Departments of Education at the provincial and area levels to monitor standards of education nationally. The Objectives of NEAS are to:

1. Inform policymakers: the extent to which geography and gender are linked to inequality in student performance;
2. Monitor Standards: how well the curricula are translated into knowledge and skills;
3. Identify correlates of achievement: the principle determinants of student performance and how resource allocation might be re-directed;
4. Direct Teachers' Efforts and Raising Students' Achievements: Assisting teachers to use data to improve student performance.

426. On August 27, 2007 a six year project has been approved at a cost of Rs. 340.385 million including Rs. 286.071 million as external financial assistance (World Bank Credit and DFID Grant) for making national assessment a permanent feature of the education system. NEAS is working across the country through provincial level counterpart units.

Teacher Training

427. Curricula of all school subjects have been revised. The national Education Policy is also being finalized along with recommendations (www.moe.gov.pk) Extensive teachers training programs have been organized throughout the country. In-service teachers' training has been on the increase with critical reviews on quality of training for improving both the content and method of delivery. The cascade model of training is being put aside to be replaced by a continuous professional development model initiated in Punjab and being replicated across the country supported by creation of support groups

and mentors through cluster based formations. Numerous projects have also supported the government with in-service training of trainers (almost 300+) outside Pakistan. These trained trainers placed in teachers training colleges or secondary schools across the country in turn are a resource pool for primary and secondary education in vital subjects of Maths, English and Science. The trainers upon return have conducted workshops and school based sessions to have a multiplier training impact in the country.

428. More than 700 training facilities are recorded in public sector for teachers at national, provincial, district and sub-district levels. However, the quality of provision is low in terms of physical and human profiles. Under a nationwide initiative that has been financed through the debt swap with the Canadian government on account of promise made at Dakar, all training facilities will be greatly improved both in terms of physical infrastructure and equipment to ensure that these are optimal sites. Another key area of reform underway is to devise common standards of teachers education and in-service which will address the current problem of uneven standards across all provinces and areas leading to undermining of quality in both pre and in-service training. Allama Iqbal Open University is similarly improving its distance learning program completely to counter criticism of an outdated system which produces large volumes of teachers with low skills set. Many teacher training programs are being redefined as continuous - 98 - professional development with several donors supporting the initiatives such as GTZ, the World Bank, CIDA, DFID UNICEF, US AID, UNESCO etc.

429. Non-state providers of teacher training (both private sector and NGOs) are being increasingly asked to collaborate in partnership with the government and education foundations to undertake pre and in service training for both government and non-elite schools at primary and secondary levels. Since 2000 over a 750,000 teaches have been trained and many re-trained through various trainings but the quality is a concern. Almost

20,000 teachers have been trained alone in the earthquake areas in multiple areas of disaster management, psycho social support, child based creative approaches, and subject based training. Over 500 teachers /trainers across Pakistan, FATA and AJK, since 2003 have been sent to USA for training for 4 weeks to 6 months program for elementary and secondary levels and their profiles are well maintained.

430. At the federal and provincial levels there has been a large scale effort to restructure institutional training arrangements and human resources making them more functional, focused and accountable. NWFP, Federal Government, and Punjab more aggressively, and to some extent Sindh, Balochistan and AJK have pushed for new arrangements of decentralized support systems for addressing training needs. Punjab has embarked on large scale reforms whereby the apex training institution has been split into a University of Education on the one hand for pre-service and a Directorate of Staff Development (DSD) for in-service continuous professional development with district based training elementary colleges and resource centers.

Training & District Teacher Educators (DTEs) under PESRP

Further to the implementation of the Continuous Professional Development (CPD) framework of the Directorate of Staff Development (DSD), the District Teacher Educators (DTEs) have been trained in 12 districts who will be placed in the District Training Support Centers (DTSCs) located in schools. These are like the teachers resource centers (TRCs). The DTEs will work in clusters for follow up support and provide site base support. Again a third party will evaluate the training programs and its follow up mechanisms. The work at the district level after training of leader teacher educators (LTEs) and DTEs has just begun. Much more needs doing on this front. To date DTEs have trained 90,000 teachers against a target of 150000. (PESRP/DSD, 2007)

431. The Ministry has designate training institutions for humanities and sciences in the

federal capital. Other than government, teachers training institutions the private sector and NGOs are very active with in-service teachers training programs, offering diplomas, certifications, MPhil and PhD. A national accreditation program for teacher training institutions is also underway at the Higher Education Commission to set standards of accreditation and certification. A major challenge that still afflicts teacher education is the linkage between pre and in-service teachers training.

432. As per reforms curricula of all school subjects has been revised. Extensive teachers training programs have been organized throughout the country. National Education Assessment System has been established with provincial network in all provinces. Examination reforms as planned have been introduced throughout the country. - 99 -

433. Similarly provinces have also taken various steps to improve quality of education. The government of NWFP has introduced “Child Development” as a subject in the course of Diploma in Education for pre service teachers’ training.

434. Ministry of Education has introduced “Early Childhood Education” in National Curriculum 2002. Law, Justice and Human Rights Division in cooperation with Norway (NORAD) and Government of Switzerland have started a project “Human Rights Mass Awareness for Education”. The most important step taken in this direction is the incorporation of the main concepts related to child rights into curriculum and teachers training materials.

435. The Federal Cabinet reviewed the educational atmosphere in light of the reforms introduced by the government and found all indicators encouraging. Billions of rupees had been set aside to enhance facilities in the public sector educational institutions, providing free education up to matriculation with textbooks and increasing scholarships.

Early Childhood Education

436. The Government of Pakistan has recognized the importance of early childhood

education as part of its Education Action Plan, calling it the first pillar of Education for All. ECE is one of the priority areas of National Education Policy.

437. Katchi class has been recognized as part of formal system in the National Education Policy. Opening of Katchi/ECE classes in the public sector primary schools is the major program for improving the access in ECE under NPA.

438. Private sector is playing an important role in promotion of ECE. On average, 1500 ECE centers/classes in each year of the plan are going to be established by private sector to accommodate around 30 percent of ECE children.

Monitoring of Quality

439. With problems of major management deficits and traditionally low allocations to mobility, the monitoring of schools often gets neglected. This has been a major hurdle in quality assurance.

440. The Punjab Government under the PESRP has mobilized a new cadre of Monitoring & Evaluation Assistants (MEAs) to monitor schools for both hard and soft areas to improve quality. An innovative index has been designed to evaluate for quality on a monthly basis which is all online (www.pesrp.edu.pk)

Partnerships for Quality

441. In almost 800 schools of Pakistan there is a School Improvement Program through Partnerships called adopt a school program where concerned organizations are stepping in to improve government schools which are totally run down through various interventions. This has been path breaking work for not just Pakistan but the region on how concerned citizens have mobilized the government for allowing them to work - 100 - alongside them in improving school quality for children and youth. This program, aims at reviving and revitalization of ailing government primary schools through coordination and mobilization of parents and community. Apart from education, health aspects, such

as drinking water, toilets etc., are also addressed through linkages with the government and private organizations.

442. The government too has been very accommodating in undertaking formal arrangements for such partnerships that have brought in value added. CSOs in turn have mobilized corporate social responsibility (CSR) substantively to support their efforts. 100 most active companies have been identified and many awarded prizes by the Prime Minister in 2007 January for providing generous support to education. School Improvement is a focus on quality particularly where the partners are improving capacity of teachers, head teachers and school councils/SMCs for local governance as well.

443. About 500 schools have been handed over to NGOs under this scheme where an NGO is providing technical assistance and other support to improve service delivery and quality through a collaborative process that aims at sustainable improvement. In Sindh alone, the 'Adopt a school' program is operating in nine districts of Sindh and caters to approximately 35,000 students.

444. In Punjab, CARE has adopted 140 government schools within urban Lahore and rural areas in the vicinity of the city, and manages them independently. CARE schools provide education up till matriculation, after which deserving students are given scholarships for a college education. The Center for Advanced Studies (CAS), a chain of schools in Karachi, successfully took over the management of several public schools.

Reforms in Madrassahs

445. The reforms program for Madrassahs has been termed "mainstreaming of Madrassahs", providing insertion of additional subjects offered in regular schools, teachers support, training and maximum perks to teachers and improving the quality of education. More than 95 percent of the country's estimated 13,000 Madrassahs had been registered. Madrassahs students constituted 4.5 per cent of the enrolled students in the

country. Pakistan Studies, English, Mathematics and compute science has been incorporated in the curricula of Madaris.

446. A project titled “Madrassahs Reforms” was launched in 2002-03 with the directive of the President for a period of 5 years at a capital cost of Rs. 5759.395 million.

The main objective of this program is to provide financial assistance to 8000 Deeni Madaris to introduce formal subjects in their curricula. The progress made toward the goals of this reform program include, simplification of the process of registration of Madaris, the standard procedure prescribed by the Ministry of Interior to control funds has produced positive results, a large number of Madaris have applied to provincial/area governments for financial assistance under the project, Most of Madaris in AJ&K have been cleared for financial assistance and a great breakthrough by the FATA administration has been made by distributing cheques among registered Deeni Madaris. - 101 -

447. According to the latest data out of 33 million students enrolled at all levels, about 1.5 million are enrolled in the Deeni Madaris. Out of these one third are girls enrolled at different levels of the Madaris as shown in the table below: - 102 -

Vocational Education

448. National Education Policy 1998-2010 strongly advocates the development of technical and vocational education in the country for producing trained manpower. Under ESR Action Plan 2001-2006, a nationwide program of ‘third stream’ or vocational technical stream was introduced in grades IX-X to enable secondary level students for the vocational options. Other than the core subjects, students opting for vocational program had to select the skills they wanted in grade IX for a two year course with a full fledged integration within the boards of intermediate and secondary examination (BISE). Each of the 110 districts were to set up in 10 secondary schools the third stream equally divided between girls and boys. 28 trades with teaching learning materials were finalized to

include area specific and gender specific skills. The implementation has been uneven due to problems of capacity. Other interventions include the setting up of an autonomous National, Vocational Technical Education Commission (NAVTEC).

449. A major challenge is to increase the number of enrolled in vocational institutions which today stands at a mere 161, 937 (NEC, 2005) in a country of over 160 million people. This is clearly not sufficient nor desirable.

450. This plan aims at introducing a skill development stream in the ninth and tenth grades, parallel to the existing science and arts group, in 1,200 existing secondary schools and 60 new model technical high schools. Training is being imparted in selected trades for creating employment linkages. This component of ESR specifically targets the youth and will be supplemented by the provision of micro-credit. However, there is a problem of skilled teachers, robust budgets for consumables required for vocational training/skills and a vision that promotes vocational technical education at the district and provincial levels.

451. The Education Sector Reform Agenda has clearly spelt out its priorities, including universal primary education, adult literacy up to 86 percent by 2015, reducing illiteracy by focusing on reducing gender gap and quality education. Technical and Vocational education are being gradually integrated at school at district and provincial level.

452. NAVTEC in collaboration with the World Bank is working on formulating a National Technical and Vocational Education and Training Policy. The policy will be formulated after consultations with all stakeholders including professionals, industrialists and representatives of the four provinces. This will be the first policy of its kind aimed at regulating and promoting technical and vocational training in the country.

(c) Rest, leisure, recreation and cultural and artistic activities (art. 31).

453. Children's playing and recreational activities are given due importance in the

country. Sports nurseries are developed by providing facilities and opportunities of playing games and recreational activities to the children.

454. Around 100 sports related projects are in the pipeline out of which 50 percent are already under implementation. Sports facilities are being provided even at grassroots - 103 - level. Small sports stadiums and grounds are under construction at Tehsil level and sports complexes at District level. It has been decided by the Cabinet that the minimum annual allocation for Sports under PSDP will be Rs250 million. Sports facilities in the country at the grassroots level with community support are to be provided. Play grounds, sports stadiums and complexes at district and tehsil level are also being constructed. The major objective of creating sports facilities at local level was pursued during the reporting period. The sector was allocated Rs 329 million in 2005-06, Rs 341.078 million in 2006-07 and Rs 522.767 million in the year 2007-08. The amount was spent on sports stadiums and complexes throughout the country.

455. Following measures are being carried out in the country for playing and recreational activities for children:

- i. At present Ministry of Sports is trying to develop modest sports complexes at district level all over the country. This has been necessitated to provide children sporting facilities all over the country, so that playing nurseries and sporting culture may be developed.
- ii. Youth under 16 Inter Provinces Program in major sports is organized by Pakistan Sports Board every year rotationally in all 4 Provinces of the country. This provides children opportunities to prove their abilities and talent which eventually lead to promotion of youth/children program in the country.
- iii. Provinces are also taking measures at District, Tehsil and Union Council level for development of sporting facilities. Moreover, sports associations at these levels

are also being constituted to organize sports at grass root level. This arrangement will also promote children sports activities in the Provinces.

iv. In Schools & Colleges physical education and sports, programs are regular feature where children are provided opportunities of sports physical education and recreational programs. Much more can be done through the Boards of Intermediate and Secondary Education (BISE) whose job is to facilitate sports activities and completion at the secondary and higher secondary level, but this work has been sadly lacking, although the Boards collect the fees for this purpose.

v. 4% quota for admission of sportsman in Schools and Colleges has been approved by the Cabinet in National Sports Policy which is a good incentive for children who processes sporting talent.

vi. With the above mentioned arrangements, the children of rural and urban areas are provided opportunities for recreation. This is in partial compliance with the UN Convention on the rights of the Child.

vii. Punjab has a very well established Children's Educational Complex which provides opportunities of leisure, recreation and artistic activities combined with education. The complex offers free admission and heavily subsidised options for learning various sports and skills such as IT, painting, theatre, puppets as well as summer programs. In large and small urban areas there are activities such as the spring festivals, city specific festivals where children participate in events that enable them to express their creativity. A revival of local culture in the cities is also being sought through mobilization of children and youth in festivals of music, environment, arts, puppets, theatre and much more. However, rural areas and small towns are often ignored from this much needed activity. - 104 -

viii. Through public private partnerships large national level art activities such as the

UNILEVER art competition is held resulting in displays of children's art work and imagination.

456. Similarly, educational institutions arrange special programs and competitions on the festivals and other occasions. Students (boys and girls) in rural and urban areas are encouraged to take part in these competitions. Schools also have permanent societies to promote cultural and artistic activities. Nation wide competitions are also arranged to give all students an equal opportunity to participate. These include debates, declamation contests, drama and poster painting to develop awareness on environmental issues, HIV/AIDS, preventive education, Human rights education, women's education and adult literacy. Meena Bazars are also arranged in schools and colleges, Naat (praise of the Holy Prophet), Qarat (reciting the Quran) and Mushaira (poetry recitals) are also organized.

457. To promote Pakistan's cultural and classical arts the contributions of the National Arts Gallery and Lok Virsa are of immense importance. Young artists are encouraged and taught in the art galleries. Lok Virsa publishes literature on cultural heritage. The electronic media (PTV and ETV) also telecast programs with focus on our cultural heritage. In rural areas the focus is on cultural activities like Urs, harvesting festivals and games like Kabaddi, cricket, football and volley ball. In rural and urban areas indoor and outdoor sports activities for boys and girls are arranged and managed at the inter-district, inter-school/college, inter-boards and inter-city levels annually.

458. Various types of leisure and recreation are provided in all educational institutions, that is, sports activities, excursion trips and speech competitions.

Number of children benefiting from leisure activities

459. It is estimated that all school going children are benefiting from leisure and recreational facilities. The number of children is estimated at 15.8 million for the primary level (stages I to V), including 4.8 million girls and at 4.02 million for the middle level

(stages VI to VIII), including 1.38 million girls.

460. It is to be noted that the National Book Foundation (NBF) has been actively producing children's literature each year for the past decade or more through competitive methods that is then disseminated through highly subsidized outlets for members.

Membership is widely encouraged to the NBF. Each year in the national budget of the Ministry of Education, funds are allocated for this purpose.

The child's right to rest and play in the school environment

461. Most schools have a playground, with swings and basic sports facilities. All schools have a 30 minute rest period after two and a half or three hours' study. In this break students can play, relax and have refreshments. In accordance with the Sport Policy - 105 - all directorates of education have been notified to organize proper games in games' period with a minimum of two periods per week.

462. A proposal is under consideration in Ministry of Sports in collaboration with Ministry of Education for developing and improving sports grounds, play field and stadiums in the educational institutions which are considered nurseries for sports. The Prime Minister has approved the proposal and both the ministries are in the process of finalizing the plan.

463. The Ministry of Sports has now been mandated to improve sports facilities at the educational institutions level.

Structure of leisure

464. According to the Local Government Ordinance, 1979 district and union councils, in addition to NGOs were funded to provide the basic infrastructure for leisure in their respective communities. This structure included playgrounds, recreational parks, gymnasiums and sports clubs for indoor activities. But now, the same facilities are being provided to some extent through urban and rural community development projects of the

provincial social welfare departments by utilizing the services of NGOs. The facilities described above are provided nationwide and these cover more than 54.0 per cent of the total child population.

Community awareness campaigns

465. Schools regularly organize “open days” or “parents’ days” in which parents are informed about the educational, leisure and recreational activities of the school and the participation of their children. National competitions are organized nationwide and are advertised in print and by the electronic media encouraging children to participate and help parents to develop awareness. To introduce the younger generation to our cultural heritage, Lok Virsa arranges festivals, exhibitions and bazaars every year. Schools also encourage children to celebrate national and international days like the literacy day, teachers’ day, child Labour day, human rights day, mother/fathers’ day etc.

Information on children who do not enjoy the right to education and any arrangements made to address such situations

466. Pakistan has a GER of 87% at primary level and a NER of 52% illustrating that many children of primary age group are not attending schools. In spite of government’s policy for free education and incentives, there are many households who choose not to send their children to schools due to unavailability or poverty. The government has set up Non-Formal and Literacy directorates/departments across the country but their resources are either federally mobilized or may be project specific.

467. In Punjab there is a full fledged provincial program for alternative education for NFE and literacy with duly allocated budgets. Alternative education programs at primary level take the shape of ‘bridging programs’ feeder programs, NFPE and NFBE options all - 106 - providing support for completion of grades 1-5 through community based flexible options. Alternative education programs are supported by the ministry departments of

education, social welfare and special education ministry, the National Commission for Human Development (NCHD) and also by several NGOs with support from donors and government.

468. The government in collaboration with ILO and several NGOs are taking various steps to eliminate child Labour through education. Pakistan Bait-ul-Mal (PBM) has been assigned the task to wean away children from the menace of child Labour.

469. Presently 124 National Centers for Rehabilitation of Child Labour (NCRCL) have been established throughout the country. 13,440 students have been passed out from these centers and 4360 have been admitted in government schools for their further education. Moreover, 19 more NCRCL have been approved and will be functional shortly. Trust for Voluntary Organizations (TVO) is also working in the arena of primary education and millions of rupees have been spent through NGOs and CBOs in this regard.

470. Almost 135,000 Adult Literacy Centers will be opened and 10,000 Non Formal Basic Education Schools will be opened with the help of NGOs and CBOs. Non Formal Education system is meant especially for out of school and drop out children.

471. Vite-n-Hope, a non-governmental organization, in collaboration with UNICEF has initiated education project in the red light area of Lahore for the children of sex workers.

