



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### List of issues in relation to the combined sixth and seventh periodic reports of Pakistan\*

1. The State party is requested to submit in writing additional, updated information, of 10,700 words maximum, by 15 February 2025. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

#### Part I

2. Please explain the measures taken or envisaged:

(a) To address the remaining gaps in legislation with regard to the legal age of marriage for girls, child protection and civil registration and to implement its legislation providing for the rights of children, including the Juvenile Justice System Act, 2018, the National Commission on the Rights of the Child Act, 2017, and the Zainab Alert, Response and Recovery Act, 2020, throughout the entire territory of the State party;

(b) To address the concerns raised in the Committee's concluding observations on the fifth periodic report of the State party with regard to the implementation of sharia law under the Sharia Nizam-e-Adl Regulation, 2009, in large areas of Khyber Pakhtunkhwa, the Zina and Hadd Ordinances,<sup>1</sup> and the Committee's concern about the Criminal Law (Amendments) Act, 2017, as all of those pieces of legislation are in conflict with the principles and provisions of the Convention;

(c) To ensure effective coordination of activities for the implementation of children's rights without undue overlap in mandates at the federal and local levels, especially among the Ministry of Human Rights, the National Commission on the Rights of the Child and the Treaty Implementation Cells, and to provide them with sufficient authority and adequate resources to enable them to carry out their tasks effectively;

(d) To adopt a comprehensive child rights strategy and corresponding action plan that cover all areas under the Convention and the Optional Protocols thereto;

(e) To track the State's budget from a children's rights perspective at the federal, provincial and territorial levels and to ensure an increase in budgetary allocation for social sectors, in particular education, health and social protection, aimed specifically at the children in marginalized and disadvantaged situations mentioned in the Committee's previous concluding observations;<sup>2</sup>

(f) To ensure systematic collection and analysis of quality and complete data disaggregated by age, sex, geographical location, ethnic, religious, national and

\* Adopted by the pre-sessional working group on 20 September 2024.

<sup>1</sup> CRC/C/PAK/CO/5, paras. 8 and 9.

<sup>2</sup> Ibid., paras. 12 and 13.



socioeconomic background on the implementation of children's rights and to make such data public;

(g) To guarantee the independence of the National Commission on the Rights of the Child, including with regard to its funding, mandate and immunities, so as to ensure its full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

(h) To establish and implement regulations to ensure that the business sector complies with international and national human rights, labour, environmental and other standards, particularly with regard to children's rights.

3. Please explain the measures taken:

(a) To eradicate discrimination, negative perceptions and stereotypes concerning the role of girls and women in society, particularly in the areas of education and child marriage;

(b) To adopt a comprehensive anti-discrimination law at the federal level aimed at eradicating discrimination against, *inter alia*, children belonging to religious and ethnic minorities, children with disabilities, children living in street situations, children living in poverty, migrant, asylum-seeking and refugee children, and lesbian, gay, bisexual, transgender and intersex children;

(c) To implement its legislation providing for the concept of the best interests of the child, including the Juvenile Justice System Act, 2018, the Islamabad Capital Territory Child Protection Act, 2018, and other laws at the provincial level, and to ensure that the right of children to have their best interests taken as a primary consideration is integrated into, and consistently interpreted and applied in, all legislative, administrative and judicial proceedings and decisions;

(d) To prevent the killing of children as a result of counter-terrorism activities and acts of terrorism and violence and to improve the protection provided to schools, including by implementing the Pakistan School Safety Framework, and other areas with a high concentration of children;

(e) To implement the prohibition of the death penalty for children or individuals who committed a crime while under the age of 18 years and to reopen inquiries in relation thereto, with a view to either releasing the prisoner or commuting his or her sentence to a prison term;

(f) To apply a zero-tolerance policy towards gender-based crimes, including killings, committed in the name of so-called "honour" and to ensure the prompt and effective investigation into all such cases;

(g) To promote meaningful participation of all children within their families, communities and schools and to include children in decision-making in all matters relating to them.

4. Please describe the measures taken:

(a) To address the alarmingly high numbers of unregistered children under 1 and 5 years of age and to ensure universal birth registration for all children by updating the relevant legislation, facilitating late birth registration and removing fees;

(b) To protect the freedom of religion of all children, to ensure that children are able to choose their religion, to repeal its blasphemy laws and to ensure that children under the age of 18 years are exempt from criminal responsibility for such crimes;

(c) To guarantee the right of the child to freedom of expression, including the freedom to receive, seek and impart information.

