



Convention on the Rights of the Child

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Committee on the Rights of the Child Fifty-second session

Summary record of the 1444th meeting*

Held at the Palais Wilson, Geneva, on Monday, 28 September 2009, at 10 a.m.

Chairperson: Ms. Lee

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* No summary record was prepared for the 1438th and 1443rd meetings.

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The meeting was called to order at 10 a.m.

Consideration of reports of States parties *(continued)*

Third and fourth periodic reports of Pakistan (CRC/C/PAK/3-4; CRC/C/PAK/Q/3-4 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Pakistan took places at the Committee table.*
2. **Mr. Kazi** (Pakistan) said that Pakistan's reports had been prepared under the direction of a high-level multisectoral national steering committee, composed of representatives of ministries, provincial governments, non-governmental organizations (NGOs) and United Nations bodies.
3. Since submitting its second periodic report, Pakistan had endeavoured to bring its laws and policies into conformity with the Convention on the Rights of the Child. In consultation with other stakeholders, it had prepared a child protection bill that defined and criminalized child pornography and child sexual abuse, as well as internal trafficking of children in Pakistan, together with a bill on the establishment of a national commission on the rights of children and a national child protection policy. Those texts had been submitted to the Cabinet for approval and would subsequently be submitted to Parliament.
4. The federal Government was in favour of submitting to Parliament the charter of child rights bill, which had been prepared by private stakeholders on the basis of the provisions of the Convention. The provincial governments were also in the process of setting up child protection systems that were in line with the Convention.
5. Pakistan had made major strides in protecting women's rights through the adoption of the Criminal Law Amendment Act, 2004, which addressed offences committed in the name of honour; the Code of Criminal Procedure (Amendment) Ordinance, 2006, which allowed bail for women in certain cases; and the Protection of Women (Criminal Laws Amendment) Act, 2006, which protected women from abuse of the law and exploitation.
6. The consultations that had been held with a view to ratifying the optional protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography had been completed, and the next step in the process was under way.
7. Despite efforts made to improve the education sector, it remained somewhat deficient in terms of accessibility and quality. Efforts were being made to blend parallel systems (public, private and madrasa) with the national education system through the development of common curricula and standards.
8. The Prime Minister had committed to increasing expenditure on education and had developed a national education policy in 2009. Despite enormous challenges, primary enrolment had risen by 14 per cent in the period from 2003 to 2008, and dropouts had been reduced from 50 per cent to 35 per cent in that same period.
9. Pakistan was ranked 136th out of 177 countries in the human development index. Nearly 85 per cent of Pakistan's population earned less than US\$ 2 a day.
10. Despite that situation, the Government had intensified its efforts in the area of mother and child health in order to achieve the targets set in goal 4 of the Millennium Development Goals. It had focused on efforts to combat tuberculosis, malaria and the six vaccine-preventable diseases, in addition to combating blindness and preventing mother-to-child transmission of HIV/AIDS. From 2003 to 2008, the infant mortality rate had been kept stable at 73 per 1,000, the proportion of 1-year-old children immunized against measles had risen to 60 per cent, the maternal mortality rate had dropped significantly to

280 per 100,000 live births and the proportion of births attended by skilled health workers had doubled from 20 per cent to 40 per cent.

11. Assessments had indicated that public opinion was in favour of vaccination. The Government had developed a strong communications strategy that was aimed at eradicating polio, vaccinating 95 per cent of the population against measles and strengthening routine immunization.

12. In order to protect the rights of people living with HIV, a bill on HIV had been drafted in 2009 and would soon be submitted to the Cabinet. Measures had been taken at the federal and provincial levels to make blood transfusion services safer.

13. Child complaint cells had been set up in the secretariat of the Ombudsman at the federal and provincial levels. A child protection information management system had been established in the National Commission for Child Welfare and Development, with financial and technical support from the United Nations Children's Fund (UNICEF). It processed information relating to child sexual exploitation, juvenile justice, child trafficking, family and alternative care, and child abuse.