472. Community Support Rural School Program (CSRSP) has been introduced by National Education Foundation which operates at grass roots level to promote basic education by establishing community primary schools in rural areas where there are no government primary school within a radius of 1.5 kilometers. It addresses the access to education issue and is a tripartite partnership among NEF, local NGOs and the Community Education Committees (CEC) with NEF providing funding (RS 1,245 per child per year), monitoring and training. The schools are benefiting 52,714 out of school

children of which 42 percent are girls through its 585 schools across the country.

Cooperation with local and national organizations of a governmental or nongovernmental nature concerning the implementation of this part of the Convention

Public Private Partnership

473. Starting in the mid-1990s, a major shift has occurred in the Government of Pakistan's (GoP) approach to the country's education sector. The government has formally acknowledged that the public sector on its own lacks all necessary resources and expertise to effectively address and rectify low education indicators. Moreover, public policy has been amended to mobilize the private sector and civil society organizations (CSOs) in the financing, management and delivery of education services in Pakistan. - 107 -

474. Among other initiatives, the GoP has undertaken policy reforms and provided incentives for Public Private Partnerships (PPPs) to flourish in the education sector. From initiating innovative programs to working in tandem with the non-governmental organizations (NGOs) that manage public schools through formal adoption, the government has increased its efforts to include various other stakeholders in the delivery of education.

475. Five Education Foundations were created between 1991-1995 across the country to support non-state initiatives and create models of public private partnerships in the non-state sector. From 2000 onwards all Foundations were encouraged to embark upon restructuring so that more autonomy could be ensured for larger and bolder coverage of programs for the disadvantaged. The National Education Foundation (NEF) Punjab Education Foundation (PEF), Balochistan Education Foundation (BEF) and the Frontier Education Foundation (FEF) have been restructured or reorganized with more aggressive mandates to address access, equity and quality. The Sindh Education Foundation (SEF) has since 1998 been proactive on initiatives and restructuring operationally. Programs and interventions are aimed at promoting and addressing critical educational development

issues including gender quality, improvement in literacy standards, community participation and socio-economic empowerment.

476. Foundations have developed niche programs such as the Fellowship/Community run private schools (SEF, BEF and NEF). The Community Support Rural Schools Program (CSRSP) is NEF's largest program (260 schools/ 23,000) and it encourages pilot innovations to promote education in rural areas. Foundations such as SEF, NEF have been working with Working Children. Another 350 schools have been established in 2005 supported by NORAD for FATA region. Education Voucher Scheme (EVS) by the PEF to test support to the poorest for options in access, equity and quality. Support to private sector through Financially Assisted Schools (FAS) program reaching out to over 100,000 children by PEF and quality support through cluster based subject based training (CBT) and SPEIP through SEF. Learning for All (LFA) has been reaching out to over 200,000 people in NWFP through FEEF since 2003.

477. National Education Foundation (NEF) was created in late 1994 to oversee PPP initiatives across country. In early 2002, the agency was re-structured to give it increased autonomy and geographical focus (ICT, FATA, FANA and AJ&K). NEF's vision is to provide quality-enabling education through public private partnership for disadvantaged groups. Its programs and interventions are aimed at promoting and addressing critical educational development issues including gender quality, improvement in literacy standards, community participation and socio-economic empowerment.

478. The Community Support Rural Schools Program (CSRSP) is NEF's largest program and it encourages pilot innovations to promote education in rural areas. Notable among them are Child Friendly School Program and Education for Working Children. Currently, 260 schools are running under CSRSP with an enrollment of 23,300 students and another 350 schools are established in 2005 supported by NORAD. Moreover,

teacher training has been a significant component of CSRSP, with the goal to enable in-- 108 - service community teachers to re-learn modern pedagogical principles and techniques to manage today's classrooms.

Education Program of Workers' Welfare Fund

479. Free education (up to Matric level) is being provided to almost 30,000 students at the 38 schools constructed all over the country for the children of industrial workers.

Workers Welfare Fund is providing quality education to children of workers in collaboration with OPF Girls College, Islamabad and Comsats Institute of Information Technology, Lahore. Each year almost 5,000 Merit Scholarships are being regularly awarded to the talented children of workers besides Medical and Engineering Colleges/ Universities or any other recognized professional Post Graduate institution.

480. Workers' children who are able to secure admission through open competition in Cadet Colleges/ Public Schools of repute are allowed scholarships to meet the entire costs of boarding/ lodging/ tuition fee etc. Annually 10 scholarships are approved for such children of workers who would get admission in institutions like NUST, IBA Karachi, LUMS, and GIK Institute. These scholarships cover all costs of admission, boarding/ lodging and tuition fee. 10 foreign scholarships are approved annually for the children of workers who would get admission for higher studies in science subjects abroad on open merit.

Contribution of private sector in school education

481. The National Education Census also measured the expenditure incurred by the private sector as the non-state contribution to education. The table below highlights that a huge sum of Rs. 36 billion is incurred by the private sector for all levels of education provision in its 76,047 institutions with a total enrolment of 12.12 million students and 632,926 teaching staff.

Private educational institutions by level, enrolment, teaching staff and expenditure

Numbers Rupees

Institution Enrolment Teaching

Staff

Expenditure

Total 76,047 12,121,394 632,926 35,914,012,702

National Commission for Human Development

482. Founded in June 2002, NCHD is a public private partnership formed under the directive of the President of the Pakistan with a mission to promote development in the fields of health, education and micro-finance. It is funded through the Pakistan Human Development Fund registered under the Company's Ordinance 1984. It has mobilized \$ 5.5 million from private donors and \$34 million from government resources. In education, NCHD is helping the government achieve its EFA objectives by 2015 for literacy, early childhood and primary education. The NCHD is operating in 114 districts of the country. By July 2008 NCHD plans to be fully operational in 132 districts across - 109 - Pakistan. The core strategy of the NCHD consists of: (a) public private partnership (b) capacity building of government's line department, community organization and elected officials. In just over five years NCHD has managed to make a significant contribution to improving primary education and health care provision in the country, with millions of beneficiaries.

External Development Assistance

483. Pakistan's Development Partners in the education sector have committed \$1.5 billion during the period of 2001-10. World Bank is major donor with 43 percent share in the external development assistance. US AID, CIDA, NORAD, JICA (JAPAN), GTZ (Germany, DFID (UK), and UNICEF are some of the major donors. For reducing gender

and regional gaps the Government and Ministry of Finance also worked on the second generation PRSP.

External Development Assistance in the Education Sector

Donor Year US\$ million

The World Bank 2004-07 650.000 (Credit)

ADB 2002-09 338.580 (Credit)

IDB 2002-06 35.240 (Credit)

USAID 2002-06 100.000

EC (European Union) 2001-08 85.566

CIDA (Canada) 2002-06 75.477

NORAD (Norway) 2002-08 49.600

JICA (Japan) 1997-06 43.700

GTZ (Germany) 2004-08 43.358

DFID(UK) 2001-04 13.936

Aus Aid (Australia) 2003-06 2.400

WFP 2004-08 52.000

UNICEF 2004-08 14.600

ILO 1999-05 11.427

UNDP 2004-08 9.300

UNFPA 2004-08 1.600

UNESCO 2005 0.353

Total: 1527.107

Source: Pakistan Economic Survey 2005-06- 110 -

Education Policy

484. The National Education Policy 1998-2010 is currently under review to include to

participation of all the stakeholders and ensuring ownership of the policy by federating units and other stakeholders.

485. The draft of the revised education policy has been finalized after incorporating comments and inputs from all the provinces, educationists and intellectuals. A special coordination committee of the ministry of education had been involved in finalizing the revised education policy, especially with a view to ensure international standard. The main objectives of the revised policy includes universal access to primary education by increasing the net enrolment and higher rate of survival of children till grade 5, increase in the adult literacy rate and to attain gender equality at all levels.

Future Plans

486. The Government of Pakistan (GoP) has sought UK support to help it deliver better quality education for all its children and young people. This is a key GoP priority and is critical to the achievement of the MDGs and other national objectives.

487. Education is high on the political agenda. GoP has begun a range of major reforms and it will increase allocations to education to 4 percent of GDP by 2008-09. The recent landmark Whit Paper on Education is informing the forthcoming 10 years National Education Policy. After decades of neglect, there is a significant, albeit fragile, momentum for change. DFID has committed to build on its current work to strengthen the prospect of GoP fulfilling its commitments to education.

488. The Strengthening Education in Pakistan (SEP) program will deliver UK White Paper and Development Partnership Arrangement commitments (financial management, achieving the MDGs and human rights) in a Public Services Agreement and Security and Development priority country. The overall Goal of DFID support will be better quality education for all children and young people in Pakistan. The overall purpose of DFID support will be strengthened capacities to deliver improved education access, quality and

equity of opportunity. Total DFID funding will be up to Pounds 150 million over 5 years.

The program will be started in UK financial year 2007-08.

Factors and Difficulties

489. Universalizing the primary education; resources for improving the quality of and access to education; elimination of the prevailing disparities between girls and boys as well as between urban and rural areas; high school dropout rate; hiring new teachers to improve the teacher/student ratio, especially in primary schools and elimination of violence against children in schools were some of the major difficulties/challenges faced by the government in the education sector. - 111 -

VIII. Special protection measures

(arts. 22, 30, 32-36, 37 (b)-(d), 38, 39 and 40)

(a) Children in situations of emergency

(i) Refugee children (art. 22);

Observations/Recommendations of the Committee on the Rights of the Child

Refugee and internally displaced children

65. While noting some progress in this field, for instance, the introduction of birth registration in the refugee camps in May 2002, the Committee remains concerned at the very harsh living conditions in Afghan refugee camps, the scarcity of food and water and the lack of shelter and medical care, which have serious implications for the situation of children living in these camps. The Committee is also concerned at reports of illtreatment of refugees by the police.

66. The Committee recommends that the State party:

(a) Make all appropriate efforts to improve the living conditions of refugee families and children in refugee camps and elsewhere within the country;

(b) Give special attention to unaccompanied refugee children;

(c) Ensure that refugee children have access to health care and education and are

not discriminated against;

(d) Ensure that refugee children receive appropriate protection and in this regard, seek cooperation with relevant United Nations specialized agencies, including the Office of the United Nations High Commissioner for Refugees and UNICEF, as well as with NGOs;

(e) Consider ratifying international instruments, including the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

490. Pakistan has hosted one of the world's largest refugee populations for a quarter century. Pakistan is not signatory to the 1951 Convention on Refugees or its 1967 Protocol. Yet, Pakistan's welcoming of Afghan refugees and the hospitality provided to them has been well recognized by the UNHCR leadership.

491. To increase understanding among law enforcement bodies and the judiciary of refugee law, training is underway.

492. UNHCR is training Pakistani law enforcement officials and assisting parliamentarians to make changes to the legal code. Training sessions have been organized for judges and lawyers on human rights - especially refugee rights. A training session in Quetta grouped 25 judges from the province of Balochistan plus an additional 30 lawyers. Similarly, sessions on human and refugee rights were also organized for police officers, law enforcement academies and non-governmental organizations. - 112 -

493. UNHCR has also worked with a 55-member Parliamentary Commission for Human Rights, drawn from all parties in the National Assembly and the Senate, to draft amendments to the current law that has been proposed for debate in parliament.

The amendments would incorporate a definition of refugees in Pakistani law for the first time and would exempt asylum seekers from the punitive provisions of the Foreigners Act. In providing protection to refugees against arbitrary arrest and harassment, changes

to the national law would help further strengthening Pakistan's acknowledged respect for refugee law.

494. In collaboration with UNHCR, Lawyers for Human Rights and Legal Aid (LHRLA) has established the Advice and Legal Aid Centre, catering to the legal needs of marginalized Afghan refugees in Karachi, in 2005. The centre is imparting legal assistance to refugees and asylum seekers and monitoring cases of refugees charged with civil or criminal offences to ensure that their substantive and procedural rights are not being violated; prepare case briefs in conformity with UNHCR standards formats and contact detained refugees and asylum seekers.

495. In 2006, the free legal advice and counseling provided by the ALAC addressed civil matters such as tenancy and rent disputes, stalled financial matters, police/community harassment, in some cases legal aid to Afghan nationals detained in jail and legal representation in criminal cases as well as in some family-law related cases.

Measures for unaccompanied and separated child asylum-seekers

496. UNHCR Pakistan ensures that when unaccompanied children asylum-seekers approach UNHCR, they are individually counseled and registered for Refugee Status Determination (RSD) when necessary, and are provided shelter and care through implementing partners (IPs). The information gathered through interviews with the children on the whereabouts of their parents is shared with ICRC for tracing purposes.

497. In addition, UNHCR Pakistan assesses the protection needs of unaccompanied or separated children asylum seekers and intervenes to ensure their legal and physical protection when necessary. For instance, on 6 April, 2006 UNHCR Pakistan was informed by UNHCR Afghanistan that Pakistani authorities intended to deport some Afghan children. The Afghan Consulate revealed that these were actually 16 children aged 13-16 years and a woman (40 years of age, mother of one of the children). A police

official from Karachi was to escort the children to Peshawar, to be escorted by an official of the Afghan Consulate to the Pak-Afghan border at Torkham. The border monitors confirmed the information adding that while their families resided in Afghanistan, the children were arrested from Karachi while trying to travel to Balochistan with the intention of reaching Iran. The Pakistani authorities therefore decided to deport/transport them to Afghanistan with the facilitation of Afghan Consulate. At the border, the children were received by Afghan Foreign Office, UNHCR Jalalabad, UNICEF and the Afghan Human Rights Commission.

498. Shelters have been provided, medical referrals made and advocacy and awareness raising and advocacy initiatives have been undertaken in collaboration with NGOs and - 113 - UN agencies. During 2004, efforts were made to establish networks with local and Afghan NGOs to provide valuable complementary contribution in the sectors of social services, employment placement, and specialized services such as medical treatment of refugees with disability, chronically ill, vocational /skills training. Cases of Afghan minors referred to RAWA (an Afghan NGO) and Edhi homes, friendship house, SHARP, DACAAR, Ockenden International. Medical referrals were made to PIMS, AFIC, AlShifa hospitals, Poly Clinic etc.

499. Theatre for Development (TFD) and Mime is an effective tool to address sensitive issues that can not be discussed openly due to cultural restrictions. In TFD and Mime a group of performers presents a drama on serious issues within the communities. During the reporting period, many serious issues i.e. Domestic violence, child sexual abuse and sexual exploitation of women etc, were identified and addressed. In 2004, 8 TFDs and 2 Mime Theatres were arranged. 1056 refugees (women, men and children) attended TFDs and 395 refugees participated in Mime Theatre.

500. The number of unaccompanied minors is not significant in the camps. In 2004, a handful of cases were reported, some in the context of repatriation and others in the

course of camp consolidation. For children found to be separated from their families upon repatriation, arrangements are made in co-ordination with colleagues from Afghanistan. Community Services made arrangements for shelter and care. Special attention was paid to reuniting unaccompanied minors with their families. Assessments on the children's Best Interest were made regularly in order to explore the possibilities interventions and also to determine durable solutions for the children.

501. In 2005, UNHCR conducted monitoring jointly with the Community Development Unit, which has a broad network of refugee-based social animators trained on measures to detect child protection issues and means to raise awareness among the refugee community on children's rights.

Non-discrimination

502. The state has not implemented any measures specifically leading to discrimination of refugee children, elderly, women and minority groups. All have free and fair access to UNHCR in terms of protection. Efforts continue to be made to minimise discrimination within the community against women and children, particularly in education and health sectors, in the camps.

Birth registration

503. Prior to the closure of new camps in NWFP around 1,056 refugee children that had been born since January 2003 were issued with Birth Certificates. The certificates were signed by Pakistan Officials, UNHCR and validated by the Afghan Consulate. From September, the issuance of birth certificate to children born in the old camps was piloted in 5 camps in NWFP. From October to December 2004, there were 366 birth certificates issued under the pilot. In Balochistan in 2004, a total of 1,662 newly born babies were - 114 - issued with birth certificates duly countersigned by Project Directorate Health and UNHCR.

504. Approximately 28,660 birth certificates were issued during the year 2006 to babies born in refugee camps. Given the size of the refugee population living in the old camps, the issuance to all children constitutes a real challenge. Meanwhile a database has been designed and all information has been incorporated in it. As was the case in previous years, UNHCR continued to coordinate with CAR in order to have a system parallel to the national birth registration system. On average, a total of 13,000 birth certificates were issued on a monthly basis in the refugee villages in NWFP.

505. It is expected that the certificate will contribute to prevent statelessness and will facilitate the children's re-integration upon return. Awareness on the importance of registration at birth among the refugee population would need to be enhanced.

Child Labour among refugee children

506. In order to cater the protection needs of refugee children, a project was launched in 2003 for Afghan working minors. The basic objective of the project was to assess and address the protection concerns of the refugee children in urban and suburban areas of Islamabad. Although it was conceived to focus on children in general, however, to reach out to the working children in particular was the core objective of the project. It was found that the majority of children work to help to generate income for their families. The main causes of child Labour among the refugee population are poverty, lack of humanitarian or other assistance, and female headed households. A large proportion of these children are pushed by their impoverished parents to engage in the kind of work they do, and the income they produce is often the backbone of survival for the whole household.

507. Since 2005 The MOL in partnership with ILO and civil society organizations has been implementing a national time bound program on worst forms of child Labour including raga pickers, with approximately 10,000 refugee children. These children are

provided with various services such as non-formal education, health and hygiene, skill building, counseling and nutrition etc. through drop in centers. District governments are actively financially supporting some of the drop in centers.

508. Children working as Labourers are especially vulnerable to physical, emotional and sexual abuse and exploitation. Some services of awareness raising and counseling are also being provided through the drop in centers.

509. Since 2006, the provincial governments of two provinces, Balochistan and NWFP, with partnership of Save the Children UK are providing direct assistance to child Labourers including refugee child Labourers. - 115 -

Trauma Reduction Project

510. In 2006 Plan Pakistan organized training on trauma reduction Plan, UNHCR and other local NGOs staff. Based on this training, a plan for a pilot project on trauma reduction among Afghan refugee children was designed and implemented in Saranan camp with an approximate population of 27,000. There were children traumatized by war and other issues related to destitution. Therapy sessions were held with boys and girls on resiliency, feelings, anger, anger management, fear, grief and loss. These sessions were followed with one-to-one meetings with parents and relatives. A total of eight visits by a qualified and experience psychiatrist were also organized. Approximately 120 children were treated by the psychiatrist.

Community Services

511. UNHCR through community services monitored child protection issues through a broad network of refugee-based social animators working with the Social Welfare Cell in NWFP.

512. Since its formation, the SWC was trained by Save the Children Sweden on Children's rights, measures to detect child protection issues and means to raise awareness

among the refugee community on children's rights. The SWC has continued to attach great importance to training and continues to organize regular sessions based on the Action for the Rights of Children (ARC).

513. One of the SWC's strategies to identify the risk factors affecting children is through awareness raising leading to community participation/mobilization. ARC training was delivered by the SWC to the District Coordinators and Social Animators, working in close contact with the community. Focus was on three modules: Disability, Exploitation & Abuse and Community Mobilization. The same training was held for the camp management committees (integrated by refugees). Through regular sessions held by the social animators, refugee community in Dir was able to identify and take care of 54 disabled children. Exploitation and abuse however, still require considerable attention and concrete action, including within the framework of prevention and response to SGBV. They were the focus of UNHCR/SWC action. 6 Master Trainers are working fulltime in SWC Peshawar. 110 social animators were trained who worked in 284 camps with the help of 1100 volunteers.