5. Please explain the measures taken:

(a) To implement its legislation prohibiting the sexual abuse and exploitation of children, to adapt its laws to address sexual offences against boys, and to initiate a child-friendly system for the mandatory reporting of cases of child sexual abuse and exploitation,

including those committed online, to investigate all reports and allegations of such abuse and exploitation and to punish the perpetrators;

(b) To enforce its legislation criminalizing all forms of violence against women and girls, including domestic violence, marital rape and crimes committed in the name of so-called “honour”;

(c) To adopt a strategy to address and prevent all forms of violence against children and to strengthen the child protection infrastructure at the local level to respond to all forms of violence against children;

(d) To amend its legislation legitimizing corporal punishment by parents, guardians and teachers, in particular section 89 of the Penal Code, the Punjab Destitute and Neglected Children Act, 2004, and the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010, and to explicitly prohibit corporal punishment in all setting both at the federal and local levels;

(e) To amend its legislation at the federal, provincial and territorial levels to set the marriage age for boys and girls at 18 years and to take measures to prevent child marriage, *watta satta* and other practices that are harmful to children, including burning, acid attacks, mutilation, stripping and sexual harassment;

(f) To implement the Juvenile Justice System Act, 2018, which exempts children below the age of 18 years from punishment for *hadoop* offences, and to launch an independent inquiry into all allegations of torture and ill-treatment of children, in particular those committed by law enforcement and security officers.

6. Please provide information on the measures taken or envisaged:

(a) To ensure that financial and material poverty is never the sole justification for removing a child from parental care and to strengthen financial assistance and psychological and social support for families living in poverty, as well as guidance to help them fulfil their parental responsibilities;

(b) To secure children’s right to grow up in a family environment where parents have equal rights in all matters relating to marriage and family relations, in particular to amend the Muslim Family Laws Ordinance, 1961, in order to ensure that all provisions that have a negative impact on children are repealed;

(c) To promote family-type and community-based alternative care for children deprived of parental care, in order to reduce reliance on institutional care, and to establish a clear regulation on alternative care for children, including provisions for quality care standards and periodic review of placements;

(d) To provide for monitoring of the situation of children under the guardianship system.

7. Please explain the measures taken or envisaged:

(a) To implement the Islamabad Capital Territory Rights of Persons with Disability Act, 2020, and to ensure that all the rights of children with disabilities and their access to all services are guaranteed throughout the State party’s territory;

(b) To adopt a national strategy specific to the rights of persons with disabilities, paying particular attention to children, and to combat the stigmatization of and prejudice against children with disabilities by promoting a positive image of such children;

(c) To organize the collection of data on children with disabilities and to establish an efficient system for diagnosing disability, early intervention and prevention and to put in place appropriate policies and programmes for children with disabilities.

8. Please inform the Committee of the measures taken:

(a) To strengthen the implementation of the maternal and child health programme and to reduce neonatal, infant and under-5 mortality rates throughout the State party, including by improving the quality of and access to antenatal and postnatal services and improving the quality of and expanding preventive interventions in primary healthcare;

(b) To strengthen immunization against diseases such as poliomyelitis throughout the country, especially in some areas of Khyber Pakhtunkhwa, Balochistan and Sindh provinces, and to raise awareness in communities about the importance of vaccination;

(c) To address malnutrition and stunting, especially among children under 5 years of age, and to improve access to water and sanitation services for all children throughout the country;

(d) To provide access to mental health services and to sexual and reproductive health services and education to all adolescent girls and boys, as well as access to contraception and safe abortion services and counselling for adolescents throughout its territory.

9. Please describe the measures taken:

(a) To guarantee an adequate and sustainable standard of living for all children within the territory of the State party, with a particular focus on children in the most marginalized and disadvantaged situations, and to improve social benefits and security schemes for poor families with many children;

(b) To improve preparedness for natural disasters, such as floods, and to adopt legislative and administrative measures to address the adverse effects of environmental degradation and climate change on the enjoyment of children's rights.

10. Please describe the measures taken:

(a) To implement its national and provincial laws mentioned in the State party report aimed at ensuring universal, free and compulsory primary education,<sup>3</sup> and to guarantee access to free secondary education for all children, including asylum-seeking and refugee children, in the State party's territory;

(b) To address the alarmingly high and increasing number of out-of-school children in the country and to increase school enrolment and retention of children, especially girls, by tackling sociocultural practices and other barriers to education;

(c) To ensure that all children with disabilities have access to inclusive education by improving facilities and the accessibility of schools;

(d) To improve school infrastructure, especially in schools affected by natural disasters or conflict, to provide basic necessities, including drinking water, toilets and heating, and to inform the Committee of the outcome of the resource allocation in various provinces mentioned in the State party report;<sup>4</sup>

(e) To improve the quality of education and to provide quality training and incentives for teachers, with a particular emphasis on rural areas, and to ensure monitoring of the school curricula and teaching methods, including in madrasas.

11. Please inform the Committee of the measures taken:

(a) To adopt a national refugee law and to establish a national asylum system in order to register and provide long-term solutions to refugee children, especially those from Afghanistan, and to provide them with access to all services, including the social protection system;

(b) To uphold the principle of non-refoulement and stop the implementation of the Illegal Foreigners' Repatriation Plan, which poses serious risks for children, especially Afghan children who have been obliged to return to Afghanistan and children who are separated from their families;

(c) To grant citizenship to children, in particular children from Bengali, Bihari and Rohingya communities who would otherwise be stateless, and to provide such children with all services available to Pakistani nationals, including access to health, education and social protection services.

