UN Convention on the Rights of the Child.....

25 years later

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Right to Development
Right to Protection
Right to Participation
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In this Issue

Editorial
World History of Child Rights
Children's rights milestones
Inside the UNCRC
Optional Protocols to UNCRC
Situational Analysis of Child Rights Situation in Pakistan
Annual Status of Education Report (ASER)
Children at Risk- Child Labor
Heroic Girls in Pakistan
Child Rights in Pakistan: An unfinished agenda
Laws for Legislation
What's on at Sahil
Sahil Regional Offices

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Editorial

The UNCRC has the status of an international law!

The United Nation’s Convention on the Rights of the Child (UNCRC) is the most signed convention ever passed by the United Nations General Assembly in 1989. It has 194 signatory countries and Pakistan was the 1st Muslim and the sixth country in the world to sign and ratify the UNCRC on 12th November 1990.

The UNCRC provided an opportunity and momentum to define and harmonize human rights standards for children. It is a promise to all children to respect, protect and fulfill all of their rights. It is one of the most comprehensive of all the human rights treaties containing a complete list of civil, political, social, cultural and economic rights.

It acknowledges the primary role of parents and the family in the care and protection of children, as well as the obligation of the State to help them carry out those duties. Countries shall be celebrating the 25th anniversary of the convention on the 20th November 2014.

In this issue you will find all about the history of child rights, the United Nation’s Convention on the Rights of the Child, situation of child rights in Pakistan, law and legislation related to child rights in the country.
World History of Child Rights

By: Habiba Salman

Children’s rights are a relatively new concept. It was not until the 19th and 20th centuries that the rights of children began to be considered. Initially, discussion of children’s rights tended primarily to be focused more on protection rights e.g. outlawing child labor, rather than any concept that children were entitled to their own rights as equal citizens of the world.

At the beginning of the 20th century millions died in the First World War and many more were orphaned by the fighting. The League of Nations was formed after the war. As an inter-governmental organization, its aim was to try to protect basic human rights standards.

Around 1918 Eglantyne Jebb, a British teacher, took action. Eglantyne Jebb helped found Save the Children and drafted the Declaration on the Rights of the Child which was subsequently adopted by the League of Nations. This was designed to put pressure on the post-war governments to protect children’s rights.

In 1924 the League of Nations adopted the Geneva Declaration on the Rights of the Child. However in the Second World War, millions of children were again left unprotected – killed, or orphaned.

The violence of the Second World War was the catalyst to regulate human rights. In 1945 the United Nations adopted the Universal Declaration of Human Rights. Although the rights of children were implicitly included, many argued that the special needs of children justified an additional separate document.

In 1959 the United Nations General Assembly adopted a second Declaration of the Rights of the Child.

It was the Government of Poland who first proposed a convention on the rights of the child, at the celebration of the International Year of the Child i.e. in 1978. This initiative provided an opportunity and momentum to define and harmonize human rights standards for children. This proposal was not to replace the Declaration on the right of the child of 1959 but to supplement it. It was meant to make at least part of the Declaration on the rights of the child binding on the member states.
At this time the United Nations Human Rights Commission group started to work on a draft of the Convention on the Rights of the Child (CRC). Non-governmental organizations were critical to the drafting of the Convention. It was in 1989 that work on the CRC was completed and the Convention was adopted by the United Nations General Assembly.

The UNCRC has the status of an international law. It is essentially a 'promise to all children' to respect, protect and fulfill all of their human rights. It is one of the most comprehensive of all the human rights treaties containing a complete list of civil and political and social, cultural and economic rights.

On the 2nd September 1990 the United Nations Convention on the Rights of the Child was passed by the UN General Assembly. Pakistan ratified the UNCRC in 1991 and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography has also been ratified by Pakistan.

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CHILDREN’S RIGHTS MILESTONES

1924
Geneva Declaration of the Rights of the Child adopted by the League of Nations

1948
Universal Declaration of Human Rights adopted by the UN

1959
Declaration of the Rights of the Child adopted by the UN

1979
International Year of the Child

1989
Convention on the Rights of the Child adopted by the UN

1990
World Summit for Children held at the UN

1991
Pakistan ratified the UNCRC

2000
Optional protocols to the CRC are adopted by the UN, specifically On the Involvement of Children in Armed Conflicts, and On the Sale of Children, Child Prostitution and Child Pornography

2002
A World Fit for Children is agreed to as a consensus document at the United Nations General Assembly Special Session for Children

2015
Celebrates 25 years of the UNCRC
Inside the UNCRC

The UNCRC defines the child as a person less than 18 years of age. It acknowledges the primary role of parents and the family in the care and protection of children, as well as the obligation of the State to help them carry out these duties.