514. Regarding trainings and community awareness efforts, there are various groups and committees established to encourage children's active participation, allowing them to convey messages on their problems to the elders and to spread messages to other children of the community. In many ways these groups provide, through their activities, much needed psychosocial support to children.

515. Community services for refugee children remained a priority throughout Pakistan during the reporting period. Efforts were made to establish networks with the local and Afghan NGOs to provide valuable complementary contribution in the sectors of social services, employment placement, and specialized services such as medical treatment of - 116 - refugees with disability, chronically ill, vocational /skills training. Cases of Afghan

minors were referred to the Afghan NGO RAWA, as well as other organizations including Edhi homes, Friendship House, SHARP, DACAAR, and Ockenden International. Medical referrals are made to PIMS, AFIC, Al-Shifa hospitals, Poly Clinic, and others.

516. The refugee community was involved in identification and prioritization of needs such as training, recreational activities, planning and implementation. For instance, in line with the Community Services objective of providing psycho-social support to refugees, sports activities like football and volleyball matches and other traditional games were organized by implementing partners through the Youth Clubs in three camps in Balochistan. The events during which sports items were also distributed, were also utilized as a forum for dissemination of information on drug abuse and health / hygiene messages. The activities under Youth Clubs focused on peer literacy sessions where members, particularly the adolescents/adults who were not in the formal education system, were provided with informal education. A Community Services IP also organized awareness sessions on human rights, rights of women and children, trainings on conflict management for Sectoral Committees and Youth Club members.

517. In addition to trainings and community awareness, various groups and committees were established to ensure child protection through active participation, giving them forum to talk about their problems to the elder forum and spread messages to other children of the community. For example, UNHCR Sub-Office Peshawar monitored such activities as child to child groups (playing an effective role in increasing children's enrolment in schools, especially among girls); Margari Juna (group for adolescent girls from 13 to 18 years of age, involved in information exchange, non-formal education, and raising capital for initiating small income-generating activities); and a Youth Welfare Committee (for adolescent boys, aiming to promote child rights and participate in the

community development activities, self-help and skills programs, and attract children through drama and sport for formal and non formal education). In addition, Theatre for Development and Mime have been used to address sensitive issues that can often not be discussed during an open meeting.

Health Care

518. During the reporting period, refugees in camps continued to benefit from free medical services at BHUs. 5 Rupees per person are paid for first consultations, while drugs are free. Referral services were provided free of cost by implementing partner AMDA, who also provide technical support for TB program with UNHCR funds.

Routine immunizations (EPI) took place daily at the BHUs. This program is monitored by Save the Children on behalf of UNHCR. Refugee children continued to benefit from country-wide monthly polio campaign jointly organized by WHO and UNICEF in cooperation with the relevant ministries of GOP. Save the Children US coordinates this activity on behalf of UNHCR. There is high level of awareness about the importance of immunization and the immunization ratio is 100 percent according to SWC. - 117 -

Education

519. Primary Education continues to be one of the major tools to protect refugee children. However, education is not, and has not in the past, reached the majority of the school-age children. Even within the children, attending school there is a great imbalance between boys and girls.

520. During the same year, 25 Afghan minors (20 boys and five girls) were enrolled in different schools in the Islamabad area under the project, education was provided to 60 non-Afghan refugee students from Kindergarten to class 5 and pre-schooling for children of 3-4 years was provided focusing on providing students with basic linguistic skills. Out of seven, three have been channeled towards regular schooling and one female minor

being special child was forwarded for specialized education. Summer classes were arranged for students who were weak in academics basically for enhancing the linguistic and communication skills.

521. The education situation in camps in 2005 varied throughout Pakistan, with school consolidations resulting in a decrease in enrolment in some areas, but girls' enrolment increasing significantly in other areas. In NWFP, enhanced repatriations from some areas, closure of refugee villages, coupled with resource constraints led to consolidation of several primary schools. 124,000 Afghan children remained enrolled in primary schools of the refugee villages till the middle of 2005. By the end of 2005, the number of UNHCR funded primary schools reduced to 232 from 296 with about 64 schools closed an approximate 3,500 of whom dropped out due to school mergers and closures. In some instances, closures/mergers resulted increased school distances.

522. The total enrolment decreased to about 88,000 students by the end of year due to budget cutting. The reduction can be explained mainly with repatriation and school consolidation due to reduced assistance earlier in the year. According to the census, 40% of the total population is in the age group 5-17 (camp population in NWFP =965,000). This makes very clear that it is still a majority of the school age children that do not access the formal education for refugee children.

523. UNHCR provides partial support to CAR-run middle & secondary schools in NWFP. During the new academic session (May 2005 – March 2006), the Government announced closure of all middle and secondary schools, citing resource constraints. UNHCR intervention and dialogues with the concerned ministry resulted in the reversal of the decision according to which the schools were continued till the end of the academic year, March 2006.

524. At present, in NWFP, total enrollment in these schools is 51,393 students (32,963

boys and 18,430 girls), with a teaching staff of 2,523 teachers (2,109 Afghan teachers and 157 Pakistani teachers). To provide a culturally sensitive and traditionally acceptable learning environment for girl students, 16 girls' schools with maximum number of female teaching staff are operational. All the schools are monitored on regular basis. School - 118 - rationalization exercise is continued based on reduced enrolments due to repatriation. In all schools, the students/class ratio of 30 students per class is maintained.

Summary of Afghan Citizens' Educational Institutions in figures, till June 30, 07)

S/No

Category Gender Total Students

Enrolment

Total Staff

Male Female

Total

Boys Girls CoEd Boys Girls Pak AR Pak AR

01 Primary 01 02 09 12 2284 3486 5770 01 124 11 22 158

02 Middle 10 02 05 17 2910 869 3779 05 104 .. 44 153

03 Higher

Secondary

47 12 33 92 25865 12862 38727 56 879 68 763 1766

04 English

Language

Centres

03 00 11 14 1659 912 2571 16 114 .. 36 166

05 Madrassah 01 02 .. 03 245 301 546 .. 09 .. 14 23

Total 62 18 58 138 32963 18430 51393 78 1230 79 879 2266

525. In the beginning of 2005, BEFARe, the largest implementing partner for primary education in NWFP, reached an agreement with the Afghan Consulate on the registration of their schools in the refugee villages of NWFP. Thereby the repatriating students, as well as the teachers, would receive school leaving certificates recognized with the Afghan Ministry of Education facilitating a quick integration of the students into the Afghan education system upon return. BEFARe complied with the requirements of the Afghan Consulate and started to introduce Dari lessons at the beginning of the new academic year in April 2005. Ockenden International (OI), the other IP for primary education, had been registered earlier. In 2005, a total of 382 students from OI schools and 1,300 students from BEFARe schools received school leaving certificates officially recognized by Afghan Consulate.

526. In Balochistan, girls' enrolment in schools increased appreciably. The IPs SC (US) and Society are responsible for education in the camps. They also ran home-based girls schools (HBGSs) providing primary education in old camps so to encourage more girls to receive education. In addition, International Rescue Committee (IRC) with the support from Refugee Education Trust runs three secondary schools in Surkhab and Saranan.

527. Compared to 2004, in Balochistan the percentage of girls enrolment, including in the home based girls schools, in Grade 1 increased by 61%, whereas percentage for Grade 2 to 6 also increased by almost 40%. Overall percent of girls' enrolment in 2005 was higher than that of 2004. More efforts, follow up actions by IPs and more active involvement of HCR are required to further improve the situation.

528. Female education officers and male community mobilization officers from SC (US) and Society continued to hold regular meetings with parents, students, teachers and members of the community to discuss the issues of dropout and low enrolment rate of

girls.

529. Ten scholarships were provided to Afghan refugee students studying at the tertiary level under the DAFI scholarship program. In an effort towards achieving gender balance in this aspect of the Pakistan operation, all ten beneficiaries were female students - 119 - selected in accordance with the following primary criteria: applicant's age (28 years and below), refugee status, excellent academic performance, relatively poorer socio-economic status of the applicant's family and one scholarship per family.

530. In 2006, community funds were needed for secondary schools and the introduction of school fees for some schools combined with the discontinuation of funding for others led to a decrease in enrollment in some of these schools. For instance, while originally the SCF focal point with the education committees on 23 June 2006 stated that no tuition fees will be charged from the students (girls/boys) at primary level (grade-6) and also exempting the girl students studying in grade 7 and above. It is evident that with the introduction of school fee in Balochistan for students who are in grade 7-12, it has inhibited the participation of children from poor families. This has threatened the access, quality and sustainability of education for refugees. For instance, the enrolment surge in Zakareez Camp, in Lolarai has reduced by 58%. Having invested so much effort in their education, only few students were prepared for these changes. The result was that the teachers and students no longer had the depth of commitment as they had before. Consequently, there may be difficulties in translating the current new approach into results which can benefit junior high school student (grade 7-12). There is in-fact likely to be a steady erosion of gains already achieved in levels of service delivery for education. It is observed that there is low absorptive capacity amongst the community members to manage the additional resources that are needed to achieve Education for All.

531. A total of 78 schools (57 middle, 21 secondary) with an enrolment of 7,450

students, funded through the Sales Proceeds Funds were planned for closure in May 2005, were given an extension up till March 2006. Subsequently, however, it was learnt that the schools, have continued their operations informally. In Dir, Newshehra, Panian, Haripur and Mardan, all schools were reopened on self-help basis. In the meantime, the Education Cell is looking into the possibility of mobilizing the communities to run these schools on self help basis. Initial negotiations indicate that Afghan communities in many localities are willing to run the schools on self-help basis. The primary schools in Katcha Garhi (8 boys, 4 girls) closed earlier in 2006, have been allowed by the Government agency Commissionerate for Afghan Refugees (CAR) to reopen and run on self-help basis until the closure of the camp. CAR's Education Cell is undertaking a rapid education assessment of the schools to help communities in better running these schools.

(ii) Children in armed conflicts (art. 38), including physical and psychological recovery and social reintegration (art. 39);

Observations/Recommendations of the Committee on the Rights of the Child

Children in armed conflict, including physical and psychological recovery and social integration

67. The Committee is concerned that, in spite of legislation prohibiting the involvement of children in hostilities, there are reports of children being recruited, including forcibly, to participate in armed conflicts, especially in Afghanistan as well as in Jammu and Kashmir. - 120 -

68. The Committee recommends that the State party:

(a) Take effective measures to ensure that children below the age of 18 years are not involved in hostilities and that children below the age of 15 years are not recruited into armed forces;

(b) Develop, in collaboration with NGOs and international organizations, a

comprehensive system for the reintegration and recovery of children who have participated in hostilities.

532. Under the Pakistan National Service Ordinance 1970 the age of enlistment in the armed forces is eighteen years with the possibility to begin two years earlier for training. There is no compulsory conscription and only persons over the age of 18 years can take part in hostilities.

533. Similarly, the Government is taking strict measures to stop recruitment of children by non-State actors. Madrassah reforms have also been initiated by the Government to streamline and regulate the Madrassahs that were the major source of children going into armed conflict.

534. The National Plan of Action for Children 2006 has a goal to protect children from the impact of armed conflict and ensure compliance with international humanitarian law and human rights. There is no special program for the reintegration and recovery of children who have participated in hostilities.

535. According to the NPA special rehabilitation centers for orphans and special children of the armed conflict will be established where children will be provided with proper health care and formal vocational education training for their rehabilitation.

(b) Children in conflict with the law:

(i) The administration of juvenile justice (art. 40);

Observations/Recommendations of the Committee on the Rights of the Child

Administration of juvenile justice

80. The Committee welcomes the promulgation of the Juvenile Justice System Ordinance (2000), but is concerned at its poor implementation and that many of the authorities in charge of its implementation, particularly within provincial governments and tribal areas, are unaware of its existence. The Committee is also deeply concerned at the high number

of children in prisons who are detained in poor conditions, often together with adult offenders and thus vulnerable to abuse and ill-treatment. The very low minimum age of criminal responsibility (7 years) is also of concern. Further, the Committee is deeply concerned about reports of juvenile offenders being sentenced to death and executed, which have occurred even after the promulgation of the Ordinance. - 121 -

81. The Committee recommends that the State party:

- (a) Ensure the full and effective implementation of juvenile justice standards, in particular articles 37, 40 and 39 of the Convention and other United Nations standards in the field of juvenile justice, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System, and, in the light of the Committee's 1995 discussion day on the administration of juvenile justice (CRC/C/46);
- (b) Raise the minimum age of criminal responsibility to an internationally acceptable level and ensure that children below the age of 18 years are accorded the protection of juvenile justice provisions and are not treated as adults;
- (c) Consider deprivation of liberty only as a measure of last resort and for the shortest possible period of time;
- (d) Guarantee that all children have the right to appropriate legal assistance and defence;
- (e) Set up a system of juvenile courts;
- (f) Ensure that children in detention are always separated from adults;
- (g) Ensure that children remain in regular contact with their families while in the

juvenile justice system;

(h) Take immediate steps to ensure that the prohibition of the death penalty, as stipulated in the Juvenile Justice System Ordinance, is guaranteed for all children below the age of 18 years, in light of articles 37 (a) and 6 of the Convention, and that death sentences imposed before the promulgation of this Ordinance are not carried out; and

(i) Seek assistance from, among others, OHCHR, the Centre for International Crime Prevention and UNICEF.

Minimum age of criminal responsibility

536. Under the proposed Child Protection Bill minimum age for Criminal Responsibility, which is 7 years currently, has been raised to 12 years.

Alternative to deprivation of liberty

537. According to the JJSO all juveniles which the court can not release on bail because of various reasons: "should be placed under the custody of a Probation Officer or suitable person or institution dealing with the welfare of the children if parent or guardian of the child is not present, but shall not under any circumstances be kept in a police station or jail in such cases".

538. Probation is the only system of non-custodial punishment in Pakistan but there is lack of awareness about the system and its significance. Police, prison officials and even in the ranks of lower judiciary there is lack of awareness concerning probation system. - 122 -

539. The release of children on probation has been severely hampered by the absence of an adequate number of Probation Officers in the country. There has been little or no increase in the number of probation officers across the country and several districts are still without a probation officer.

540. The Regional Directorate of the Ministry of Law, Justice and Human Rights, in

NWFP, in collaboration with Save the Children Sweden has carried out an extensive training program of police, prison officials and probation officers about the UNCRC, JJSO 2000 and the role of Probation Officer under the JJSO.

541. CSOs have also contributed to awareness raising about the role of Probation Officer and the significance of probation, as an alternative to deprivation of liberty, in the juvenile justice system in particular and the criminal justice system in general. Brochures and posters have been published about the role of Probation Officer under the JJSO and significance of the probation system. The Probation of Offenders Ordinance 1960 has also been highlighted in the brochures. These awareness raising activities have proved successful and the number of juvenile probationers has seen a significant rise during the reporting period.

Right to appropriate legal assistance

542. It has been guaranteed under the JJSO 2000 that a child accused of or victim of, an offence, has the right to legal assistance at the expense of the State and provided by a legal practitioner with at least five years standing at the Bar. High Courts of all the Provinces have directed the concerned District and Sessions Judges to establish panels of lawyers to extend legal assistance to juveniles at the expense of the State. However, such panels have been established in only a few districts of the country so far.

543. Civil Society Organizations including AGHS, Dost Welfare Foundation, SEHER, SPARC and LHRLA etc. are also extending free legal assistance to under trial juvenile inmates. SPARC is extending free legal assistance to juvenile inmates and children victims of offences through its legal aid coordinators and members of its Child Rights Committees in around 40 districts. During July 2005 to June 2007 free legal assistance was provided to 835 children in conflict with the law.

System of Juvenile Courts

544. According to the JJSO 2000 Juvenile Courts should be established with exclusive jurisdiction to try cases in which a child is accused of committing an offence. However, no exclusive Juvenile Courts could be established except one in Karachi. In rest of the country the respective High Courts have conferred the powers of Juvenile Courts upon Courts of all the District and Sessions Judges or Civil Judges. In NWFP, 146 Courts have been conferred the powers of Juvenile Courts. Similarly all other Provinces have conferred the powers of Juvenile Courts upon the Courts of all the District and Sessions Judges or Civil Judges. - 123 -

Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings (art. 37 (b), (c) and (d));

Arrest of the Child

545. The JJSO guarantees that a child arrested for a non-bailable offence must be produced before the Juvenile Court in less than 24 hours from the time of arrest. Similarly the law further states that a child arrested for a bailable offence should be released by the juvenile court on bail, with or without surety. The release may be refused if it would expose the child to any danger. In this case, the child could be placed under the custody of a Probation Officer or a suitable person. The child, however, should not under any circumstances be kept in a police station.

546. Mostly, police produce juveniles accused of committing a crime within the stipulated time however, there are certain cases of violation of the law by police due to lack of awareness about the law.

Juvenile detention facility (Borstal Institutions)

547. Under the Juvenile Justice System Ordinance 2000, children can not be sent to ordinary prisons rather they must be sent to a Borstal Institution for rehabilitation. There are only two Borstal Institutes, both in Punjab Province, one Industrial School and one

Remand Home for juvenile offenders, in Karachi, Sindh Province, in the country. The Government of NWFP has approved establishment of Borstal Institutes in Bannu and Haripur where juvenile inmates will be kept and rehabilitated.

548. Since the number of Borstal Institutions is limited in the country, juvenile inmates are kept in separate sections of the prisons called "Juvenile Section". The Government and Civil Society Organizations are working to improve prison conditions for juvenile inmates.

549. To build the capacity of law enforcement agencies, UNICEF in collaboration with NCCWD and FIA, designed a course on Child Protection to be institutionalized in all the Police, FIA and Judicial Training Academies and Colleges; 36 national master trainers were trained to further train 300 staff. 700 officials from Police, Probation, Prison, Judiciary and Social Welfare were trained on Juvenile Justice.

The right to maintain contact with the family through correspondence and visits

550. A child placed under detention is allowed visitation under the same Prison Rules applied to other persons at the detention centers and under the Juvenile Justice System Rules of the respective provinces. According to the Juvenile Justice System Rules, every juvenile shall be allowed reasonable facilities for seeing or communicating with his relatives, friends and legal adviser in connection with his judicious matters or family affairs. - 124 -

Awareness among the law enforcement officials

551. Juvenile justice system is a part of the training curriculum in the Federal Judicial Academy for under training civil judges, additional district and sessions judges, sessions judges and senior civil judges.

552. According to the JJSO it is the duty of police to inform the parents or guardians and the probation officer about the arrest of the child. The probation officer is then

required to prepare a Social Investigation Report (SIR) and present it to the court.

553. Special emphasis is being given to sensitize police officers on human rights issues in general and rights of children in particular in police training institutions. The subject of violence against women and children has been included in a one week module being taught to under training police officers in National Police Academy. The National Police Academy has also prepared a module on Attitudinal Change for police officers. The module has been designed for three tiers of police training i.e. National Police Academy, Police Training Colleges and Police Training Schools. All relevant international conventions including the Convention on the Rights of the Child has been included in the module.