14. Since 2000, Pakistan had been implementing the National Policy and Plan of Action to Combat Child Labour, which was aimed at eliminating the worst forms of child labour, making primary education universal, empowering families to prevent child labour and providing training to child labourers with a view to their rehabilitation. Awareness-raising campaigns had been launched, and various programmes had been set up. A national programme for the elimination of the worst forms of child labour had been formulated for the period 2008–2016.

15. The Government had allocated 0.3 per cent of its Gross Domestic Product (GDP) for the year 2008–2009 to the Benazir Income Support Programme, which was intended for the poorest families. Overall, some 40 per cent of the population living below the poverty line, or 15 per cent of the total population, would receive assistance.

16. The organization Pakistan Bait-ul-Mal also contributed to reducing poverty by providing services to the most disadvantaged, in particular, extremely poor persons, widows, orphans, persons with disabilities and other needy individuals. The Government had approved a pilot project involving cash transfers under the Child Support Programme, which was implemented by Pakistan Bait-ul-Mal in 11 districts. The programme offered additional assistance to extremely poor families as an incentive to send their children between the ages of 5 and 12 to school. In the next phase, 29 other districts would be covered. Moreover, Pakistan Bait-ul-Mal granted PRs 10,000 to families with one disabled child and PRs 25,000 to families with two or more disabled children. In addition, the Government had recently approved an insurance scheme that provided coverage for children with multiple disabilities.

17. Pakistan paid a heavy price for the war against terrorism, in terms of loss of human lives and damage to its basic services infrastructure. A rehabilitation centre had been established to care for young men who had been enlisted by the Taliban, and the Benazir Bhutto Shaheed Trust had been set up to provide education and rehabilitation for children who had been affected by terrorism and police operations.

18. The President of Pakistan had announced major reforms in the administrative and judicial structure of the Federally Administered Tribal Areas (FATA), inter alia, to exclude women and children from the collective responsibility clause of the Frontier Crimes Regulation of 1901 in respect of offences alleged to have been committed by members of their family.

19. At the regional level, in 2005, Pakistan had hosted a regional consultation on the United Nations Secretary-General's Study on Violence against Children, and in 2006, it had

established a regional secretariat for the South Asia Forum for Ending Violence against Children.

20. **Ms. Villarán de la Puente** (Country Rapporteur) pointed out that, 20 years after the adoption of the Convention, infant mortality, maternal mortality and school non-enrolment rates for children remained high, and that humanitarian crises caused by natural disasters, terrorism and war had resulted in the displacement of tens of thousands of children. Efforts to bring about lasting peace in Pakistan and Afghanistan — the country of origin of many refugees — were essential for all inhabitants but especially for children, who bore a disproportionate burden of the consequences of the conflict.

21. Pakistan had been an independent Republic since 1947. With a population of some 164 million, 70 million of whom were children, it possessed great cultural, ethnic and linguistic wealth. It was thus fitting to welcome Pakistan's actions on behalf of children, in particular, its ratification of the International Labour Organization (ILO) Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182) and the ILO Convention concerning Minimum Age for Admission to Employment (No. 138), as well as its promulgation of domestic legislation concerning the worst forms of child labour, the other laws cited by the head of the delegation in his opening statement and the measures taken with a view to reducing poverty and achieving goal 8 of the Millennium Development Goals.

22. In the suggestions and recommendations made by the Committee in 2003 following its consideration of the second periodic report of Pakistan, the Committee had welcomed the adoption of the Compulsory Primary Education Ordinance, which had entered into force in all provinces except Balochistan, and the promulgation of the Juvenile Justice System Ordinance. The Committee planned to examine the implementation of those instruments at the current session.

23. Many challenges had to be addressed in order to set up a national system of comprehensive protection for children. They included: the overall human rights situation in the context of the war on terrorism; child mortality, which affected street children in particular; lack of systematic birth registration; trafficking and sexual exploitation of children; the recruitment of children in armed conflicts; and even the application of the anti-terrorism legislation to minors.

24. In 2005 and 2008, Pakistan had been struck by earthquakes that had left many victims and caused enormous material damage. Despite reconstruction efforts, the vast majority of children had to settle for precarious health and educational facilities. Children with disabilities who were not cared for by their parents needed care facilities. Moreover, the economic crisis had driven up food prices and had aggravated the food and energy crises.