The Structure of the UNCRC

The UNCRC contains 54 sections or 'Articles'. The Articles provide a complete framework of standards, principles and implementation guidance tailored to the specific needs of childhood.

Part 1 - Articles 1-41 contain the Substantive Provisions of the Convention.

Part 2 - Articles 42-45 are concerned with the Implementation and Monitoring of the Convention

Part 3 - Articles 46-54 are about the reporting mechanism on the situation of child rights in the country by the state party to the United Nation.

The UN Convention articles place special emphasis on four 'general principles':

1. **Survival Rights**: include the child's right to life and the needs that are most basic to existence, such as nutrition, shelter, an adequate living standard, and access to medical services.

2. **Development Rights**: include the right to education, play, leisure, cultural activities, and access to information, and freedom of thought, conscience and religion.

3. **Protection Rights**: ensure children are safeguarded against all forms of abuse, neglect and exploitation, including special care for refugee children; safeguards for children in the criminal justice system; protection for children in employment; protection and rehabilitation for children who have suffered exploitation or abuse of any kind.

4. **Participation Rights**: encompass children's freedom to express opinions, to have a say in matters affecting their own lives, to join associations and to assemble peacefully. As their capacities develop, children should have increasing opportunity to participate in the activities of society, in preparation for adulthood.

Over Arching Articles

- That all the rights guaranteed by the UNCRC must be available to all children without discrimination of any kind (Article 2);

- That the best interests of the child must be a primary consideration in all actions concerning children (Article 3);
Optional Protocols to UNCRC


The optional protocol on the sale of children, child prostitution and child pornography draws special attention to the criminalization of sexual exploitation and abuse of children as serious violations of children rights.

Optional Protocol on the Involvement of Children in Armed Conflicts

The Optional Protocol is an effort to strengthen implementation of the Convention and increase the protection of children during armed conflicts.

Optional Protocol to the Convention on the Rights of the Child on Communications Procedure

This Protocol allows the UN Committee on the Rights of the Child to hear complaints if child's rights have been violated.
# Situational Analysis of Child Rights Situation in Pakistan

## Health
- Pakistan has the highest first-day infant mortality rate in the World
- Each year 352,000 children die of preventable causes before their 5th birthday in Pakistan
- 45% of under 5 deaths are directly linked to malnutrition among children and their mothers

## Labor
- The number of child labor exceeded 12 million in 2013
- More than 30 Child Domestic Workers were tortured to death in 3 years
- Nearly 1.5 million children are living and or working on the streets in Pakistan

## Education
- Pakistan has the second highest number of children out of school, where 3 out of 10 children are not attending school
- Approximately 25 million children of school going age are out school in Pakistan with almost 15 million girls

## Juveniles
- 1383 juveniles are in prison across Pakistan

## Early/Forced or Child Marriages
- 40% of girls are married below the age of 18 and 13% before reaching 15 years where as 7% boys are married before the age of 18 years

## Child Sexual Abuse
- 3,002 Child Sexual Abuse cases were reported in 2013
The survey was conducted in 151 districts of Pakistan. Out of the total districts, 38 districts were from Balochistan, 36 from Punjab, 25 from Khyber Pakhtunkhwa, 22 from Sindh, 10 from Azad Jammu and Kashmir, 9 from FATA, 7 from Gilgit-Baltistan and 1 was from Islamabad surveyed.

During this survey a total of 6132 schools, 4382 villages and 87,044 households were visited and 263,990 children were interviewed.

Annual Status of Education Report (ASER)

According to the Constitution of Pakistan 1973, the State’s mandate is to ‘remove illiteracy and provide free and compulsory primary and secondary education within a minimum possible period’.

In April 2010, a new article was included, Article 25-A -right to education that further reinforces the government’s responsibility to ensure the provision of education as a basic right.

Pakistan has the highest proportion of out of school children (OOSC) in South Asia. According to UNESCO, over 5.4 million primary-school-age children and 6.9 million lower-secondary-school-age children were out of school in Pakistan in 2011 (UIS, 2012).