554. The Regional Directorate of the Ministry of Law, Justice and Human Rights, in Peshawar, NWFP, in collaboration with Save the Children Sweden has carried out an extensive training program of police, prison officials and probation officers about the UNCRC and JJSO 2000.

555. Similarly, the Central Jail Staff Training Institute (CJSTI) is regularly imparting trainings to different cadres of the prison officials and law enforcement officials about dealing with juvenile inmates. In 2005 CJSTI organized a consultative workshop of juvenile justice experts from across the country where internationally recognized Juvenile Justice Indicators were further discussed. CJSTI in collaboration with UNICEF also developed a Training Manual by involving a team of Experts so that uniformity in imparting the trainings could be maintained. Four 03 day workshops were organized on Juvenile Justice System targeting 211 participants from police, prison, judiciary, prosecution, probation and parole, social welfare, care institutions and NGOs.

556. CJSTI prepared and published the following 11 booklets which were also distributed among the participants of different trainings and workshops:

1. Social Interaction
2. Rules Relating to Juvenile Prisoners
3. Juvenile Delinquency and Psychological Causes
4. Juvenile in Prisons and Emotional Psychological Problems
5. International Standards on Juvenile Justice
6. Special Laws on Juvenile Justice
7. Ethical Values and Character Building of our Youth
8. Media Mobilization for Juveniles' Education
9. Rehabilitation of Juvenile Delinquents - 125 -
10. Complaint Mechanisms
11. Best Practices

557. In 2006 CJSTI organized four 03 day workshops on UNCRC and JJSO targeting 200 participants from police, prison, judiciary, prosecution, probation and parole, social welfare, care institutions and NGOs.

558. In 2007 CJSTI in collaboration with UNICEF has organized five 03 day workshops, on juvenile justice, targeting more than 250 participants from different organs of the criminal justice system. In future CJSTI is planning to analyse the implementation of the JJSO at police stations level; make a need assessment of juveniles through special psychological inventory, analysis of the Section 14 of JJSO regarding best interests of the juveniles and training activities.

559. CSOs and INGOs, including Penal Reforms International, Save the Children Sweden, Human Rights Commission of Pakistan, AGHS Legal Aid Cell, Dost Welfare Foundation, JJN NWFP, SEHER and SPARC also conducted awareness raising sessions with police and other relevant agencies about the UNCRC and JJSO 2000. Consultations were organized with police and probation officers at the district level involving Station

House Officers (SHOs) from across the district to create awareness among them about the rights of the child and the JJSO 2000.

Monitoring of the conditions in institutions in which children are placed

560. Under the Balochistan Juvenile Justice Rules 2002, "It shall be the duty of Secretary Law, Government of Balochistan or any other Officer authorized by the Government from time to time to visit and inspect every institution situated within the Province and to satisfy himself that the provisions of the JJSO and rules are duly observed". Similarly, "The result of each visit and inspection made shall be recorded to the visitors' book maintained at the institution".

561. DCOs and Sessions Judges shall visit the prison at their headquarters at least once in three months. Similarly, District Magistrates shall visit the prisons situation in their jurisdiction at least once a month.

562. Provincial Home Departments also extends special permission to Non Official Visitors (NOV) to visit the prisons and submit their reports to the Home Secretary. CSOs have also been permitted to visit the juvenile sections of the prisons and the Borstal Institutes and monitor the conditions of the juvenile inmates. CSOs have been granted permission by Home Secretaries in the Provinces to visit the juvenile sections and work with the prison authorities to improve prison conditions for juvenile inmates. Recommendations of such visits are shared with the Provincial Governments for improving the state of juvenile justice in the respective Province and situation of juvenile inmates in the prisons. Visits by the CSOs have positive impact and improvements have been visible in the conditions of juvenile inmates. Following are some of the contributions made by the CSOs:

- Provision of legal aid; - 126 -
- Improvement in the physical conditions of the juvenile cells; flooring, sanitation,

drinking water etc.

- Free medical camps were organized;
- Educational facilities provided;
- Recreational facilities including TV and indoor and outdoor games were provided;
- Awareness about HIV and AIDS among juvenile inmates;
- JJN NWFP installed night vision surveillance cameras in the juvenile barracks of Haripur jail which tremendously helped in improving the child protection environment in the juvenile section.

(ii) The sentencing of juveniles, in particular the prohibition of capital punishment and life imprisonment (art. 37 (a));

563. Pursuant to article 37 (a) of the Convention and in accordance with JJSO death penalty for individuals under 18 years of age has clearly been prohibited. Soon after promulgation of the JJSO death sentences of all juvenile offenders were commuted by the President of Pakistan.

564. Most cases have been decided and where it was proved that the offenders were below 18 years of age at the time of the offence their sentences have been commuted. A few cases, where age of the offenders at the time of the crime had not been determined, are in appellate courts. In Punjab death sentences of 74 juveniles were commuted.

(iii) Physical and psychological recovery and social reintegration (art. 39);

565. CJSTI, in its trainings for prison officials, is focusing on physical and psychological recovery and social reintegration for juvenile offenders and a booklet on Psychological Rehabilitation of Juvenile Delinquents have been published which is shared with the participants of different trainings and refresher courses.

566. Some CSOs are also extending counseling facilities for juvenile inmates in the

Borstal Institutes, Central Prison Haripur, Adiala Jail Rawalpindi and Industrial School Karachi.

567. CSOs including Dost Welfare Foundation, SPARC, SEHER and many others helped inmates for their physical and psychological recovery. Dost held 85 awareness sessions with juvenile inmates on HIV and AIDS and STDs/STIs with an attendance of 5,367. Similarly, medical and counseling services were provided to 2,671 and 837 inmates respectively.

568. Additional consideration is required for the physical and psychological recovery and social reintegration and the system which will address these needs to be strengthened and developed further. CJSTI and UNICEF will be focusing on these issues in future. - 127 -

569. Keeping under consideration the seriousness of the situation where juveniles remain behind the bars due to non-payment of fine/penalties. Pakistan Bait-ul-Mal earmarked Rs. 7 million during the financial year 2005-06 to pay the fines to secure release of the juveniles.

The Role of Media in creating awareness about Juvenile Justice

570. CJSTI, JJN NWFP, Save the Children Sweden, SPARC and other CSOs have organized media consultations for journalists on the role of media in creating awareness about child rights and juvenile justice. Media, as a result has played a pivotal role in highlighting child rights violations by state and non-state actors, which also resulted in court notices of such violations.

Challenges and Difficulties in the area of Juvenile Justice

- Financial allocation to fulfill the requirements of the JJSO i.e. funds for legal assistance, establishment of sufficient number of borstal institutions and establishment of a proper juvenile justice system in Federally Administered

Areas;

- Establishment of the Exclusive Juvenile Courts as the existing Courts are already overburdened;
- Proper training for Judicial Officials, Police, Probation and Prison Official on JJSO and UNCRC;
- Awareness campaign about the JJSO.

(c) Children in situations of exploitation, including physical and psychological recovery and social reintegration (art. 39):

(i) Economic exploitation, including child Labour (art. 32);

Observations/Recommendations of the Committee on the Rights of the Child

Economic exploitation, including child Labour

69. The Committee notes the State party's acknowledgement that economic exploitation of children is a very serious concern and the many activities to reduce and eliminate child Labour, but remains deeply concerned that:

(a) The prevalence of child Labour is still extremely high, and that the phenomenon is widely accepted in society;

(b) The minimum age for admission to employment is low and varies between different laws;

(c) Many child Labourers, notably children working as domestic servants, are very vulnerable to abuse, including sexual abuse, and completely lack protection.

70. Noting with appreciation the ratification of the ILO Worst Forms of Child Labour Convention, 2001 (No. 182), the Committee remains concerned that the State party has not developed concrete measures for its implementation. - 128 -

71. The Committee recommends that the State party:

(a) Continue and strengthen its efforts to eradicate child Labour, in particular by

addressing the root causes of economic exploitation through poverty eradication and access to education;

(b) Review its legislation concerning child Labour, in particular with regard to the minimum age for employment, with a view to harmonizing it with international standards;

(c) Ratify and implement ILO Minimum Age Convention 1973 (No. 138) and ensure the full implementation of ILO Convention No. 182; and

(d) Develop a comprehensive child Labour monitoring system in collaboration with NGOs, community-based organizations and the International Program for the Elimination of Child Labour of ILO.

Efforts to eradicate child Labour

571. At Policy level, government has decided to eliminate WFCL by 2015 with Education for All and gradual elimination of all forms of child Labour. Government, for the prevention and rehabilitation of child Labourers, is mainstreaming educational and skills training needs into the national education policy and implementation programs. Government, with support of international partners and civil society is building the capacity of its child Labour units at federal and provincial level. Government is also encouraging District Governments to support the on-going child Labour related projects through financial assistance and services.

These policies have been implemented in the following manner:

572. National Education Policy incorporates educational needs of child Labourers.

PRSP-II also reflects child Labour concerned to be addressed as poverty issue. Presently various UN Agencies and INGSO are providing support in around 30 districts through free non-formal education, literacy and skills training program, which covers around 100,000 children.

National Centers for Rehabilitation of Child Labour (NCsRCL)

573. Pakistan Bait-ul-Maal (PBM), Ministry of Social Welfare and Special Education, is running around 151 centers for child Labourers. PBM has a proactive child Labour rehabilitation policy. Children are weaned away from hazardous Labour and enrolled in these centers for the rehabilitation, where they are provided free education, clothing, footwear and stipend of RS 10 per day on attendance basis. Parents of these children are also paid RS 300 per month as subsistence allowance for their wage compensation. Since inception an amount of RS 716.2464 million has been incurred. These centers are providing congenial atmosphere for education the children of Labourer families. At present 15,045 students (male and female) are benefiting from primary education in these centers. Till 2005-06 5,225 students have been passed out from these centers and 4,360 students have been admitted in government schools for their further education. - 129 -

Year Centers No. Students No. Allocation

(Rs. in million)

Expenditure

(Rs. in million)

2002-03 68 8160 68.400 61.0490

2003-04 83 9960 89.200 77.4030

2004-05 101 10260 100.000 111.8707

2005-06 123 13380 100.000 139.0037

2006-07 151 15045 78.6470 172.2930

574. At a Macro level, in order to prevent child Labour, Government is investing (heavily contradicts what has been said above) in the education sector through the provision of more government schools, induction more teachers, free supply of book and fee education till grade 10. Moreover, government has also strengthened the non-formal

system of education to provide free education to even larger number of children in Labour. The federal expenditure on education increased from RS 12,238 million in 2000-01 to Rs. 36,281 in 2004-05, showing the remarkable increase of 196.5 percent.

Review legislation

575. The Ministry of Labour has enhanced the scope of the employment of Children Act 1991 through a Notification issued in December 2005. Following the ratification of ILO Convention No. 182 by the Government of Pakistan in 2001, a number of occupations/processes were identified as hazardous for child Labour. These occupations/processes have been notified to become part of the ECA 1991. Now child Labour is prohibited in 4 occupations and 34 processes. Previously number of such occupations and processes was 6 and 14 respectively.

576. Moreover, Ministry of Labour is now in the process to harmonize and consolidate numerous Labour laws into 6. Government has also approved Labour Inspection and Social Protection policies, and now rules are being formulated for these policies. Ministry of Labour, with the technical support of ILO-IPEC is now developing its national Timebound Program on Worst Forms of Child Labour (2007-08).

Ratification of ILO Convention 138

577. After endorsement by the Parliament the Government of Pakistan has ratified ILO Convention 138 on Minimum Age for Employment in 2006. Similarly ILO Convention 182 on the Worst Forms of Child Labour was also ratified in 2001. Ministry of Labour is in the process of streamlining and consolidating all Labour laws to make them more cohesive and also reflect its new international commitments. A list of hazardous processes and occupations has also been notified under the Employment of Children Act 1991. List of the 4 hazardous occupation and 30 processes is mentioned below:

Occupations:

578. Any occupation connected with: - 130 -

1. Transport of passengers, good or mail;
2. Work in a catering establishment at a railway station, involving the movement of a vendor or any other employee of the establishment from one platform to another or into or out of a moving train;
3. Work relating to the construction of a railway station or with any other work where such work is done in close proximity to or between the railway lines; and
4. A port authority within the limits of any port.

Processes:

1. Work inside underground mines and above ground quarries including blasting and assisting in blasting.
2. Work with power driven cutting machinery like saws, shears, guillotines, and agricultural machines, thrashers, fodder cutting machines.
3. Work with live electrical wires over 50 volts.
4. All operations related to leather tanning processes e.g. soaking, dehairing, liming, chrome tanning, deliming, pickling, defleshing, ink application.
5. Mixing and manufacture of pesticides and insecticides; and fumigation.
6. Sandblasting and other work involving exposure to free silica.
7. Work with exposure to all toxic, explosive and carcinogenic chemicals e.g. asbestos, benzene, ammonia, chlorine, manganese, cadmium, sulphur dioxide, hydrogen sulphide, sulphuric acid, hydrochloric acid, nitric acid, caustic soda, phosphorus, benzidine dyes, isocyanates, carbon tetrachloride, carbon disulphide, epoxy resins, formaldehyde, metal fumes, heavy metals like nickel, mercury chromium, lead, arsenic, beryllium, fiber glass.
8. Work with exposure to cement dust in cement industry.
9. Work with exposure to coal dust.

10. Manufacture and sale of fireworks and explosives.
11. Work at the sites where liquid petroleum gas [LPG] and compressed natural gas [CNG] is filled in cylinders.
12. Work on glass and metal furnaces; and glass bangles manufacturing.
13. Work in the cloth weaving, printing, dyeing and finishing sections.
14. Work inside sewer pipelines, pits and storage tanks.
15. Stone crushing.
16. Lifting and carrying or heaving weights [15 kg and above] specially in transport industry.
17. Carpet weaving.
18. Working two meters or more above the floor.
19. All scavenging including hospital waste.
20. Tobacco processing and manufacturing including niswar and bidi making.
21. Deep sea fishing, commercial fishing and processing of fish and sea food.
22. Sheep casing and wool industry.
23. Ship breaking.
24. Surgical instruments manufacturing especially in vendors' workshops.
25. Spice grinding.
26. Work in boiler house.
27. Work in cinemas, mini cinemas and cyber clubs. - 131 -
28. Mica cutting and splitting.
29. Shellas manufacturing.
30. Soap manufacture.
31. Wool cleaning.
32. Building and construction industry.

33. Manufacture of slate pencils including packing.

34. Manufacture of products from agate.

Development of child Labour monitoring system

579. Under the National Policy and Plan of Action to Combat Child Labour, a mechanism is being evolved to conduct periodic survey(s) at the provincial level.

580. Child Labour monitoring system is available in form of provincial inspection machinery and the Provincial Child Labour Resource Centers. Some monitoring is also being carried out through local arrangements in the limited sectors/areas such as the Independent Monitoring Association for Child Labour (IMAC), which is an independent body working in Sialkot to monitor child Labour in football stitching industry. The Ministry of Labour is working on Labour Inspection Policy with the assistance of Asian Development Bank to devise a comprehensive Labour inspection/monitoring mechanism including that of child Labour on modern lines.

581. ILO's TBP Project is also implementing a community based child Labour monitoring system linked with the district government. Child Labour Monitoring Cells are established at the EDO-Community Development offices that act as a bridge for the flow of information on child Labour from community to the DG. Community groups are organized and trained to compile information on child Labour incidence in their specific area and transmit it to the EDO-CD office where this information is processed and used for the future policies and projects of the DG.

Poverty eradication

582. Pakistan has made progress towards poverty eradication. The pro-poor spending has considerably increased during the period 2003-07. According to Labour Force Survey 2005, the Government has spent a hefty amount of Rs.1332 million on poverty related and social sector programs during 2000 to 2005. Education and health sectors absorbed

around half of the pro-poor budgetary expenditures.

583. Such a level of spending would not have been possible without improvement in the overall economic situation. The robust economic growth during the last few years provided the Government with the necessary fiscal space, to invest more in the social sector. As a result of improved economic policies, the average GDP growth remained above 5 percent for three consecutive years. The per capita income shot up from US\$ 503 in 2001 to US\$ 925 in 2006-7. It has resulted in the reduction of poverty from 34 to 24%. Despite a number of policy measures, programs, and projects, the social indicators for children are lagging behind, when compared with countries with the same level of - 132 - economic development and the progress has remained slow due to a host of governance and structural issues. The real challenge, before the Government, is to translate the economic gains into improved social indicators for children. Efforts are being made to ensure sound planning and good governance practices, based on accountability, transparency, and consultative culture, in order to ensure redistributive justice as a check against the negative consequences of a high but skewed economic growth.

584. The most important initiative on the socio-economic development front is the introduction of the Mid Term Development Framework (MTDF 2005-2010). One of the main objectives of MTDF is to establish a just and sustainable economic system for achieving MDGs, which also include poverty reduction. MDGs provide long term perspective, and form the basis of the strategies to achieve social and human development objectives of MTDF. The key priorities given in MTDF document, to achieve MDGs, are universal primary education, promoting gender equality, reducing child mortality, improving maternal health, combating HIV/AIDS and other communicable diseases and ensuring environmental sustainability. The MTDF calls for allocating more than 46.6 percent of the Public Sector Development Program (PSDP) to the social sectors and is

strong indicator of the Government's commitment towards meeting MDGs goals and WFFC targets.

Combating child Labour through education

585. Save the Children UK is supplementing the government's commitment to eliminating child Labour from Pakistan by implementing a number of child Labour projects in different parts of the country with the financial assistance of United States Department of Labour. In Punjab, Addressing Child Labour through Quality Education for All is being implemented and in collaboration with Sudhaar and Idarae Taleemo Aagahi (ITA). The Project has facilitated over 12,000 working children in accessing basic education and literacy. Over 4,500 children have been mainstreamed to government schools and 2000 older children provided literacy and vocational training. Out of the mainstreamed children almost 700 children have been placed in middle schools for completing grades 6-8.

586. In NWFP and Balochistan, Save the Children UK is implementing Mitigating Child Labour through Education in Pakistan (MCLEP) in collaboration with local NGOs. Its total coverage is to 15,000 children as direct beneficiaries. Its strategic interventions are non-formal education, literacy, skills, mainstreaming, advocacy and effective networking across government and non-government organizations.

587. Education centers have been established in 50 villages in Sindh to wean away children from Child Labour.

588. The Ministry of Social Welfare and Special Education, in collaboration with Idara-e-Taleem-o-Aaghai (ITA) has launched a project on Child Domestic Labour (CDL) in Islamabad and Rawalpindi in 2006-07 to reach out to over 1500 children. Earlier in 2005 this project was initiated as a pilot by ILO. Under this project, 10 centers were - 133 - opened in Punjab and Federal Areas; 5 in Rawalpindi and 5 in Islamabad. These centers

provided opportunities to 1000 children, mostly females for education and certified training in different kinds of skills such as beautician courses, garment making, embroidery and safe housekeeping for older girls, as well as teaching them functional literacy skills. Out of 10 centers 6 were operating in government schools in the afternoons enabling early mainstreaming of child domestic Labourers helping them withdraw from exploitative conditions of work.