25. **Mr. Krappmann** (Country Rapporteur) wished to know the extent to which the State party had given effect to the recommendations made by the Committee in its concluding observations of October 2003. While welcoming the fact that the combined third and fourth periodic report had been submitted on time, he had been struck by the fact that many of the programmes and bills described in the State party's report were no more than proposals. He wondered whether it might not have been wise to delay the presentation of the report by a year to leave time for the finalization and adoption of those proposals. He wished to know whether the task of implementing children's rights had been entrusted to Government bodies that were vested with the necessary authority and resources needed to discharge their task.

26. He requested additional information on the mandate and functions of the National Commission for Child Welfare and Development and on the recent work of that body, which had been established for the purpose of coordinating the implementation of the

Convention but which had been allocated very few of the budgetary resources needed to carry out the work entrusted to it. He asked whether there were plans to reform that body in order to allow it broader scope of action and increased effectiveness.

27. He requested additional information on the objectives of the National Plan of Action for Children, and he asked what measures the State party had taken to ensure its proper implementation.

28. He pointed out that adherence to the principles of the Convention could not be monitored without adequate statistical data. He noted that concerns to that effect, which had been expressed previously by the Committee, appeared still to be valid, and he invited the delegation to comment on that point.

29. He asked whether the primary objective of the child protection bill was to criminalize violations of children's rights, better meet children's needs and place children's best interests at the centre of the State party's concerns.

30. The State party appeared to have encountered some difficulty in giving effect to adopted legislation, particularly the Juvenile Justice System Ordinance 2000 and the amendments made in 2005 to the Employment of Children Act and the Compulsory Primary Education Act. Moreover, although the State party had stated in its report that the amendments to the Haddood Ordinance were consistent with the principles of the Convention, there were clear indications of the persistence of widespread violations of the rights of women and girls and a failure to bring perpetrators to justice. He wished to know what measures the State party planned to take in order to improve that situation.

31. It would be helpful for the State party to draw up a general budget for children in order to highlight the various budget items, the budget adoption procedure and the various sources of budgetary resources. Health spending and the education budget had risen considerably in recent years, which was laudable, but that did not seem to have a noticeable impact on infant mortality or school enrolment. He would appreciate receiving additional details on that point.

32. **Mr. Zermatten** wished to know whether, since the submission of Pakistan's second periodic report in 2003, there had been greater adherence to the principles of the best interests of the child and respect for children's views. The delegation should indicate whether the Youth Parliament was able to exert its influence at the local level and how many youth clubs there were in Pakistan. In addition, he invited the delegation to specify whether children's views, including those of refugee children, were taken into account in the courts and in schools. He would welcome details on specific measures taken since 2003 aimed at genuinely taking the best interests of the child into account in the texts of legal instruments and in the provisions formulated in order to give effect to them.

33. **Ms. Maurás Pérez** said that, in reviewing the State party's second periodic report to the Committee on the Rights of the Child, and its combined initial, second and third periodic report to the Committee on the Elimination of Discrimination against Women, she was greatly concerned at the status of women and girls in Pakistan. She noted that the under-two mortality rate for girls was significantly higher than that for boys of the same age, owing to inadequate care, malnutrition and lack of immunization. She also noted that the practice of early marriage and the exchange of girls as a means of settling disputes had not diminished since the submission of Pakistan's second periodic report, despite repeated appeals to improve the situation and the lively debates on the subject within Pakistan itself, particularly with regard to the need to amend the Child Marriages Restraint Act of 1929. The high rates of domestic violence and maternal mortality were also very worrying. Poverty was certainly an underlying factor in that situation, and the cultural context played a major role as well. She asked what measures had been taken to implement the constitutional amendments requested by the Committee on the Elimination of

Discrimination against Women in 2007. She also wished to know whether budgetary funds had been released with a view to significantly increasing the number of community midwives and developing the corresponding training programmes. The Benazir Income Support Programme did not appear to focus specifically on children, and she wondered whether efforts to remedy that situation were envisaged.