Pakistan’s largest-annual citizen-led household based ASER Survey 2013 - the fifth ASER Survey Report, has been conducted by 10,000 volunteers managed by Idara-e-Taleem-o-Aagahi (ITA) along with many key civil society /semi-autonomous organizations that include the National Commission for Human Development (NCHD), Sindh Education Foundation (SEF), Democratic Commission for Human Development (DCHD), HANDS and NRSP.

Assessment of Class 5 Children in private schools

Read Sentence in English

❖ 63% of children in private schools (Class 5) can read sentences in English while 38% of children in government schools.

Story Reading

❖ 61% of children in private schools can read a story in Urdu/Sindhi/Pashto, while 46% of children in government schools (Class 5).

Maths

❖ 54% of children in private schools (Class 5) can do division while 40% of children in government schools.
The finding of the report shows that in the urban areas 58% of children in the age bracket of 3-5 years are enrolled with rural areas having 41% children in the age bracket of 3-5 enrolled in schools.

Enrollment in government schools is higher in rural districts at 74%, where as in urban areas private schools are higher at 59% enrollment.

According to UNESCO, over 5.4 million primary-school-age children and 6.9 million lower-secondary-school-age children were out of school in Pakistan in 2011 (UIS, 2012) out of which:

For the analysis of ASER national data, 138 rural districts of Pakistan have been divided into 4 categories/quartiles (i.e. poorest, poorer, richer, and richest) thereby representing the entire population of Pakistan in a socio-economic context. The graph on enrollment by gender according to the socio-economic status in the rural areas shows that enrollment rate of boys is more than girls.


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## Attention to Volunteers

Renew your Registration Card after it completes one year. To get the new registration card, kindly send us two passport size photos, copy of National ID card, old registration card and complete postal address along with contact Number.

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Children at Risk- Child Labor

According to the estimates of International Labor Organization (ILO) there were about 317 million economically active children aged 5 to 17 year in the Asia and the Pacific region have the highest number of working children worldwide. In this region several worst forms of child labor (WFCL) such as, commercial sexual exploitation, bonded child labor, child domestic work, hazardous child labor, and the recruitment and use of children for armed conflict or drug trafficking are prevalent. All these impede the mental, physical, emotional and moral development of these children.

ILO has attributed any reduction in child labor to increased political will and awareness, and concrete action plans, particularly in the field of poverty reduction and mass education, which has led a “worldwide movement against child labor”.

Child Labor in Pakistan

According to the Pakistan National Survey of Child Labor, 1996, the total number of children who work in the age group of 5-14 was 40 million.
The total number of children who are being regularly paid for their work was found to be 3.3 million (or 8.3% of the total children) in the country.
The survey also found that children’s involvement in work in the rural areas is about 8 times greater than in the urban areas. One third of the working children are literate and boys are more educated than girls, similarly urban children are more educated than the rural children.

Employment status by broad categories indicates that about 70% of the working children are unpaid family helpers. In rural areas, three fourths of the working children are working as unpaid family members, while in the urban areas this ratio is one third.

According to most of the parents surveyed, children work in order to assist in the household enterprises to contribute to household incomes.

http://www.pclupunjab.org.pk/child-labour
**Heroic Girls in Pakistan**

**UNCRC Article 31: Children have the right to relax, play and to join in a wide range of leisure activities**

**Samina Khayal Baig** born on 19 September 1990 is the first Pakistani woman and the third Pakistani to climb Mount Everest. She is also the youngest Muslim woman to climb Everest, at the age of 21.

Samina has been supported by her brother, Mirza Ali in her mission to prove that women can be high achievers.

**Naseem Hameed** was born in 1988. She is a young and talented Pakistani athlete, who turned into the fastest woman in South Asia in the 100-metre event of the 11th South Asian Federation Games in Dhaka, Bangladesh in 2010.

She won the Coveted Gold in the race clocking in for 11.8 minutes and got titled as the queen of the track.