589. In NWFP, a project “Combating Child Labour through Education and Training” is technically supported by ILO’s International Program on the Elimination of Child Labour (IPEC) and funded by the Swiss Agency for Development and Cooperation (SDC). This project successfully combines removal from hazardous work through rehabilitation and skills training for adolescents with prevention of child Labour through mobilization of teachers and curriculum development in primary schools. In the first phase, a step-by-step strategy was developed in which working children first joined rehabilitation centers and later were either provided with skills training or were mainstreamed into the education system. Following a positive evaluation of the first phase, the project was expanded from 5 to 30 rehabilitation centers (increasing the target group from 720 to 2,500).

590. The Schools and Literacy Department Government of the North West Frontier Province (NWFP) initiated a project “Combating Child Labour through Education and Training” in collaboration with ILO. A teachers’ training kit was developed and Master trainers were trained who further / in turn trained 5,171 teachers about child Labour issues. Afternoon schools have been established for working children and Parents Teachers’ Associations were mobilized to combat child Labour.

Eradication of the worst forms of child Labour

591. At present, Project of Support to the National Time Bound Program (TBP) is fully operational in six districts of Pakistan, targeting six sectors i.e. Glass Bangles Industry,

Hyderabad; Deep Sea Fishing Industry, Gawadar; Surgical Industry, Sialkot; Tanneries, Kasur; Coal Mines, Shangla, and Rag Picking Industry, Rawalpindi/Islamabad. In all target districts, District Coordination Committees (DCCs) on child labour were formed. These Committees are chaired by the District Nazims or the DCOs. Other members of the DCCs include Executive District Officers (Education), (Community Development), (Health), and Finance Department and Planning Department from Government, Workers/Employers Associations, and local NGOs. DCC platform in the district provides a platform for the support of child Labour related projects and also brings civil society and government together to fight jointly against the child Labour - abuse.

592. To integrate the child Labour concerns in the district education policy, the project, jointly with the District Education Offices, reviewed the District Education Plans and has successfully integrated parameters and measures to control dropout rate and to eliminate child Labour. Extension of health services to the target children in six districts is another important intervention by the project. Jointly with the EDO-Health, the target children were health screened. Children diagnosed with health problems were provided free - 134 - medicines and tests. Purpose of this exercise was to create an environment where district governments mainstream this activity into their policy and child Labourers get preferential treatment. The project has also organized and registered Citizen Community Boards to develop anti child Labour projects, on need basis, to address the issue of child Labour. Awareness raising campaigns on the issues related to child Labour and worst forms of child Labour are rolled out jointly with the district governments, workers/employers, elected representatives, and community.

593. At the downstream level, TBP is providing non-formal education to the target group of children who fall in the age cohort of 5-14 years. Consolidated syllabi for the non formal education are formally endorsed by the EDO Education offices. Non Formal

Education Centers [NFEs] by TBP are monitored by the DG and also by the Mother/community groups and parent-teacher associations depending on the specific conditions of the area. Literacy for children from age cohort 15-17 years is also an important feature of the project. OSH component is made essential for every literacy course. Selected literacy graduates under the project receive vocational training. In collaboration with the government run and private vocational training institutes, OSH component has been integrated into the curriculum of selected trades.

594. Moreover, under the TBP Umbrella Project, all other ILO-IPEC run child Labour projects coordinate and provide support to the National Time-bound Program on WFCL. These projects include a major Project to eliminate child Labour from carpet industry (still ongoing), Education project (now in its 3rd phase), an Expulsive Surgical Project (still on going), Child Domestic Labour Project (completed in 2006), Project to activate Media on Child Labour (2nd phase operations), TICSA Regional Project on Child Trafficking – Pakistan component (completed in 2006) and various other activities with workers and employers organizations. Ministry of Labour from its resources of more than Rs.110 million is now sponsoring various exclusive government run activities in different districts.

595. Government of Punjab has finalized plans to develop child Labour specific Mega Project to be implemented in Central and Southern Punjab. This project will adopt the methodology of 'District Model', currently being implemented under the ILO-IPEC's TBP Project.

596. Department of Labour, Government of Punjab runs a Child Labour Resource Centre, with the technical support of ILO, on Occupational Safety and Health issues. The centre has also designed and is now marketing new carpet weaving looms that promote adult workers.

Activating media in combating the worst forms of child Labour

597. In 2003 the Ministry of Information and Broadcasting and ILO-IPEC signed a Memorandum of Understanding (MoU) (with Norwegian funding) to start a two year collaborative project “Activating Media in Combating Child Labour”. It was strongly felt, that it is imperative to involve the communication media, such as TV, Radio and - 135 - press to increase awareness, sensitize and motivate people and to work in concert for progressive elimination of child Labour from the society. ILO supervised the implementation of different components of this project with the active facilitation and cooperation from the Ministry of Information and Broadcasting and its corporate agencies, Pakistan Television Corporation (PTV) and Pakistan Broadcasting Corporation (PBC). The Ministry contributed in terms of free air time of PTV and Radio.

598. The target group included 250 persons including media managers, producers and artists, general public, employers, workers, communities, parents, teachers as well as children themselves. Implementing agencies included PTV, PBC and print media.

599. The project utilized national media i.e. TV and Radio and press as source of disseminating information on the worst forms of child Labour and to raise public awareness against child Labour. A network of media was established across the country to write on issues related to child Labour. A total of 221 articles were commissioned in various leading national and regional newspapers to reach all segments of general public. TV and Radio programs were produced and telecast on PTV and Radio.

600. To monitor these media activities and to asses/evaluate (in pre-set time scale) the role being performed by different agencies and their effects on the knowledge and attitude of the target audience, an NGO Society for the Protection of the Rights of the Child (SPARC) was hired for media watch throughout the broadcast of various media items by electronic as well as print media.

601. On the basis of the strong recommendation of the independent evaluation and the successful completion of Phase-I of Joint Media Project of ILO/IPEC and Ministry of Information and Broadcasting, all stakeholders mutually agreed to initiate Phase II of the same project with an emphasis on building and enhancing the capacity of media managers to a larger extent in public and private sectors.

602. The project is aimed to “contribute to national efforts towards reducing and effectively eliminating worst forms of child Labour in Pakistan”. Project duration is August 2006 to July 2009 with a budgetary allocation of US\$ 1,092,587. The Government of Pakistan will provide a national contribution in kind equivalent to US\$ 1,544,825 which includes free air time on state TV channels and Radio. The project will strengthen the capacity of media personnel and media related institutions including TV, Radio and print media. Capacity building of 820 media managers, producers, journalists and students’ capacity will be undertaken.

Communication Strategy on Child Domestic Labour

603. Idara-e-Taleem-o-Agahi (ITA) with support from UNICEF and ILO prepared a communication strategy to bring an urgent and required attitudinal, behavioral, social and legal change in general perception and acceptance of child domestic Labour (CDL) among the masses. The objectives of the strategy for CDL are to:

- Adapt messages from the regional strategies and design new thematic messages; - 136 -
- Conceptualize and design communication channels to convey the messages;
- Identify agents of change and sources for information dissemination;
- Develop concepts and a number of tools to raise awareness and prompt behavioral change of employers and parents;
- Encompass national advocacy and community mobilization; develop communication materials (posters, leaflets, booklets, calendar etc.).

604. Under this Communication Strategy, print and electronic media materials were developed including a Logo, Booklet, Leaflet, 4 Posters , three Stickers, and Story Board Animations (for Electronic Media) and a Calendar. These materials have been printed and distributed to NGOs, Citizen Community Boards, schools etc. Four consultations and 10 awareness campaigns have been organized.

605. The communication strategy is well timed as a major advocacy effort is underway to tackle the issue of child domestic Labour, repositioning it as WFCL preferably under C-182 and adding to the list of hazardous employment under the Employment of Children's Act 1991.

Child Labour Resource Centre

606. The Department of Labour and Human Resources, Government of Punjab has established Child Labour Resource Centre (CLRC) with the objectives to strengthen the capacity of the Department of Labour to tackle the child Labour problem effectively and to maintain a flow of information through a website monitored at the Child Labour Resource Centre and to collect and create publications on child Labour.

607. The CLRC has developed a Training Kit with an aim to create a cadre of manpower belonging to all stakeholders and social partners who can join hands to build a partnership for elimination of child Labour. The Training Kit on Child Labour being used for training Inspecting Officers of the Labour Department, nominees of relevant government agencies, trade unions, NGOs, employers bodies and the relevant professionals from amongst the lawyers, journalists, doctors, teachers etc. The Training Kit is extensively covering related topics, relevant laws and international standards. It covers practical as well as theoretical aspects of the issue and illustrates good practices adopted all around the world to combat child Labour.

Survey on child Labour

608. The next survey on child Labour, now long overdue, is being planned under the program of assistance to the Government from the European Commission. Ministry of Labour and Statistics Division in collaboration with ILO are planning to conduct the study in 2008. However, as national census is also due in 2008, the survey could be conducted in 2009. This would be a comprehensive study, conducted on district level regarding the extent, nature and types of child Labour in all districts of the country. - 137 -

(ii) Drug abuse (art. 33);

Observations/Recommendations of the Committee on the Rights of the Child

Drug abuse

72. The Committee is concerned at the high rate of drug abuse among children.

73. The Committee recommends that the State party:

(a) Develop a national drug control plan, or master plan, with the guidance of the United Nations Drug Control Program;

(b) Provide children with accurate and objective information about substance use, including hard drugs and tobacco, and protect children from harmful misinformation;

(c) Cooperate in this regard with UNICEF and WHO;

(d) Develop rehabilitation services for children who are victims of substance abuse.

609. Under sections 52 & 53 of Control on Narcotics Substances Act, 1997, Provincial Governments have been directed to register drug addicts and establish treatment and rehabilitation centers at provincial levels.

610. At Federal level, two Model Addiction treatment and Rehabilitation Centers each at Islamabad and Quetta have been established by Anti-Narcotics Force. Since its establishment in 2005, a total of 1,277 drug addicts have been admitted/ treated and 96 ex-addicts were provided jobs. In addition two more model Addiction Treatment and

Rehabilitation Centers, one each at Lahore and Karachi, have been planned. The estimated cost of both the projects is Rs. 44.304 million. Beside these treatment and rehabilitation Centers, two other projects i.e., NGO Support Program for Treatment and rehabilitation; Focused Drug abuse Prevention for High Risk and Marginalized Groups costing Rs. 55.7 million are being implemented in Pakistan.

611. These Programs aim to create awareness amongst the masses particularly high risk group and involve the civil society in prevention as well as treatment and rehabilitation of drug addicts.

National Drug Control Plan

612. A Drug Abuse Control Master Plan (1998-2003) was launched with the assistance of UNODC with a total outlay of Rs.2,800 million; Rs.1,920 million for law enforcement and Rs.912 million for drug demand reduction. However, only Rs.185.837 million were provided by the Government. Consequently, partial programs have been implemented. The objectives laid down in the Plan could not be fully realized due to financial constraints. A revised Drug Abuse Control Master Plan (2007-2011) is being prepared with the assistance of UNODC. The Master Plan has two components i.e. Law Enforcement and Drug Demand Reduction.

613. United Nations Drug Control Program's Drug Demand Reduction Program: Mainstreaming and Drug Abuse Prevention has developed and distributed drug abuse prevention material targeted at the youth. - 138 -

Provision of accurate and objective information to children

614. The Government of Pakistan promulgated an Ordinance titled 'Prohibition of Smoking in Public Places and Protection of Non-Smokers Health Ordinance 2002'. The Ordinance came into force, after its formal promulgation by the Federal Health Minister, on 30th June 2003. The law also aims at restricting promotional campaigns of the tobacco

industry.

615. Government has put restriction on use of tobacco in public places and an awareness campaign has been launched in this connection. Similarly, airtime for TV and Radio advertisements has been reduced and no advertisements are shown on TV/Radio before 2100 hrs. Furthermore, mention of warning i.e. "Smoking is injurious for health and selling cigarettes to children under 18 is strictly prohibited" on cigarette packets and signboards has been enforced. These steps have helped to raise the awareness level in the country.

616. Under the Ordinance, no person shall sell cigarettes, or any other such smoking substance to any who is below the age of eighteen years. Similarly, No person shall himself or by any person on his behalf, store, sell or distribute cigarettes or any other such smoking substance within an area of 50 meters from any college, school or educational institution. This law is the first statutory move to regularize promotional campaigns of the tobacco industry.

617. UNODC in coordination with the Ministry of Narcotics Control, has launched a project "Drug Abuse Treatment and HIV and AIDS Prevention for Street Children with Solvent Abuse Problems". Both NGOs and Government Institutions are the implementing agencies.

Awareness campaigns

618. The Government of Pakistan in collaboration with UNODC, regularly supports and observes International Day against Drug Abuse. The National Council of Social Welfare, Ministry of Social Welfare and Special Education, hosted "National Conference on Drug Abuse & Illicit Trafficking". It was attended by NGOs, Government Official and Psychiatrists from all over Pakistan. Similarly, spots were aired on FM 100 Radio to celebrate International Day against Drug Abuse and Illicit Trafficking. This was followed

by a road show in which youth talked about the hazards of drugs abuse and how to prevent it.

619. Moreover, the Ministry has formulated goals and targets on focused drug abuse prevention for high risk and marginalized groups in Pakistan during the 2006-07 financial year. These includes formation of 147 peer pressure groups to create awareness among students; conducting 10 sports events for awareness creation against drug abuse; organized debate competitions, talk shows and quiz competitions for children.

620. MARA (Most At Risk Adolescents) and EVA (Especially Vulnerable Adolescents) were identified for more focused programming by UNICEF. Pilot projects - 139 - in behaviorally specific life skills focusing on HIV prevention and drug abuse were implemented through drop-in centers. UNICEF in collaboration with National AIDS Control Program and Ministry of Education trained 390,887 in school and out of school adolescents in Life Skill Based Education (LSBE), 240,393 including girls and 154,309 boys. A generic life skills manual for in school adolescents was also developed. Discussions are under way between UNICEF and the Ministry of Education to include LSBE into school curricula and an extra curriculum activity.

Rehabilitation services for child victims of substances abuse

621. NGOs, with support from UNICEF and UNODC, are also running programs for the rehabilitation of children using drugs.

622. Under its NGOs Support Program, the Ministry of Narcotics Control is sponsoring/ helping certain NGOs which provide Treatment and Rehabilitation Services for the treatment and rehabilitation of drug addicts. To make the treatment program more effective and result oriented, NGOs are involved to help in identification, motivation, referral, after-care services, follow-up, relapse prevention, vocational rehabilitation and reintegration into families, workplace, community and society.

623. The Ministry of Narcotics Control and (UNODC) are implementing a project to counter drug addiction and spread of HIV and AIDS in selected prisons of Pakistan. The three-year project aims providing comprehensive voluntary drug treatment and rehabilitation services to prison inmates as well as officials. Besides, they would also be informed on hazards of HIV and AIDS.

624. UNICEF, in collaboration with local partners has established 15 Drop in Centers for children involved in high-risk behaviors in seven selected districts in all provinces. Empowering children with behavior specific life skills and linking them with referral partners-for detoxification and rehabilitation of drug addicts and adolescents with highrisk behavior.

(iii) Sexual exploitation and sexual abuse (art. 34);

Observations/Recommendations of the Committee on the Rights of the Child

Sexual exploitation and sexual abuse

74. In view of the fact that child sexual abuse and sexual exploitation of children are reported to be serious problems in the State party, the Committee is concerned that the State party has not addressed them effectively. The Committee is particularly concerned at:

(a) The absence of legislation clearly prohibiting child sexual abuse and sexual exploitation and the lack of a clear definition of the term in the State party, as well as the lack of legislation that clearly defines sexual consent;

(b) The absence of measures to prosecute the perpetrators; - 140 -

(c) The absence of statistics and data on the issue of child sexual abuse;

(d) Traditional attitudes regarding the subject (e.g. concepts like “family honor”), which imply that a majority of abuse cases go unreported;

(e) Reports that child sexual abuse is prevalent, and increasing, in prisons.

75. The Committee recommends that the State party:

- (a) Review its legislation in order to clearly define sexual abuse, in particular child sexual abuse and child sexual exploitation;
- (b) Undertake a study on the prevalence of sexual abuse and exploitation;
- (c) Take all necessary measures to prevent and end this practice through a comprehensive strategy, notably by prosecuting perpetrators, and holding public debates and conducting awareness campaigns;
- (d) Ensure that victims of sexual abuse and exploitation have access to appropriate recovery and reintegration programs and services;
- (e) Seek assistance from, among others, WHO and UNICEF.

625. The NCCWD is committed to ensure protective environment for children where children are protected from all forms of exploitation and abuses including sexual abuse.

A National Child Protection Policy has been drafted and is now under approval by the Federal Cabinet. National Plan of Action for Children was approved in June 2006.

National Plan of Action against Child Sexual Abuse, approved by the government is attached to the National Plan of Action for Children. A National Child Protection Policy has been drafted and is now under approval by the Federal Cabinet.

626. Civil Society organizations, in support of government initiatives, have undertaken the following activities:

1. Creating awareness at community, children and policy level – it is estimated that collectively such information has reached around 500,000 persons including children across the country.
2. Direct services including legal aid, counseling, and rehabilitation is functional in 20 districts across Pakistan.
3. Hospital Child Protection Committees have been established in seven major hospitals for identification of child victims of violence and abuse, case

management, and rehabilitation.

4. Sahil also developed a Code of Ethics for Reporting on CSA and shared over 3000 copies with editors of the newspapers, journalists and journal public.

5. Through research and advocacy 10,000 pornographic websites have been blocked by the Telecommunication Authority.

6. 20 researches have been conducted on different child protection issues.

7. Civil Society Organizations are imparting personal health and protection education at limited number of schools in the main cities. They have also done some pioneering work on the sensitization of police officials on CRC and child abuse related issues.

627. The Government has taken the following initiatives:

1. The Federal Government has established NCPC in Islamabad for providing services for the protection of children from all forms of abuses. - 141 -

2. The Government of Punjab has established CPWB in Punjab for providing services for protection of children from all forms of abuse.

3. NCCWD designed and disseminated a Code of Ethics for Media on reporting of children issues, and awareness of print and electronic journalists on sensitized reporting of incidents of sexual violence.

628. Pakistan Penal Code and Haddood Ordinances of 1979 can be used to prosecute some child sexual abuse cases. The Pakistani Criminal Justice System does not deal with sexual offences against children any differently than sexual offences against adults.

Similarly, the abuse of children or sexual abuse not involving penetration could be dealt with under section 511 of the PPC “whoever attempts to commit an offence punishable by this code with imprisonment for life or imprisonment, or to cause such an offence to be committed, and as such attempt does any act towards the commission of offence, shall,

where no express provision is provided by this code for the punishment of such attempt, be punished with imprisonment of any description provided for the offence, for a term which may extend to one half of the longest term of imprisonment provided for that offence or such fine as is provided for the offence, or with both”.

Court Decision in CSA case

629. In a case, State Vs Abdul Malik, PLD 2000 Lah 449, Lahore High Court has observed: “As proponent of Islamic faith which lays special stress on the welfare of family and child, as a member of the United Nations and in accord with the afore-referred mandate, it is our religious, moral and constitutional duty to bring the required legislative and structural changes to honor our commitments to the rights of child and family. There is a need to suitably amend the Penal Law with a view to make certain acts/wrong against the children punishable. There is need to create socio economic institutions to fully realize the objectives of the International Convention. There is a need to give a new and fair deal to the child”.