34. Lastly, she wished to know whether the statistical system would be reformed, so as to provide more extensive data on children and more effectively combat the kinds of abuse to which children fell victim.

35. **Mr. Koompraphant** noted that the State party was confronted with natural disasters and chronic poverty, which had negative repercussions on children's well-being. He asked what the international community might do to help it to overcome those serious difficulties. Referring to the murders of two women and three girls, who had been brutally attacked and then burned alive in Balochistan in July 2008, he wished to know what action the State party had taken to hand down justice and to prevent the recurrence of such incidents. He asked whether the child protection bill referred to in paragraph 44 of the report prohibited forced and early marriage and the sale of children, and whether parents who did not respect that prohibition were subject to penalties. The delegation should also indicate whether the bill penalized parents who encouraged their children to join militant religious groups.

36. **Mr. Gurán** asked what role the National Commission for Child Welfare and Development would be asked to play in coordinating the various child protection bodies, what powers it would have, and more specifically, whether its decisions would be binding in all provinces. He wished to know whether there was a mechanism responsible for receiving complaints from children and, if so, what types of complaints it received and how it dealt with them.

37. **Ms. Aidoo** said that the right to life, survival and development was a key principle of the Convention. She noted that infant mortality rates for girls were higher than those for boys, owing to the fact that girls more frequently suffered from neglect, malnutrition and lack of immunization. She wished to know what the State party was doing to protect children's right to life and to remedy the underlying causes of infant mortality, particularly in outlying communities and rural areas.

38. **Ms. Varmah** expressed surprise at the fact that, despite measures taken by the State party to develop the birth registration system and despite the National Registration Act (1973), which made it obligatory for parents to register their children at birth, the birth registration rate was still very low. She would appreciate clarification of that point. She also wished to know whether measures had been taken to simplify the procedure for birth registration and to make the formality accessible to all parents. She asked whether the Births, Deaths and Marriages Registration Act (1886), which the majority of people did not seem to observe or know about, had been or would be amended.

39. **The Chairperson** asked whether the State party had adopted legislation on compulsory education and how it intended to execute its ambitious plan to raise the education budget to 4 per cent of GDP in 2010. She also wished to know what percentage of the funds received by the State party from international donors had been allocated to education and how much of the State party's own resources were allocated to children's affairs. In addition, she asked what were the roles and responsibilities of persons working in the cells set up at the provincial level to receive complaints from children.

40. She pointed out that, in drafting the combined third and fourth periodic report, the State party had not followed the Committee's general guidelines regarding the form and content of periodic reports.

41. Lastly, she noted that, in the five years since the consideration of Pakistan's second periodic report in 2003, the State party did not seem to have made much progress in implementing its plans concerning children. She asked how long it would be before those plans were executed.

42. **Mr. Citarella**, referring to the fact that some provinces in Pakistan appeared to enjoy a certain degree of autonomy vis-à-vis the federal Government, asked whether national legislation was applied in all provinces, including in Federally Administered Tribal Areas. The definition of the child did not appear to be the same in all the laws, and customary law, for example, defined childhood as ending at puberty. It would be useful to have additional information on that subject.

43. **The Chairperson** asked whether the State party envisaged harmonizing the age of marriage for girls and boys, since, according to the report, it was currently set at 16 for girls and 18 for boys.

The meeting was suspended at 11.25 a.m. and resumed at 11.55 a.m.

44. **Mr. Ullah Khan** (Pakistan) said that Pakistan had a federal structure composed of the federal Government, the provincial governments and the district governments. The process of the adoption and implementation of policies and laws was relatively long, since there had to be a consensus among the various authorities on the issues dealt with. Moreover, the increasing participation of civil society organizations in formulating laws and policies and efforts to take their concerns into account slowed the process down even more.

45. Pakistan had made a number of achievements in the past few years. For example, in 2006, it had ratified the ILO Convention concerning Minimum Age for Admission to Employment (No. 138) and had incorporated the corresponding provisions in its domestic law. Moreover, it had adopted legislation to ban exchange marriages. Three of the four provinces in the country had adopted a law on compulsory primary education. A law against trafficking in human beings had been adopted, and many laws had been extended to the Federally Administered Tribal Areas. It was true, however, that there were many bills currently awaiting consideration by the Cabinet.