**Ghalia Mohsin** a 7 time winner of Karachi Table Tennis. She belongs to Karachi. She won the national championship in 2009, 2010 and 2011. She has also won the gold medal in World Team Table Tennis Championship in China.
The Pakistan Women's Cricket Team is a professional cricket team that represents Pakistan in international women's cricket matches. Women's cricket was first introduced in Pakistan by Shaiza Khan and her sister Sharmeen Khan in 1996. They played their international cricket for the first time against New Zealand in 1997, a series of two One Day Internationals (ODI). Pakistan women have also played three Test matches, one against Ireland, Sri Lanka and West Indies each. They are also competing in Twenty20 International (T20I) matches since 2009.

The Pakistan Women's Kabaddi Team. Although this sport has been seen as a macho activity.

The Pakistan women team has played the World Cup in India in December 2013.

These women are living legends for girls in generations to come. When there is a spirit no cultural or social barrier can prevent girls from achieving their goal.

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November 20th is celebrated as Universal Children's Day every year and this year it will be the 25th anniversary of the UNCRC. Unfortunately however, there is nothing solid with the State to share with the nation on this Universal Children's Day with reference to implementation of the UNCRC in Pakistan in light of the Concluding Observations and Recommendations of the UN Committee on the Rights of the Child and UPR recommendations.

A number of laws and policies could not be implemented and that is why there is no visible impact on the situation of children in the country because of little or no budgetary allocation. Budgetary allocation for the implementation of:

- The National Child Protection Center and Right to Free and Compulsory Education Act 2012 which has also been extended to the Federally Administered Tribal Areas (FATA).
- Free legal aid and for the appointment of probation officers under the JJSO in Islamabad Capital Territory and all the four provinces.

Moreover, the Concluding Observations and Recommendations of the UN Committee on the Rights of the Child and Universal Periodic Review (UPR) Recommendations have never been implemented in letter and spirit. One of the major reasons for no follow up of such international commitments is that there is no national level body with a statutory status to ensure effective implementation of Pakistan's national and international obligations.

There is growing realisation in the society to focus more on child rights. Pakistan has failed to achieve its Millennium Development Goals particularly the fourth one that is “Reducing Infant Mortality”. Under
5 mortality stands at 87 per 1000 live births.
Poor vaccination rates for children due to weak routine immunisation system, huge number of out of schools children, gender disparity in education, growing violence against children incidence and increasing numbers of children living and or working on the streets are the major issues which require due attention.

This situation can effectively be used to build pressure on the federal and provincial governments involving children, civil society, media and other relevant stakeholders to take steps for improving the situation of children in the country and fulfilling its national and international obligations.

Following the 18th Constitutional Amendment whereby child rights have been devolved to provinces and more resources have also been geared towards provinces. There is an opportunity to engage more with the provincial governments in order to push for realisation of the rights of the child in Pakistan. In the recent past, provinces have also taken various steps including enactment of laws and policies central to improving the state of child rights in Pakistan unfortunately however; implementation is still a key concern.

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Sahil Legal Aid
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Laws for Legislation

The UN General Assembly adopted the United Nations Convention on the Rights of the Child (UNCRC) on 20th November 1989. Pakistan was the 1st Muslim and 6th country in the world to sign and ratify the UNCRC on 12th November 1990. November 20th is celebrated as Universal Children’s Day every year and this year it will be the 25th anniversary of the UNCRC.

In the post 18th amendment scenario, in which powers are devolved to the provinces, each province is responsible to devise law and legislative measures to ensure the smooth functioning of its system. Similarly provinces are deemed to make laws to ensure child rights and protection.

The following are the legislative measures that need to be taken by each province to ensure child rights and protection in their respective jurisdictions.

The Islamabad Capital Territory

- National Commission on the Rights of the Child (NCRC) Bill.
- The Criminal Law (Child Protection) Amendment Bill.
- Prohibition of Corporal Punishment Bill.
- The ICT Child Protection and Welfare Bill.

Government of Balochistan

- The Balochistan Borstal Institutions Bill 2014.
- The Balochistan Prohibition of Corporal Punishment Bill.
- The Balochistan Abolition of Employment of Children Bill.
Government of Khyber Pakhtunkhwa

- The KP Right to Free and Compulsory Education Bill.
- The KP Protection and Promotion of Breastfeeding Bill.
- The KP Prohibition of Corporal Punishment Bill.
- The KP Abolition of Employment of Children Bill.