Programs and Services for victims of CSA

630. NCCWD, in coordination with CSOs set up a Core Group on CSEC and CSA that deals with CSEC comprehensively. The Core Group through consultative process, with the active involvement of children, developed a draft NPA on CSEC and CSA.

631. Researches have been conducted on sexually abused and sexually exploited children and the prevalence of sexual abuse and exploitation by NCCWD in collaboration with United Nations Economic and Social Commission for Asia and the Pacific.

Similarly, Save the Children Sweden has conducted a situation analysis of commercial sexual exploitation of children in Pakistan, with the active involvement of NCCWD.

UNICEF has also conducted a KAP study on Child Protection Rights and

Responsibilities which will be helpful in devising strategies to cope with child sexual

abuse and exploitation in the country.

632. Sahil, an Islamabad based non-governmental organization regularly monitors child sexual abuse cases in the country through monitoring 53 national daily newspapers. - 142 -

According to Sahil's statistical report 'Cruel Numbers' i.e. 2,447 cases were reported during the 2006, including 1,794 females and 653 males. The data shows that 80 percent of the victims have suffered one assault. Sahil also provided counseling facilities to victims of CSA:

Year No. of Cases Confirmed

CSA Cases

Grand Total

2004 50 20 74

2005 56 24 80

2006 54 15 69

2007 31 20 51

Total 191 79 274

633. It is not easy to document the actual incidence or prevalence of child abuse. It is always difficult to obtain information on sensitive and highly stigmatized issues, and even more difficult when the victims are children who cannot narrate their woes. Until recent past, the issue of child sexual abuse and exploitation was not accepted as a problem of Pakistani society. The common perception was that being an ideological nation-state following Islamic ideals; the society was some how immune to immorality and even if there was a problem of CSA/CSEC, its magnitude was very small. Given the sensitivity of the issue in Pakistan, the development of organizations and government mechanisms is a leap forward from a mode of denial to one of acceptance.

634. At a large public ceremony on the occasion of Universal Children's Day 2003, the

President of Pakistan signed a pledge to ensure all rights to the Pakistani children, including protection from abuse and exploitation. The Federal Government declared 2004 as the Year of Child Rights and Welfare in Pakistan and a number of activities were conducted to raise awareness on child rights and issues surrounding child protection.

635. IEC material on CSA /CSEC has been developed and printed by many NGOs such as Rozan, Sahil, Sach, LHRLA, SPARC, Vision and PPA. NCCWD has developed and printed “Code of Ethics for Media on Reporting of Children’s issues”. It has also formed Media Groups to improve the coverage of child rights related issues.

636. NCCWD conducted a national campaign on “A World Fit for Children”, where the issue of HIV/AIDS was linked to child sexual abuse. NCCWD, Members of the Core Group on CSA, and other NGOs have conducted many seminars, symposia and workshops on CRC in collaboration with UNICEF, Save the Children Sweden and other donor agencies. Civil Society Organizations are imparting personal health and protection education at schools. They have also done some pioneering work on the sensitization of police officials on CRC and child abuse related issues.

637. Pakistan Paediatrics Association (PPA) and Save the Children Sweden conducted a study on “Exposure of Children to pornography at the Internet cafés”. Pakistan Telecommunication Authority warned the Internet Café owners to follow a code of conduct. Seminars have been conducted on the issue of exposure of children to - 143 - pornography for Internet service providers, café owners and media in all provincial capitals.

638. Rozan, an Islamabad based NGO, has helped address the issue of community and child sensitive law enforcement by providing training to police through police academies and individual mentoring. This program called Rabta helps police at all levels to develop their emotional health, self-awareness and life skills. The course includes sensitization on

violence against women and children, gender and human rights, as well as role-playing on how to interact with children reporting crimes, particularly CSA. The National Police Academy Council has integrated the Rabta lessons into their national curriculum. This is a big step towards a child-friendly police and should help encourage reporting of CSA in the long-term.

639. Save the Children Sweden, in 2005, launched a pilot program to establish Child Protection Committee at a hospital in Lahore to develop institutional models of multidisciplinary management of child abuse and exploitation cases and serve as a training unit for other health facilities in the province. During 2006, the program was replicated in five other major hospitals in the country these included: Civil Hospital Karachi, Lyari; General Hospital, Karachi; Nishtar Medical College, Multan; and District Headquarters Hospital, Sialkot. These committees have established a reference system to identify and manage cases of child victims of physical, sexual and psychological violence. Through linkages with other government and civil society organizations, child victims of abuse and their families are also provided legal support, where required.

640. At these hospitals more than 277 health professionals, including doctors, psychiatrists, nurses and paramedical staff and social workers have been trained in identification of cases of sexual abuse, physical and psychological violence and their appropriate management. Since the establishment of Hospital Child Protection Committees in these hospitals, six case conferences were held. These included two cases of gang rape and two cases each of physical and sexual abuse. The Committees have also managed 8 cases of Child Sexual Abuse.

641. In Balochistan, PCCWD in collaboration with UNICEF, SEHER supported by Save the Children Sweden and other NGOs have done impressive work on awareness raising and sensitization of bar associations, teachers, journalists, garage union, religious leaders and local government representatives about CRC and child abuse. PCCWD

Balochistan, after holding a congregation of religious leaders, printed a “Declaration of Religious Leaders on Child Rights Protection”. The congregation appealed to the masses of all sects to ensure the rights of the child and their protection. All religious leaders, scholars and Madrassah heads were requested to sensitize masses about child rights and their protection in Friday Prayers.

642. In one of SCS’s supported program for the most vulnerable children in the periphery of Lahore, a total of 1,750 children at risk were given life skills training to protect themselves from abuse and exploitation. Similarly 1,174 child victim of abuse (40% girls) reintegrated in their families through psychosocial support services. - 144 -

643. A Manual on Psychosocial Recovery and Rehabilitation of Victims of CSA/CSEC has been developed by NCCWD in collaboration with Rozan and other members of the Core Group and UNICEF. LHRLA, PPA and other members of the Core Group have organized training events for a limited number of professionals.

644. CSOs have established help lines and are providing services to deal with legal and psychological needs of children including victims of CSA. The help lines have received a tremendous response from the general public.

645. It is realized that there is a need to establish a structured “child protection system”, based on child rights framework. The draft “National Child Protection Policy” is a step in the right direction, and could be the foundation stone for the future child protection system. An adequate budgetary allocation to child protection services and mechanisms is required.

Other forms of exploitation (art. 36);

Children affected by earthquake

646. Pakistan suffered its worst ever natural disaster on the morning of 8 October 2005 when an earthquake measuring 7.6 on the Richter scale struck the vast valleys and hilly

areas of Pakistan's North West Frontier Province (NWFP) and Azad Jammu and Kashmir (AJK). The estimated death toll rose to 73,000 and 3.5 million people were left homeless, of which at least 60 percent were women and children. The disaster was especially hard on children as schools had just commenced classes for the day. Earthquake Vulnerability Assessment carried out by Ministry of Social Welfare and Special Education in collaboration with Population Council, UNFPA and UNICEF showed that out of every 1000 children living in the camps, 39 children have lost one or both of their parents during the earthquake; out of these 20 lost their mothers, 17 lost their fathers and 2 lost both parents.

647. The immediate response from the Government, the Army and civil society was swift and exemplary. The Government established a Federal Relief Commission (FRC) within the Prime Minister's Office within two days of the disaster to mount coordinated action for rescue and relief. Residential camps were quickly set up for the displaced and immediate medical relief services were provided for the thousands of people that were injured.

648. Given the heightened risk of child abduction in the aftermath of such disasters, the adoption of children was banned, and security measures were tightened in hospitals, in camps and on roads leading out of the affected areas. Furthermore, the Government also created the Earthquake Reconstruction and Rehabilitation Authority (ERRA) to support medium to long-term rebuilding efforts. A massive response was mounted by civil society organizations, the population at large and the affected people. They played a commendable and substantive supporting role, with huge amounts of cash, in-kind donations and voluntary contributions. - 145 -

649. The international support for rescue, relief and early recovery was organized initially in 12 sectoral cluster groups bringing together the Government and a broad range

of UN and other humanitarian organizations.

650. After extensive consultations between ERRA, IASC members and other stakeholders, the 'ERRA-UN Early Recovery Plan' for May 2006 to April 2007 was established at an estimated cost of \$295 million. The plan presented the concrete actions required in the critical period of transition from relief to reconstruction in support of the affected people. It marked the shift from saving lives, to restoring and improving living standards, in an effort to "Build Back Better" the earthquake affected areas.

651. In accordance with the directions of the Prime Minister, a National Task Force (NTF) was constituted to formulate National Strategy and Plan of Action for the Rehabilitation of the Most Vulnerable Population in the Earthquake Affected Areas. The National Strategy and Plan of Action were approved in principle by the Prime Minister in June 2006. The National Strategy and Plan of Action are comprehensive; covering the four major groups of Vulnerable Children, Vulnerable Women, Vulnerable Elderly and People with Disabilities.

652. CSOs, INGOs, UN and donor agencies mounted a combined relief effort for the affectees of the earthquake. UNICEF Emergency Support Program, SCS, SCUK, SCUS, TDH, Oxfam, Plan, World Vision and several other agencies initiated community based child protection programs in the affected areas. Village committees, boys and girl youth clubs, child protection committees and child clubs have been formed by CSOs and local and international NGOs.

653. In Mansehra, Office of the District Social Welfare, Officer in collaboration with UNICEF, established a Child Protection Support Unit. The CPSU is coordinating with District, Provincial and Federal Governments for the protection and welfare of children in the earthquake affected areas of NWFP.

654. In Bagh and Muzaffarabad, Child Protection Units were established in the

Department of Social Welfare to coordinate the efforts with regard to child protection issues.

655. Thousands of vulnerable families were provided shelter, vulnerable children were provided with blankets, warm clothes, shoes, socks and edibles. Schools have been revived and thousands of students were brought back to schools. Children with disabilities were provided with hearing aids and wheel chairs, which helped them to resume their education. Thousands of students were provided essential school supplies and thousands of schoolteachers have been trained in child-centered teaching and learning techniques, positive disciplining and child rights.

656. UNICEF and other agencies responded to the emergency and took steps to ensure provision of safe water to the millions affected by the earthquake as a top priority.

Provisionally repaired water supply systems in Muzaffarabad and other shattered cities - 146 - helped in providing safe water to approximately one million people. Rural water systems were repaired and latrines were built by different agencies. UNICEF helped in building 35,000 latrines in the affected areas, benefiting more than 700,000 people.

657. In view of the fact that orphans and vulnerable children emerged as a serious child protection issue National Commission for Child Welfare & Development, Ministry of Social Welfare and Special Education in collaboration with UNICEF has developed policies and procedures to protect OVC in earthquake affected areas. Consultations were held with relevant NGOs, welfare departments and other concerned partners on key policy aspects of OVC care.

658. The policy is focused on response to loss of parental care and vulnerability of children in earthquake affected areas, clarifying principles and approaches; a plan has also been developed for the registration and data management for OVC in earthquake affected areas; guidelines have also been developed for referral procedure, defining roles

and responsibilities of Departments of Social Welfare, District Reconstruction Units – Social Protection focal points, DCCWD, NGOs and other authorities. The draft policy also contains a regulatory framework governing the placement in institutional care, including standards for licensing institutional care facilities, procedures and criteria for the admission of OVC to institutional care, standards for the quality of care to be provided in institutions, and procedures for monitoring.

Child Marriages

659. Section 310 of the Pakistan Penal Code was amended to outlaw compensation and exchange marriages (Vani & Swara). The accompanying sentencing guidelines for those found guilty is a minimum of 3 years and a maximum of ten years imprisonment. The ratio of Vani cases decreased after the coming into force of the PPC's Section 310 A. The Council of Islamic Ideology (CII) has drafted a Bill to take legal measures to stop practice of marriage with the Holy Quran. Apart from NPA for Children, the National Policy on Empowerment and Development of Women 2002, also have a chapter on the "girl child", addressing the issues around gender discrimination.

660. District Governments are now monitoring the early marriages registration.

661. Similarly, CSOs have established Children's networks/clubs throughout the country and particularly in the earthquake areas to discourage child marriages where children are campaigning to create awareness about child rights and protection issues including early marriages.

662. Marriage is an institution that should be made between two consenting adults.

Girls throughout South Asia face the common but traumatic ordeal of early marriages and forced marriages. While many families may prefer early marriages that do not factor in the consent of the girl child, both the timing and lack of consent in child marriages violate the girl child's rights under the international, national and Islamic law. In

addition, forced marriages impact a whole range of human rights. - 147 -

663. There is no government data on prevalence of child marriage because there is no centralized system for registration of marriages. The ceremonies are registered only with individual marriage registrars who are given the power to perform marriages by the state.

664. The Government together with UNFPA is planning to conduct a Situational Analysis at national level, including an assessment of the incidence and causes of child marriage and a mapping of the legal, medical and other services available to the victims. It will involve literature review, meetings with stakeholders and service providers.

665. National Plan of Action for Children which focuses on policy and strategic interventions for addressing key child protection issues including child marriages by establishing the networks and mechanisms at various levels for prevention of child marriages.

666. The Ministry of Social Welfare and Special Education in collaboration with UNICEF Regional Office for South Asia (ROSA) Kathmandu, Nepal hosted a Regional Consultation on Violence against Children on 19-21, May 2005 at Islamabad. Prior to this Regional Consultation, a Children's Consultation was also held from 17th to 18th May 2005. The objective was to provide an in-depth global picture of violence against children and propose recommendations for the improvement of legislation, policy and programs to address the issue. As an outcome of this consultation, a secretariat of South Asia Regional Forum for Ending Violence against Children is also working in the NCCWD to monitor the violence at regional level. First meeting of the Forum, at ministerial level was held on the issue of corporal punishment and child marriages in July 2006. The recommendations are being followed up for implementation at the SAARC level.

667. The Gender Crime Cell, National Police Bureau, Ministry of Interior is also monitoring child marriages.

Sale, trafficking and abduction (art. 35);

Observations/Recommendations of the Committee on the Rights of the Child

Sale, trafficking and abduction

76. While noting the serious efforts undertaken by the State party to prevent child trafficking, the Committee is deeply concerned at the very high incidence of trafficking in children for the purposes of sexual exploitation, bonded Labour and use as camel jockeys.

77. The Committee recommends that the State party:

- (a) Ensure that cases of disappeared children are registered and investigated appropriately;
- (b) Continue and strengthen its efforts to combat the problem of child trafficking;
- (c) Strengthen national and regional strategies and programs on the prevention and suppression of sexual exploitation and trafficking, and ensure that these strategies take into account the commitments made at the two World Congress against

Commercial Sexual Exploitation of Children in 1996 and 2001. - 148 -

668. The Government has promulgated "Prevention and Control of Human Trafficking Ordinance, 2002" which provides protection to the victims through imposing harsh penalties up to the 14 years imprisonment and fine. GoP has also framed rules under this Ordinance called Prevention and Control of Human Trafficking Rules 2004, which provide guidelines to the law enforcing agencies for dealing with issues relating to victim rehabilitation. It also provides compensation and rehabilitation for reintegration in the society and prevents child trafficking particularly for Camel Jockeys in Middle East.

669. FIA has established special Anti Trafficking Units (ATUs) at its headquarters and its sub-units in Karachi, Lahore, Rawalpindi, Peshawar and Quetta to deal with all matters relating to human trafficking more effectively. ATU officials liaise with all law

enforcement agencies, IOM and NGOs on the issue of trafficking in persons. Training of ATU staff on human trafficking was arranged by the US Embassy and the IOM at FIA Academy Islamabad, to give them a systematic view of the problems and how to spot trafficking situations.

670. The Ministry of Interior has strengthened national coordination efforts among FIA, Police and other law enforcement agencies by adopting a national approach to combat human trafficking. A steering committee has been established in the Ministry of Interior headed by Additional Secretary, Ministry of Interior to monitor and review combating efforts against human trafficking.

671. An Inter-Agency Task Force on Human Trafficking has also been established, with FIA as the lead agency. The Task Force is operational since July 2005.

672. Pakistan has signed the United Nations Convention against Trans-National Organized Crime, 2000.

673. The NCCWD, in collaboration with ILO conducted Rapid Assessment on Trafficking in Children for Labour & Sexual Exploitation, for combating child trafficking in Pakistan.

674. The study identified increasing poverty as the main cause of child Labour and child trafficking. Family poverty, community poverty and lack of adequate and quality education were highlighted as the contributing factors to children's premature entry into the work force. It recommended that government action against trafficking should focus on poverty eradication, enforcing existing laws to prosecute wrong doers and assisting the victims.

675. The Government of Pakistan, in collaboration with UAE Government and UNICEF, has repatriated and rehabilitated the children used to work as camel jockeys in UAE.

676. The NGOs are also playing an active role in helping and rehabilitating trafficking victims. Although, there is lack of expertise in the ranks of NGOs to work with trafficked children, they are showing keen interest in working on this issue with the judiciary, police and border officials. - 149 -

677. In May 2005, UNICEF and the Government of the United Arab Emirates (UAE) signed an agreement to help return and re-integrate under-age camel racers in their home communities. As large majority of camel jockeys is from Punjab, therefore, Child Protection and Welfare Bureau Punjab has been mandated to act as the lead agency in this regard. A total of 331 former camel jockeys have been repatriated and have been reunited with their families through Child Protection and Welfare Bureau. Various rehabilitation programs have been initiated for the rehabilitation of these children and their families and communities. Similarly, 361 self returned camel jockey children have also been provided with all the rehabilitation facilities. 220 anti trafficking committees are formed at community level.

678. Save the Children Sweden has conducted a research in Rahim Yar Khan District in order to ascertain facts about the issue of child trafficking to Gulf States for the purpose of camel racing. 46 former camel jockeys were consulted in the study. Most of them were trafficked when they were around 5 years old; the youngest was three and the oldest was eleven. These children spent 4 years in the UAE, on average.

Trafficking in Persons Report 2005

679. Pakistan is in tier 2 and has been removed from the 'Watch List'. According to the US State Department Trafficking in Persons Reports, women and girls trafficked from Bangladesh, India, Burma, Afghanistan, Iran, Kazakhstan, Kyrgyz Republic, Turkmenistan, Uzbekistan and East Asian countries to the Middle East often transit through Pakistan. Men, women and children are trafficked to the Middle East for bonded

Labour and domestic servitude. Boys are trafficked to Persian Gulf States for use as camel jockeys.

680. The Government is making significant efforts to comply with the “minimum standards” for the elimination of trafficking. Pakistan has improved its anti trafficking performance over the reporting period. Most notably, it has increased trafficking related prosecutions and convictions, strengthened implementation of its 2002 Prevention and Control of Human Trafficking Ordinance, established an Anti trafficking Unit (ATU) within the Federal Investigation Agency (FIA) and cosponsored several public awareness campaigns. Pakistan should continue expanding on these efforts in order to further its fight against trafficking.