<sup>3</sup> CRC/C/PAK/6-7, para. 212.

<sup>4</sup> Ibid., paras. 226–233.

12. Please inform the Committee about the efforts made:

- (a) To combat discrimination and hate crimes against children belonging to ethnic and religious minority groups, in particular Ahmadi children, and to guarantee their economic, social and cultural rights;
- (b) To implement federal and provincial laws that prohibit child labour, including domestic child labour, and to combat the high prevalence of child labour across the country, especially among refugee children, including through effective labour inspections and other enforcement mechanisms;
- (c) To carry out an assessment of children in street situations in order to develop and implement a comprehensive strategy, which should address the root causes of the problem, in order to prevent children from leaving their families and schools for the streets;
- (d) To implement section 369 of the Penal Code and the Prevention of Trafficking in Persons Act, 2018, to combat trafficking in children;
- (e) To adopt the bill to criminalize enforced disappearances, to ensure that persons below the age of 18 years are not subjected to arbitrary detention and to investigate promptly and effectively all cases of enforced disappearances of children.

13. Please explain the measures taken or envisaged:

- (a) To implement the Juvenile Justice System Act, 2018, and to ensure that juvenile courts have exclusive jurisdiction in all cases in which a child is accused of having committed an offence, including security-related offences;
- (b) To increase the minimum age of criminal responsibility to at least 14 years of age, in line with Committee's general comment No. 24 (2019);
- (c) To prohibit informal courts, such as jirgas and panchayats, and to carry out prompt and effective investigations into decisions taken by such courts;
- (d) To implement non-custodial measures to deprivation of liberty, such as diversion, probation, counselling, mediation, community service or suspended sentences, wherever possible;
- (e) To prevent and prohibit non-State armed groups from recruiting children and using them in armed campaigns and terrorist activities, in particular suicide bombings;
- (f) To prevent attacks on schools, especially girls' schools, and other areas with a high concentration of children.

## Part II

14. The Committee invites the State party to provide a brief update, of no more than three pages, on the information set out in its report with regard to the following:

- (a) New bills or laws and their respective regulations;
- (b) New institutions and their mandates or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

## Part III

### Data, statistics and other information

15. Please provide consolidated information for the past three years on the budget lines regarding children and the social sectors, indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographical allocation of those resources.

16. Please provide updated statistical data, for the past three years, if available, disaggregated by age, sex, ethnic origin, national origin, geographical location and socioeconomic status, on the following:

- (a) Cases of imposition and execution of the death penalty on persons under the age of 18 at the time of the alleged offence;
- (b) Children on death row;
- (c) Cases of investigations, prosecutions and sanctions handed down to perpetrators, including security officials, of torture, ill-treatment and enforced disappearance of children;
- (d) Cases of abuse and violence perpetrated against children, including all forms of corporal punishment, domestic violence, sexual violence and abuse, sexual harassment, marital rape and crimes committed in the name of so-called “honour”, as well as investigations, prosecutions and sentences handed down in the State party in such cases;
- (e) Cases of child marriage and prosecutions and sentences handed down in the State party in such cases;
- (f) Children living in poverty;
- (g) Asylum-seeking, refugee and migrant children;
- (h) Children in street situations;
- (i) Cases of child labour.

17. Please provide data, for the past three years, disaggregated by age, sex, socioeconomic background, ethnic origin, national origin and geographical location, on the situation of children deprived of a family environment who are or who have been:

- (a) Separated from their families, including the duration of the separation;
- (b) Placed in institutions, including the number of institutions and the number of children in each institution;
- (c) Placed with foster families;
- (d) Living with relatives.

18. Please provide data, for the past three years, disaggregated by age, sex, type of disability, ethnic origin, national origin and geographical location, on the number of children with disabilities who are or who have been:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending day care;
- (d) Attending preschool;
- (e) Attending primary schools;
- (f) Attending secondary schools;
- (g) Receiving individualized support;
- (h) Attending special schools;
- (i) Out of school;
- (j) Abandoned by their families.

19. Please provide updated statistical data, for the past three years, if available, disaggregated by age, sex, type of offence, ethnic origin, national origin, geographical location and socioeconomic status, on children alleged to have, accused of or recognized as having infringed criminal law who have been:

- (a) Arrested;

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- (b) Referred to diversion programmes;
- (c) Held in pretrial detention;
- (d) Detained with adults;
- (e) Convicted and serving a sentence in detention, with data further disaggregated by the length of the sentence.

20. Please provide updated statistical data, for the past three years, if available, disaggregated by age, sex, type of offence, ethnic origin, national origin, geographical location and socioeconomic status, on asylum-seeking, refugee and migrant children, including children entering the State party from areas where children may have been recruited or used in hostilities.

21. Please provide information on how a children's rights-based approach is integrated into the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals, including with regard to the participation of children and data collection, and on how those measures promote the realization of children's rights under the Convention.

22. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.

23. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.

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