46. The proposed national commission on the rights of children would have very extensive powers. In view of the federal structure of the country and the difficulty of reaching agreement on the matter with certain provinces, two parallel processes had been set up, one involving an amendment to criminal legislation and the other concerning the Commission itself. A bill to criminalize child pornography and cruelty to children had been drafted and would subject parents, guardians or teachers who committed child abuse to criminal penalties. Similarly, a very detailed law concerning sexual abuse of children had been drafted and established the specific functions of the Commission in that area. The functions of the Commission would include: coordinating activities carried out at the provincial level by local governments and civil society organizations; proposing amendments to current legislation or introducing new legislation; organizing action to raise awareness of children's rights; compiling statistics on children's issues; proposing changes in school curricula with a view to introducing a module on children's rights; and laying the foundation for the introduction of teaching methods that took into account the best interests of the child.

47. The Government of Pakistan was also working to establish a definition of the best interests of the child. In Pakistan, family law generally followed Muslim law, which, like common law, gave paramount importance to the welfare of the child. The national commission on the rights of children bill provided an exhaustive definition of the best interests of the child, which took into account the provisions of the Convention and all the Committee's recommendations and concluding observations. It provided for the right of

children to be protected from abuse and neglect; to have their views taken into account in decisions concerning them; to the protection of their welfare and safety; to have their physical, emotional and educational welfare taken into account; to be heard; and to the promotion of positive relations between them and their parents.

48. The number of juvenile inmates in Pakistan was not very high. Training programmes on children's rights had been established for judicial, prison and police staff, and the rights of the child were part of the curriculum of the Federal Judicial Academy. All prisons had sections for young people, who were completely separated from adult inmates. District judges were instructed to visit each cell once a month in order to detect any cases of abuse against inmates. The Central Jail Staff Training Institute had, with the help of international donors, developed 11 booklets aimed at improving the skills of prison staff and raising their awareness of children's rights. That awareness-raising campaign had been carried out in all provinces.

49. The Constitution stipulated that children were entitled to the services of a lawyer in all criminal proceedings concerning them. The courts, which always took mitigating circumstances — such as family environment and upbringing — into account, were reluctant to give extreme punishments and respected the child's right to be heard.

50. **Mr. Filali** asked whether the courts had established a definition of the best interests of the child — perhaps in their case law — that was applicable throughout the national territory. He requested an explanation of the concept of “consensus” between the federal Government and the provincial governments with regard to the adoption of policies and legislation. He also wished to know whether the provinces had the power to refuse to apply policies and laws that had been adopted and whether it was possible for certain provisions of the Convention to be applied in some provinces and not in others.

51. **Mr. Kazi** (Pakistan) said that that concept of “consensus” did not mean that the provinces had the right of veto. When a bill was under consideration, the federal and provincial authorities met and debated the issues in question. The minimum age of criminal responsibility, for example, had been debated, and a consensus had been reached on setting it at age 10. If a province did not agree on a particular point, the issue was submitted to the Prime Minister. In the last resort, the opinion of the federal Government took precedence.

52. **Mr. Ullah Khan** (Pakistan) said that all legislation adopted by Parliament was applicable throughout the country. The provinces also had the power to adopt laws and policies, but in the case of conflict between a law or policy adopted by the federal Government and one adopted by the provinces, the laws and policies of the federal Government prevailed. Certain areas in which constitutionally-granted powers were exercised concurrently — such as education, the administration of justice and the prison system — were not the responsibility of the federal Administration, and the implementing machinery was established at the provincial level. With regard to the Federally Administrated Tribal Areas located near the border with Afghanistan, their laws and traditions, which had been inherited from the period of British domination, did not always take into account the basic rights guaranteed in the Constitution of Pakistan. In order for a law to be applicable in those areas, it was necessary for the Government to give explicit notification thereof. In this way, the Juvenile Justice System Ordinance adopted in 2000 had been extended to the tribal areas in 2004.