Prosecution

681. Law enforcement efforts greatly increased during the reporting period. In 2004, 479 trafficking related cases were registered, 289 individuals arrested, 248 court cases filed and 72 convictions obtained. The government also prosecuted and convicted 17 officials for trafficking related corruption.

Prevention - 150 -

682. The Ministry of Interior has improved its prevention efforts. In collaboration with IOM, the Ministry of Interior have trained about 200 law enforcement and border security personnel in victim recognition methods. The Ministry of Interior has also encouraged Pakistan’s embassies and consulates, particularly in the Gulf region, to play a more active role in identifying, assisting and repatriating trafficking victims. Several anti trafficking public campaigns have been also been conducted in collaboration with NGOs. Pakistan’s diplomatic missions in the United Arab Emirates and Oman have worked closely with NGOs, such as Ansar Burney Welfare Trust in rescuing, repatriating and rehabilitating children trafficked as camel jockeys.

(d) Children belonging to a minority or an indigenous group (art. 30);

683. Please refer to paras 442-447 of the Second Periodic Report.

(e) Children living or working on the street.

Observations/Recommendations of the Committee on the Rights of the Child

Street children

78. The Committee expresses its concern at the increasing number of street children and the vulnerability of these children to violence, torture, sexual abuse and exploitation, the lack of a systematic and comprehensive strategy to address the situation and protect these children, and the very poor registration of missing children by the police.

79. The Committee recommends that the State party:

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

(b) Develop a comprehensive strategy to address the increasingly high number of street children, with the aim of reducing and preventing this phenomenon.

684. The phenomenon of street children poses a complex social challenge. These children are at alarmingly high risk for myriad of physical and psychological problems as a result of both the circumstances that preceded their homelessness and as a direct consequence of life on the streets. The precise number of runaway children in the country is unknown. Estimates by organizations working with street children suggest there are at least 5,000 in Lahore city at any one time. The charitable Edhi Foundation, which houses runaway children and attempts to unite them with parents, estimates there are at least 10,000 such children in Karachi alone. It also says that by the end of 2003 there had been a 30 percent increase across the country in children leaving homes, mainly due to domestic violence or acute socio-economic hardship.

685. Azad Foundation a Karachi based NGO has conducted a research on children living on the street in 10 cities of the country. Azad Foundation has also established Drop-in-Centers for Street Living Children in Karachi and Rawalpindi where these children can get health facility, psychological assistance, recreational activities and non - 151 - formal education. These children are also provided with meal, milk, clothing and bathing facilities. A proper database is maintained about these children where detailed information is stored about these children.

686. The Government with support from national and international NGOs and UN Agencies have initiated a number of projects to make sure that adequate nutrition and shelter as well as health care and educational opportunities are provided to these children. The Provincial Governments of Punjab and NWFP have established child welfare bureaus, children's centers for the rehabilitation of street and other vulnerable groups of children including child beggars, runaway children, trafficked children and children without parental care.

687. The Department of Social Welfare Government of Punjab has established 8 centers at each Divisional Headquarter for the rehabilitation of lost, runaway and kidnapped children with specific provision of protection and care. These centers are called Social Services Centers for Lost and Kidnapped Children (NIGEBAN). The children brought/admitted in Nigehban centers are kept there until their parents are traced. Children are handed over to their parents once they are traced. In case, the centre fails to trace parents of the child then they are handed over to childcare institutions like SOS Children's Village or other orphanages for proper care, upbringing and rehabilitation on long-term basis. During their stay at Nigehban, children are provided with boarding, lodging, recreational and medical facilities.

688. Similarly, eight Welfare Homes are functioning in NWFP for homeless, runaway,

destitute children and child beggars. Presently 408 children are housed in these welfare homes where they are provided with clothing, food and education etc. Each welfare home has two trained teachers, one vocational teacher, one religious teacher, one warden and a superintendent.

689. UNICEF has established 13 drop-in centers/child protection centers and education and counseling centers and are functional for street children, working children on the streets and children victims of commercial sexual exploitation. In these centers, children receive non formal education, psycho social support, counseling, legal aid, personal hygiene education and facilities.

690. MARA (Most At Risk Adolescents) and EVA (Especially Vulnerable Adolescents) were identified for more focused programming by UNICEF. Pilot projects in behaviorally specific life skills focusing on HIV prevention and drug abuse among street children were implemented through drop-in centers.

691. Dost Foundation, in collaboration with UNICEF and PBM, established drop-in centers for street children in Peshawar where 389 children were registered for project services. These children were provided with medical services, LSBE, psycho-social counseling services and 147 families of such children were contacted for counseling purposes.

Training activities for professionals involved with the system of juvenile justice - 152 -

692. Steps have been taken to sensitize professionals involved with the system of juvenile justice by the concerned Government agencies and civil society organizations.

The Ministry of Interior has put special emphasis on the sensitization of police officers on human rights issues in general and rights of children in particular in police training institutions. A six day course on "Violence against Vulnerable Groups" has been arranged for police officers in the National Police Academy. Police Training Colleges are

also arranging lectures to sensitize police officers on the rights of the child.

693. The subject of violence against women and children is included in a one week module being taught to under training Assistant Superintendents. The National Police Academy has prepared a module on “Attitudinal Change” for police officers, in which, besides other gender issues, the issue of child abuse has also been dealt. The module has been designed for three tiers of police training i.e. the National Police Academy, police training colleges and police training schools. All international conventions such as Universal Declaration on Human Rights, Convention on the Rights of the Child and Convention on the Elimination of all forms of Discrimination against Women have been included in the module.

694. NGOs have also conducted training and sensitization workshops for police, probation and prison officials. Society for the Protection of the Rights of the Child has organized awareness raising consultations with police in more than 20 districts of NWFP, Punjab and Sindh Provinces to create awareness about the UNCRC and the JJSO 2000 among police officials. Ministry of Law, Justice and Human Rights also conduct training workshops for prison officials and police about the role of police under the JJSO. UNICEF worked with the Central Jails Staff Training Institute Lahore to create awareness among prison officials about the rights of children.

695. SPARC has developed a Juvenile Justice Toolkit with an objective to provide readers, trainers and practitioners with a thorough understanding of the legal and policy framework for juvenile justice, starting with respecting, protecting and fulfilling human rights of children in the criminal justice system. The toolkit is not a prescriptive document but rather it provides ideas, tools and guidance to improve the juvenile justice system.

ILO Conventions and other relevant instruments to which the Pakistan is party

696. Pakistan has ratified 34 ILO Conventions including those related to children such as:

- i. C 6 Night Work of Young Persons (Industry) Convention 1919;
- ii. C 16 Medical Examination of Young Persons (Sea) Convention 1921;
- iii. C 29 Forced Labour Convention 1929;
- iv. C 90 Night Work of Young Persons (Industry) Convention (Revised) 1948;
- v. C 105 Abolition of Forced Labour Convention 1957;
- vi. C138 Minimum Age Convention 1973;
- vii. C 182 Worst Forms of Child Convention 1999. - 153 -

Factors and Difficulties

697. Lack of institutions, human resources, commitment and funds are some of the difficulties encountered in the administration of juvenile justice in the Pakistan. Pakistan still has much work to do in order to have a comprehensive juvenile justice system.

However, there are several policies, legislations and legislative changes and it is expected that these changes will lead to significant progress in terms of the juvenile justice system in the country.

698. Efforts are underway to eradicate poverty and universalize education in the country which are the steps in right direction and will be helpful in eradicating child Labour however, the process is slow and its going to take years.

10. Dissemination of documents

84. In light of article 44, paragraph 6, of the Convention, the Committee recommends that the second periodic report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted by the Committee. The Committee notes the intention of the State party to translate its report

into local languages and suggests that the concluding observations adopted by the Committee also be translated into local languages. Such documents should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.

699. Pakistan's Second Periodic Report on the implementation of the Convention on the Rights of the Child was published with UN Committee on the Rights of the Child's concluding observations on both Pakistan's Initial Report and the Second Periodic Report.

700. The report was widely disseminated among concerned Government and UN agencies, civil society organizations and researchers. Despite our intention the report could not be published in the local languages.

701. The report is also available on the website of NCCWD for larger audience.

Optional Protocols to the Convention on the Rights of the Child

9. Optional Protocols and amendment to article 43, paragraph 2, of the Convention

82. The Committee notes that the State party has signed but not ratified the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict.

83. The Committee recommends that the State party ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child - 154 - prostitution and child pornography and on the involvement of children in armed conflict.

702. A process is underway for the ratification of both the Optional Protocols to the Convention on the Rights of the Child. Letters were sent to concerned Federal Government Ministries and the Provincial Governments for their views/comments

regarding the ratification of the optional protocols. Positive response has been received from the Provincial Governments and most of the Ministries that has been shared with the Ministry of Foreign Affairs. The Ministry of Foreign Affairs is looking into the political aspects of the ratification along with obligations on the State Party following the ratification. - 155 -

Annex

I. General measures of implementation

(arts. 4, 42 and 44, para. 6)

Statistical data on training provided on the Convention for professionals working with and for children:

S. No Category Punjab Sindh Balochistan NWFP Total

1 Law Enforcement

Agencies

1850 60 100 60 2070

2 Social Workers 700 500 100 200 1500

3 Teachers, Parents,

Religious leaders

1000 500 200 200 1900

4 Media personnel 0 0 0 200 200

5 Health Care Personnel 20 20 20 20 80

TOTAL 3570 1080 420 680 5750

Source: UNICEF-Pakistan

Similarly, Curriculum Wing, Ministry of Education, has developed Human Rights Education Curricula through consultative processes supported by the Norwegian and Canadian governments. Law, Justice and Human Rights Division in cooperation with

Norway (NORAD) and Government of Switzerland worked jointly with the Ministry of Education on a project "Human Rights Mass Awareness for Education". The most important step taken in this direction is the incorporation of the main concepts related to child rights into curriculum and teachers training materials. The materials produced have been incorporated in the relevant subjects taught at school levels. Textbooks contain messages of human rights together with articles of the Universal Declaration of Human Rights.

During January 2004-April 2007 Sahil NGO covered a total of 2,974 Schools and trained 5,215 teachers and 698 parents covering UN Convention on the Rights of the Child in general and child sexual abuse in particular. - 156 -

II. Definition of the child

(art. 1)

Number and proportion of children under 18 in Pakistan

0%

20%

40%

60%

80%

100%

00-04 05--09 10--14 15-19

Age groups

Population

Rural Areas Female

Rural Areas Male

Rural Areas Both Sexes

Urban Areas Female

Urban Areas Male

Urban Areas Both Sexes

All Areas Female

All Areas Male

All Areas Both Sexes

Source: FBS

Age

Years

All Areas Urban Areas Rural Areas

Both

Sexes

Male Female Both

Sexes

Male Female Both

Sexes

Male Female

Total 74953972 38923466 36030506 25361716 13168018 12193697 49592256 25755448 23836808

00-04 18874090 9641577 9232513 5798058 2932025 2866032 13076032 6709552 6366480

05-09 20770885 10696306 10074579 6545959 3370981 3174978 14224926 7325326 6899601

10-14 19004548 9998775 9005773 6682490 3508172 3174318 12322058 6490603 5831455

15-19 16304449 8586808 7717641 6335209 3356840 2978369 9969240 5229967 4739272 - 157 -

III. General principles

(arts. 2, 3, 6 and 12)

Right to life, survival and development (art. 6)

(a) As a result of capital punishment;

Clause is not applicable in case of Pakistan

(b) Due to illnesses, including HIV/AIDS, malaria, tuberculosis, polio, hepatitis and acute respiratory infections;

The National HMIS is designed to support the information management needs of the Ministry of Health, Pakistan. The information contained in the system is intended to assist both the Ministry, Provincial and the District level health offices with the management of health related statistics and services. HMIS contains data on disease prevalence rate without the specifications of Age groups; however, steps are being taken to include such information in the system as well.

(c) As a result of traffic or other accidents;

Year	2003	2004	2005	2006	Total
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Number	67	73	64	86	416
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(d) As the result of crime and other forms of violence;

Nature of Violence/ Abuse	2003	2004	2005	2006	Total
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Murder	726	766	934	704	4393
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Rape	413	311	327	340	2098
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Sodomy	314	231	241	297	1838
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Torture/ Injury	350	298	566	526	2310
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Missing Children	941	1302	1315	1108	6870
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Police Torture	48	92	99	96	384
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Karo Kari	30	24	79	41	216
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Kidnap	1037	1157	1202	1008	6298
--------	------	------	------	------	------

Grand Total	3859	4181	4763	4120	24407
-------------	------	------	------	------	-------

(e) Due to suicide.

Year 2003 2004 2005 2006 Total

Number 458 393 409 180 2207

Respect for the views of the child (art. 12)

Number of child and youth organizations or associations and their members

The Boys Scouts Association, with approximately 1 million, and Girls Guides

Association with 117,895 memberships are the largest youth organizations in the country. - 158 -

Furthermore, Children Action Forums, Youth Forums and Provincial Adolescents'

Forums, where children from all walks of life are involved, have also been established.

Similarly, Child Clubs have been established by various civil society organizations in schools across the country.

Civil Society Organizations have formed Children's Forum and organizations, i.e., Save the Children, Sweden has formed 320 Children's Organizations in Thar Area of Sindh.

Number of schools with independent student councils

There are no such independent student councils in the schools - 159 -

IV. Civil rights and freedoms

(arts. 7, 8, 13-17 and 37 (a))

Birth registration (art. 7)

Information should be provided on the number and percentage of children who are registered after birth, and when such registration takes place.

S. No. Province Present Birth

Registration Rate

Remarks

1 NWFP 2005-06 (18.49%)

2005-07 (26.40%)

The Birth registration ratio compiled

in all the districts before 2005-06 was

4%

2. Balochistan 0% The Birth registration ratio compiled

for 2 districts including Qilla Saifullah

and Loralai during 2006-07 is zero %.

3. Sindh 2006-07 (5.8%)

16.12%

Total population of the two districts of

Khairpur and Nawabshah on the basis

of individual UC-wise population

mentioned in the baseline data to 5.28

and Baseline BR ratio comes to 5.8

million while the Census based

population comes to 2.91 million Birth

Registration ratio comes to 16.12%

Access to appropriate information (art. 17)

The report should contain statistics on the number of libraries accessible to

children, including mobile libraries.

The right not to be subjected to torture or other cruel inhuman or degrading

treatment or punishment (art. 37 (a))

Type of violation:

(a) Number of children reported as victims of torture;

Nature of Violence/ Abuse 2003 2004 2005 2006 Total

Torture/ Injury 350 298 566 526 2310

(b) Number of children reported as victims of other cruel, inhuman or

degrading treatment or other forms of punishment, including forced marriage and female genital mutilation;

Cases of Female Mutilation are not applicable to Pakistan - 160 -

(c) Number and percentage of children who received special care in terms of recovery and social reintegration;

In Lahore, Save the Children, Sweden supported program for the most vulnerable children and a total of 1750 children at risk were given Life Skills Training to protect themselves from Abuse and Exploitation. Similarly, 1174 child victims of abuse (40% Girls) were re-integrated in their families through Psycho-social Support services.

(d) Number of programs implemented for the prevention of institutional violence and amount of training provided to staff of institutions on this issue.

Central Jail Staff Training Institute in order to strengthen the Juvenile justice System made an effort to create awareness among the Criminal Justice professionals about the existing laws/ rules and discussed laws to remove shortcoming in the system. Following activities were undertaken by CJSTI

In Year 2006

- Training Sessions for 200 officers of jail, probation, judiciary were conducted
- Training of 300 Social Welfare Officers and NGOs representatives
- Training to 200 staff members on assisting the Police Academies to develop procedures to interrogate children with law

In Year 2005

- Training Session for 200 Jail, Police, Social Welfare and Caring Institutions staff on Implementation of Juvenile Indicators
- Six meetings of the experts from various cities to develop advocacy and monitoring tools.

- Established Pilot Monitoring Mechanism
- Preparation of Eleven Booklets on the issues of Social Integration, Rules related to Juvenile Prisoners, Juvenile Delinquency and Psychological Causes, Juvenile in Prison and emotional psychological problems, international standard on Juvenile Justice, Special Laws on Juvenile Justice, Ethical Values and Character Building of Youth, Media Mobilization of Juvenile Education, Rehabilitation of Juvenile Delinquents, Complaint Mechanism, Best Practices in Juvenile Justice. - 161 -

V. Family environment and alternative care

Children without parental care (arts. 9, paras. 1-4, 21 and 25)

(a) Number and percentage of children separated from their parents who are living in institutions or with foster families as well as the duration of placement and frequency of its review;

Details of Children in Institutions

Province	Number of Institutions	Number of Children
Balochistan	2	170
NWFP	17	2510
Sindh	23	1681
Punjab	49	3955
Pakistan	92	8356

Source: Provincial Social Welfare Departments

(b) Number and percentage of children reunited with their parents after a placement;

Hubs SELF CPWB TOTAL

Rahim Yar Khan Hub	165	180	345
Multan Hub	196	65	261

Lahore Hub - 36 36

Sindh - 44 44

In CPI - 06 06

Total 361 331 692

Source: Child Protection and Welfare Bureau, Government of Punjab 2005-06

Family reunification (art. 10)

Number of children who entered or left the country for the purpose of family reunification, including the number of unaccompanied refugee and asylum-seeking children

692 former camel jockeys were repatriated from the UAE and re-united with their families - 162 -

VI. Basic health and welfare

Children with disabilities (art. 23)

Percentage of Disabled Population by Nature of Disability

Administrative

Unit

Total

Disabled

Population

Blind Deaf/

Mute

Crippled Insane Mentally

Retarded

Having

Multiple

Disability

Others

Pakistan 3,286,630 8.06 7.43 18.93 6.39 7.60 8.23 43.37

Rural 2,173,999 7.92 7.53 20.52 5.94 7.32 8.23 42.55

Urban 1,112,631 8.32 7.24 15.81 7.28 8.15 8.22 44.97

Source: Population Census Organization 2007

Health and health services (art. 24)

(a) Rates of infant and under-five child mortality

Country Infant Mortality Rate per 1000**

Year 2004

Mortality Rate under 5 per 1000 Year

2004**

Pakistan 70^ 101

^ Pakistan Social and Living Standard Measurement Survey (PSLM) 2005-06 *Population growth for Pakistan is estimated at 1.8 percent (National Institute of Population Studies).

**Source: Human Development Report 2006

Source: PES 2006-07

(b) Proportion of children with low birth weight;

Over 10% are underweight for their height, and over one-half are anaemic. Localized studies indicate that in poor families 25-30% of the babies are born with a birth weight below 2.5 kilogram (kg), while in better off families the rate is only 10%.