Government of Punjab

- The Punjab Right to Free and Compulsory Education Ordinance should be adopted as an Act of the Punjab Assembly.
- The Punjab Commission on the Rights of the Child.
- The Punjab Child Marriages Restraint Bill.
- The Punjab Prohibition of Corporal Punishment Bill.
- The Punjab Borstal Institutions Amendment Bill.
- The Punjab Abolition of Employment of Children Bill.

Government of Sindh

- The Sindh Commission on the Rights of the Child Bill.
- The Sindh Prohibition of Corporal Punishment Bill.
- The Sindh Prohibition of Employment of Children Bill.

The question however is that what substantive changes have been achieved for children in Pakistan in the last 24 years and what should be done to make this Universal Children’s Day a key moment in the history of child rights in Pakistan.
What's on at Sahil

Media Department:
- Prepared and published Quarterly Magazine “Relax this Summer”
- Launched an advocacy campaign with a theme of child protection on FM radio channels 93 and 101 for a month covering 17 stations nationwide.
- Arranged 6 puppet shows for children in Kasur district and 6 in Abbotabad district.

Training Department:
- Conducted an On Request Training for Parents in District Khushab
- Conducted Meri Hifazt training for primary school teachers in district Nawabshah, Nosheroferoz of Sindh Province and in Kot Rada Kishan and Patoki of Punjab Province

Sahil Jeet Healing (Free Counseling) Center
- Organized a certification workshop on Trauma Buster Technique facilitated by Rehana Webster
- Conducted Adolescent Health training for secondary school teachers in Naseerabad of Balochistan
- Conducted parents training on child protection and CSA in Mansehra District of Khyber Pakhtunkhwa

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Sahil Regional Offices

Regional Office Sukkur:
- Team Building training Of RO Union Council CPN.
- MH training provided to NCHD teachers in district Naushero feroz, Nawabsh and Dadu district, in that training 934 Teachers trained by Sahil.
- Trained World vision on Meri Hifazat to children groups at Pano aakil.
- Regularly visited Juvenile wards.
- Attended Replication training in communities
- Supported Jafarabad team to conduct Adolescent Health Training.
- Arranged District Administration workshop in Sukkur for professionals from government and non government organizations.
- Formed five CPNs in Union council city 111 of district Ghotki in which 17 male and 27 female members were selected for the CPN membership
- Held press briefing with Electronic as well as print media on the cruel Number six month data.

Regional Office Jaffarabad:
- Sahil's partner organization SCOPE conducted four sessions on Meri Hifazat with teachers in Naseerabad.
- Regional Coordinator and Monitoring and Evaluation Officer formed Village Child Protection Networks (CPNs) in villages of Union council Jhuder shumali & Jhuder junubi of Naseerabad district.
- Regional Office Jaffarabad organized Team building sessions with Union
Council CPN members at Sahil office.

- Senior Regional Coordinator and Officer legal aid Jaffarabad conducted a Press Briefing on Cruel numbers Six months data in Jaffarabad.
- Sahil Regional Office Jaffarabad organized training for secondary school teachers on Adolescent Health in district Naseerabad

Regional Office Abbottabad:

- Regional Office Abbottabad held Adolescent Health Training with Abbottabad International Academy for teachers from more than 34 schools.
- Organized Puppet show in SOS village and Allam Acadmey Abbottabad
- Regional Office Abbottabad conducted MH training for secondary school teachers in Havalian in the month of
- Conducted MH Training for primary school teachers in village Pohitta
- Conducted MH training for teachers from 17 schools at Alam Academy Abbottabad
- Conducted MH training in SOS village for teachers from 10 schools in Manshera
- Held Press Briefing on Cruel Number six monthly report
- Conducted Parental training sessions in UC Mlakpur, City 1, City 2 and Behali of District Manshera with 739 parents.
- Conducted 06 community TOT Replications with partner organizations
- Organized Puppet shows in Government Primary School Manshera and Kohsar Children Acadmey Manshera
- Conducted formed CPN in UCs City I and City II
Har Bacha Mehfooz... Safe, Secure and Protected

Sahil Mission is to develop a **protective environment** for children free from all forms of **violence especially child sexual abuse**. The recognition which Sahil cherishes today, being expert in the area of child protection, is the result of many years of field based hard work.

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- Trainings
- Free Counseling Facilities
- Free Legal Aid
- Research
- Publications
- Resource Center

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  - In Person

- Teacher Training on
  - Adolescent Health

- Alternative healing with
  - Reiki
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  - Meditation

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