Source: WFFC

(c) Proportion of children with moderate and severe underweight, wasting and stunting;

Prevalence of Malnutrition among Children

Malnutrition Under Weight Stunted Wasted

N Percent N Percent N Percent

Severe 1239 12.3 1739 18.1 300 3.1

Moderate 2589 25.7 1804 18.7 986 10

Mild 3094 30.7 2331 24.2 2932 29.9

Normal 3143 31.2 3751 39 5597 57

Total 10065 9625 9815

Source: National Nutrition Survey 2001-02 - 163 -

(d) Percentage of households without access to hygienic sanitation facilities and access to safe drinking water;

The main source of drinking water in Pakistan is the hand pump. Hand pumps and motor pumps together provide 65 per cent of households' drinking water in 2005-06, as compared to 62% in 2004-05. However, comparing with the previous surveys in 2001-02 and 2004-05 the usage of Hand pump is declining where as it is increasing for the motor pump both in urban and in rural areas. Moreover, the percentage of households depending on lower water sources i.e. dug well and other either remained unchanged or slightly decreased. Usage of tap water during 2004-05 and 2005-06 remained at the level of 34%, NWFP has the best water supply of 47 percent in 2005-06 compared to 44 percent in 2004-05 amongst the provinces in terms of tap water. The vast majority of the population of Punjab (68%) has water either from hand pump or motor pump and only 5 percent of the population depend on a dug well or other sources (river, canal or stream). Sindh has remained at almost same level in terms of tap water (43%) in 2005-06 as compared to 44% in 2004-05. Balochistan province has shown increase in Tap water from 33% in 2004-05 to 36% in 2005-06, increase is more evident in rural areas (22% to 25%) in spite of the fact that in urban areas same has declined. The water supply situation

in NWFP and Balochistan has improved as compared to 2004-05. In these two provinces, 32 and 60% of the rural population in 2005-06, as compared to 45% & 70% respectively in 2004-05, depend on water from a dug well or from a other (river/canal/stream) source.- 164 -

Source: PSLM 2005-06

In Pakistan as a whole, 30% households do not have any toilet facility. This varies largely between urban and rural areas i.e. 3% cent of urban households have no toilet compared to 44% of rural households. The percentage of households with no toilet facility is highest in rural Balochistan (56%) and lowest in NWFP (29%) in 2005-06. The use of flush toilets is 93% for the urban households, Punjab with 95% is highest and Balochistan with 61% is the lowest. Richer households have much greater use of flush toilets than poor households (Table 5.8). The use of flush toilets is 98% almost universal for the rich urban households, compared to 64% in rich rural area. Some 58% of rural households do not have any form of sanitation system in 2005-06 compared to 66% in 2004-05 (Table 5.9). Balochistan rural with highest 92% households are without any system while Punjab rural with 48% is the lowest one.- 165 -

Source: PSLM 2005-06

(e) Percentage of one-year-olds fully immunized for tuberculosis, diphtheria, pertussis, tetanus, polio and measles; - 166 -

(f) Rates of maternal mortality, including its main causes;

Selected Demographic Indicators

Indicators Year 2006-07

1 Maternal mortality Rate 350-400

Source: Pakistan Economic Survey: 2006-07 - 167 -

(g) Pregnant women who have access to, and benefit from, prenatal and post-natal health care;

Pre-natal Consultation by person and province

Source: PSLM 2005-06

Source: PSLM 2005-06 - 168 -

(h) Proportion of children born in hospitals;

Child deliveries: location and type of assistance

(i) Proportion of personnel trained in hospital care and delivery;

Registered Medical and Paramedical Personnel and Expenditures on Health

Population per Expenditure [Min.

Rs]^

Doctor Dentist Nurse Developm

Year Registered

Doctors

**

Registered

Dentists **

Registere

d Nurses

**

Registered

Mid

Wives

Registere

d Lady

Health

Visitors

Non

Developme

nt

2003 108,130 5,531 46,331 23,318 6,599 1,350 26,389 3,150 8500.00 24305.00

2004 113,273 6,128 48,446 23,559 6,741 1,316 24,320 3,076 11000.00 27000.00

2005 118,062 6,734 51,270 23,897 7,073 1,274 22,345 2,935 16000.00 24000.00

2006 122,798 7,388 57,646 24,692 8,405 1,254 20,839 2,671 20000.00 30000.00

Source: (1) Ministry of Health, (2). Planning & Development division, Quoted by: Pakistan Economic Survey

2007-08

- Year as on 1st January

^ Expenditure figures are on fiscal year basis

** Registered with Pakistan Medical & Dental Council & Pakistan Nursing Council - 169 -

(j) Proportion of mothers who practice exclusive breastfeeding and for how long.

Percentage of Cases

2001-02 PIHS 2005-06 PSLM

Urban Rural Overall Urban Rural Overall

Pakistan 94 91 92 96 96 96

Punjab 91 89 89 94 94 94

Sindh 97 96 96 98 98 98

NWFP 96 97 97 97 97 97

Balochistan 95 94 94 98 99 99

PSLM-2005-06

(a) Number/percentage of children infected by HIV/AIDS;

National Aids Control Program estimated the Number and percentage of Children

infected by HIV and AIDS to be 1700 less than 15 years of age.

Source: UNICEF

(b) Number/percentage of children who receive assistance including medical treatment, counselling, care and support;

Percentage of children infected by HIV positive receiving clinical treatment, counselling, care and support, is around less than 50%. In terms of affected children (parents or guardians HIV/AIDS) it is probably around 100. Whereas the number of children receiving counselling related to HIV including prevention is estimated to be around 5000.

Source: UNICEF

(c) Number/percentage of these children living with relatives, in foster care, in institutions, or on the streets;

The number of children living with relatives, foster care, institutions or on streets infected by HIV positive children is less than 50. There was no evidence of children living in institutions due to parents' illness or death due to HIV and AIDS. There are children living with the relative whose number is less than 50

Source: UNICEF

(d) Number of child-headed households as a result of HIV/AIDS.

No evidence has been found so far as regard this query

Source: UNICEF - 170 -

VII. Education, leisure and cultural activities

Education, including vocational training (art. 28)

(a) Literacy rates of children and adults;

Table: Literacy Rate 10+, GER and NER Trends in Pakistan & Gender Parity Index [GPI]

Region Literacy Rates GER Primary NER Primary

Pakistan PIHS PSLM PSLM PIHS PIHS PSLM PIHS PIHS PSLM

2001-

02

2004-

05

2005-

06

2001-

02

2004-

05

2004-

05

2001-

02

2004-

05

2005-

06

1 Male 58 65 65 83 94 94 46 56 56

2 Female 32 40 42 61 77 80 38 48 48

3 Total 45 53 54 72 86 87 42 52 52

4 GPI 0.55 0.61 0.64 0.73 0.81 0.85 0.82 0.85 0.85

Source: PES 2007-08

(b) Enrolment and attendance rates for primary and secondary schools and vocational training centres;

Fiscal

Year

Primary Stage

I-V

Middle Stage VIVIII

High Stage

IX-X

Secondary

Vocational

Arts & Sciences

Colleges

000 No 000 No 000 No 000 No 000 No

Total Female Total Female Total Female Total Female Total Female

2002-03 18,220 7,519 3,918 1,551 1,589 658 94 19 802 396

2003-04 19,781 8,179 4,321 1,737 1,800 709 101 23 905 442

2004-05 21,333 9,092 4,551 1,863 1,880 756 138 29 1,009 495

2005-06 25,226 10,944 5,318 2,189 2,181 902 181 39 1,047 522

PES: 2006-07 - 171 -

(c) Retention rates and percentage of dropout for primary and secondary schools

and vocational training centres;

Overall Retention

rates

Retention by Gender Retention by location

Retention of children

from grade 1-3

Children entering in

grade one and
could be retained in
3 was 78 percent.

Retention rates of girls were higher
(83.5 percent) as compared to boys
(about 75 percent). Girls' retention
rates were slightly higher (83.5
percent) in urban areas than boys
(82.5 percent). Retention of girls was
higher in rural (83 percent) than 72.8
percent of boys.

Across grade 1 and 3,
girls' retention rates
was the same in urban
as compared to rural
areas (83 percent) in
2004-05. In case of
retention rate was
higher in urban areas
(83 percent) as
compared to rural (73
percent).

Retention of children
from grade1-5

Children entering

grade 1 and could
be retained in
grade 5 is 61
percent. In the
absence of
repeaters data, 39
percent can be
termed as drop out
rate.

75 percent of girls could be retained
as compared to 63 percent boys.

Retention status of girls was better in
both urban and rural areas as
compared to boys. In urban areas,
77.1 percent of girls were retained as
compared to 73.9 percent of boys.

Similarly in rural areas, retention rates
for girls was 75.1 percent and 60.5
percent for boys

Retention of children
across grade 1-5 was
much better in urban
areas (74.3 percent)
as compared to rural
areas (65.8 percent) in

2004-05

Source: PES

(d) Average teacher: pupil ratio, with an indication of any significant regional or rural/ urban disparities;

Of the total students enrolled, 37 percent are in the primary level, 20 percent in the middle while 28 percent in the secondary level. The overall teacher to student ratio at the primary level is 1: 31, 1: 21 at the middle level and 1:23 at the secondary level in the country but it may vary by urban/ rural and public/private scenario. At the primary level in rural areas for example, there are 34 students per teacher while in urban areas the ratio is 1: 24.

Source: PES: 2006-07

(e) Percentage of children in the non-formal education system

Non-Formal Education by National Commission for Human Development

NCHD's Universal Primary Education (UPE) program reflects a steady progression in the enrollment of previously out of school children in the targeted districts. Currently, 512,500 children (of 5 to 7 years) have been enrolled under this program. To ensure enrollment of children in communities where there is limited or no government infrastructure available, NCHD's Community-Based Feeder Schools are effectively catering to children in the age groups of 5 to 7 years. In this regard, 2,911 Primary Feeder - 172 - schools have been established jointly with the support of the community and local government education department for over 133,000 children living in these areas.

Reaching out to segments of adults who are not literate in the skills of reading or writing, the NCHD Adult literacy Program is catering to over 51,800 learners between the age of 15 to 39 years of age. This has been made possible by the establishment of 1915 Adult Literacy Centers in the targeted districts where basic literacy skills are provided for adults

to achieve functional reading and writing abilities. To date 21,740 learners who were previously enrolled under this program have successfully graduated from these centers. For children of 8 to 14 years of age, who never had the opportunity to attend school or who had dropped out of school, a Non-Formal Basic Education program caters to over 13,000 learners through the establishment of 481 non-formal basic education centers in operational districts, while the previous batch of over 57,000 learners have successfully graduated under this program.

Source: PES

(f) Percentage of children who attend preschool education.

Source: Education Census: 2005

Table: Enrolment in Schools [up to level 12] by Stage, Class, Type of Schools and Gender

All Institutions Public Institutions Private Institutions

Total Girls Boys Total Girls Boys Total Girls Boys

Sec III

Year

2005

Codes ALL AREAS

Total (Pre

Primary)

6,601,946 3,028,384 3,573,562 3,857,643 1,792,724 2,064,919 2,744,303 1,235,660 1,508,643

UnAdmitted

310101 628,878 234,759 394,119 522,329 189,359 332,970 106,549 45,400 61,149

PrepClass

310102 997,552 457,879 539,673 89,170 43,756 45,414 908,382 414,123 494,259

Nursery

Class

310103 1,743,578 817,474 926,104 460,665 239,360 221,305 1,282,913 578,114 704,799

Kachi 310104 3,231,938 1,518,272 1,713,666 2,785,479 1,320,249 1,465,230 446,459 198,023 248,436-173 -

VIII. Special protection measures

Refugee children (art. 22)

States parties should provide data disaggregated as described in paragraph 1, above, as well as country of origin, nationality and accompanied or unaccompanied status on the:

(a) Number of internally displaced, asylum-seeking, unaccompanied and refugee children;

The most serious displacement of people was said to be taking place in the Waziristan tribal area, as operations against militants continued. The Geneva-based Global IDP (Internally Displaced Persons) Project, which monitored internal displacement globally, reported in 2005 that an estimated 50,000 people had been displaced in the area in 2004. Many remained displaced into March 2005. It was also reported that till late 2004, no humanitarian assistance was available to them, with relief agencies in some cases prevented from entering the region. Other reports stated that by October 2004, the International Red Cross (IRC) and some other groups had been allowed in to offer medical care and other essential aid. [Large-scale displacement of populations followed the quake of October 8th. HRCP continued to monitor the risks faced by vulnerable people into December 2005].

In April, Rs 26 billion were allocated to the estimated 44,000 people in Azad Jammu and Kashmir who faced displacement by a project to raise the height of the Mangla Dam.

Affected people throughout the year kept up demands that details of the compensation and resettlement plan be disclosed to them.

Other development projects, such as the Chotiari Dam in the Makhi area of Sanghar

district in Sindh also threatened to displace at least 6,000 people.

At least 200,000 people in the Dera Ghazi Khan, Leiah, Rajanpur and Muzaffargarh areas of the southern Punjab were in July 2005 displaced after heavy floods in the Indus River and overflow from the Taunsa Barrage inundated hundreds of villages and agricultural lands.

Over 50,000 people were reported to have been displaced in the NWFP and tribal areas in 2005 by river torrents caused as heavy winter snows melted and monsoon rains fell in June and July.

Source: HRCP 2006

Afghan Refugees [Age Wise]

Under 5 592740 19.4

5 + 2456528 80.6

Total 3049268 100 - 174 -

(b) Number and percentage of such children attending school and covered by health services.

CRC Narrative part

The administration of juvenile justice (art. 40)

States parties should provide appropriate disaggregated data (as described in paragraph 1, above, including by type of crime) on the:

(a) Number of persons under 18 who have been arrested by the police due to an alleged conflict with the law

Status of Juvenile Prisoners in Pakistan as of June 30, 2007

(b) Percentage of cases where legal or other assistance has been provided;

Civil Society Organizations are providing Legal Assistance to Juveniles. SPARC from July 1st 2005 to June 30th 2007 provided Legal Assistance to 835 Juvenile inmates in

three provinces.

DOST Welfare Foundation also provided free Legal Assistance to 304 Juveniles.

Similarly, LHRLA, SAHIL, AGHS and SEHR are also providing free Legal Assistance to Children in conflict with Law.

(c) Number and percentage of persons under 18 who have been found guilty of an offence by a court and have received suspended sentences or have received punishment other than deprivation of liberty;

Total number of persons under 18 who have received punishment other than deprivation of liberty is given below under the table showing number of juvenile probationers.

Province Total

Prisons

Total Male

Juveniles

Under

trial

Convicted Total Female

Juveniles

NWFP 22 243 207 36 Nil

Sindh 20 527 509 18 Nil

Punjab 32 1,164 1,014 147 3 (UT)

Balochistan 11 84 84 - Nil

AJK 6 Nil Nil Nil Nil

Grand Total 91 2,018 1,814 201 3 - 175 -

(d) Number of persons under 18 participating in probation programs of special rehabilitation;

Total Number of Juvenile Probationers in the Country

Province Male Female Total

Punjab 48 ---- 48

Frontier 118 05 123

Sindh 59 0 59

Balochistan 0 0 0

Total 225 05 230

SPARC 2005

Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings (art. 37 (b)-(d))

States parties should provide appropriate disaggregated data (as described in paragraph 1, above, including by social status, origin and type of crime) on children in conflict with the law in respect of the:

(a) Number of institutions specifically for persons under 18 alleged as, accused of, or recognized as having infringed the penal law

There are 3 institutions specifically for persons under 18 alleged as, accused of, or recognized as having infringed the penal law:

1. Borstal Institution and Juvenile Jail, Bahawalpur, Punjab
2. Borstal Institute and Juvenile Jail, Faisalabad, Punjab
3. Industrial School for Youth Offenders, Karachi, Sindh
4. Remand Home, Karachi, Sindh

(b) Number of persons under 18 in these institutions and average length of stay;

Institute Number

Borstal Institute and Juvenile Jail, Bahawalpur, the Punjab 106

Borstal Institute and Juvenile Jail, Faisalabad, Punjab 177

Industrial School for Youth Offenders, Karachi, Sindh 376

Total 659

(c) Number of persons under 18 detained in institutions that are not specifically for children;

1359 Juvenile Inmates are detained in the Juvenile sections of the District and Central Prisons across the country. - 176 -

(e) Number and percentage of persons under 18 who have been found guilty of an offence by a court and have been sentenced to detention and the average length of their detention;

Province Convicted

Male Female

Punjab 147 NIL

NWFP 36 NIL

Sindh 18 NIL

Balochistan - NIL

Total 201 NIL

SPARC 2006

Economic exploitation of children, including child Labour (art. 32)

With reference to special protection measures, States parties should provide statistical disaggregated data as described in paragraph 1, above, on the:

(a) Number and percentage of children below the minimum age of employment who are involved in child Labour as defined by the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization disaggregated by type of employment;

Province Working children

Punjab 1.94 million

NWFP 1.06 million

Sindh 298,000

Balochistan 14,000

Total 3.3 million

Source: Federal Bureau of Statistics/ILO Survey of 1996

SPARC: 2005

Percentage of Child Labor [Gender Wise]

Male, 73%

Female, 27%

Male Female- 177 -

Drug and substance abuse (art. 33)

Information is to be provided on:

(a) The number that are receiving treatment, assistance and recovery services.

The development projects currently under implementation in the poppy growing areas aims to bring a decrease in the poppy growing/cultivation areas. Four area development project one each at Dir, Bajaur, Mohmand and Khyber Agency areas are being implemented.

Two model Addiction Treatment and Rehabilitation Centers i.e., one at Islamabad and other at Quetta have been started by ANF. Both the centers have started functioning and drug addicts are being provided free treatment, medicine, food and stay at the centers.

The total cost of both the projects is Rs. 44.304 million. Beside these treatment and Rehabilitation centers, two other projects i.e., NGOs Support Program in Treatment and Rehabilitation, focused drug abuse prevention for high risk and marginalized group in Pakistan costing 55.7 million are also being implemented. The aim of these projects is to

create awareness amongst the masses particularly high-risk group and involve the civil society in prevention as well as treatment and rehabilitation of drug addicts.

Source: PES, page 184, health and nutrition section

Sexual exploitation, abuse and trafficking (art. 34)

States parties should provide data disaggregated as described in paragraph 1, above, as well as by types of violation reported on the:

(a) Number of children involved in sexual exploitation, including prostitution, pornography and trafficking;

Studies have shown that 15-25 % of all children in Pakistan endure some form of child sexual abuse

SPARC: 2006

(b) Number of cases of commercial sexual exploitation, sexual abuse, sale of children, abduction of children and violence against children reported during the reporting period;

Nature of Violence/ Abuse 2003 2004 Total

Rape 413 311 1431

Torture/ Injury 350 298 1218

Sodomy 314 231 1300

Trafficking 67 73 266

Grand Total 4306 4530 17123

Source: LHRLA - 178 -

(c) Number and percentage of those that have resulted in sanctions, with information on the country of origin of the perpetrator and the nature of the penalties imposed;

(e) Number of children trafficked for other purposes, including Labour;

Year 2000 2001 2002 2003 2004 Total

Trafficking Not

Collected

50 76 67 73 266

Source: LHRLA

South-East Asia and South Asia are home to the largest numbers of internationally trafficked persons, at an estimated 225,000 and 150,000 respectively. India and Pakistan are major countries of destination for trafficked women and girls and are also transit points into the Middle East.¹⁷ In South Asia, child trafficking is of particular concern: “an extension of a serious child Labour problem”, which includes the exploitation of girls for domestic work.

Source: UNFPA 2006 page 43

(f) Number of border and law enforcement officials who have received training, with a view to preventing trafficking of children and to respect their dignity.

The Ministry of Interior has improved its prevention efforts. In collaboration with IOM, the Ministry of Interior have trained about 200 law enforcement and border security personnel in victim recognition methods.