53. **The Chairperson** asked how the federal Government enforced laws concerning health and education, for example, given that those two areas fell under the responsibility of the provinces.

54. **Mr. Ullah Khan** (Pakistan) said that, in practice, compulsory primary education was applicable in only three provinces. In accordance with the decentralization of education in 2003, schools up to year 10 were the responsibility of local governments. In the higher

grades, schools were the responsibility of provincial governments, with the exception of certain universities that were managed by the federal Government. The federal Government was responsible for establishing academic curricula.

55. **Mr. Kazi** (Pakistan) said that, although the federal structure of Pakistan could admittedly pose certain procedural difficulties, in practice, it had never happened that a law was not applied in a particular province.

56. **Mr. Ullah Khan** (Pakistan) said that the difference in the minimum age of marriage for boys and girls was attributable to local custom; however, that difference was expected to be eliminated soon, given a strong movement both among members of Parliament and society at large to set the age at 18 for both sexes. Forced marriage had been practised in certain regions of the country until recently but had been defined as a criminal offence in 2006. Similarly, honour killings had been recognized until very recently to the extent that provocation had been considered a mitigating circumstance in proceedings, but that was no longer the case.

57. The Constitution had been amended for the purpose of ending discrimination between men and women and was now quite progressive. It embodied nearly all the rights enshrined in the Universal Declaration of Human Rights and made the right to equal protection before the law an inalienable right.

58. **Ms. Aidoo** said that, at the time of the preparation of the written replies, only one province had accepted the proposed amendment to the Child Marriages Restraint Act of 1929. She wished to know whether the other provinces had accepted that amendment, and what was the status of that proposal.

59. **Mr. Citarella** said that, in certain regions, girls could marry at an age much below the prescribed age of 16; it was thus not enough to raise the lawful age of marriage in order to abolish the practice of early marriage. He asked what the State party intended to do in order to prevent the circumvention of current or future laws.

60. **Mr. Ullah Khan** (Pakistan) said that the problem was cultural in nature and that Pakistan was a country where traditions were still strong. An initial step had been taken with the abolition of the customary law that authorized marriage as from the age of puberty. Another was nearing completion, since the proposed amendment referred to by Ms. Aidoo was under consideration by Parliament. Parallel to it, and given the recognition by the authorities that an amendment to the legislation was not sufficient to change mentalities, various awareness-raising campaigns and seminars on the topic had been organized. The police now routinely intervened when cases of early marriage were detected. The situation had definitely evolved.

61. **Mr. Krappmann** (Country Rapporteur) said that the educational system was not prepared for universal primary and expanded secondary education: there were shortcomings at every level, including buildings, teaching materials, and properly trained teachers. Moreover, entire sections of the educational system were underdeveloped, such as preschool facilities and vocational training.

62. Abolishing child abuse was another priority. A fundamental change in attitudes was needed, and it was to be hoped that the child protection bill referred to in paragraph 41 of the State party's periodic report would not be limited to punishment but would also prescribe measures for prevention and the sensitization of parents.

63. Lastly, the State party's federal structure did not absolve it from fulfilling its obligations under the Convention. It should publicize those obligations in the provinces and districts by disseminating them widely. It was regrettable that the delegation had not included representatives of the provincial and local governments.

64. **Ms. Villarán de la Puente** (Country Rapporteur) said that corporal punishment was still permitted in Pakistan, and she asked what steps were being taken at the legislative level and in terms of prevention, to give effect to the prohibition set forth in the Convention.

65. **Ms. Al-Asmar** asked whether madrasas were under the responsibility of the Ministry of Education and whether their academic curricula were identical to those in mainstream schools.

66. **Mr. Kotrane** welcomed the ratification of ILO Conventions Nos. 182 and 138. He noted, however, that child labour was still prevalent, in particular, in the informal sector and among Afghan refugee children. Labour inspection had proved to be a tool that was ill-adapted to the magnitude of the problem. He asked what specific measures had been taken in order to apply the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (ECOSOC resolution 2005/20 of 22 July 2005).

67. **Ms. Ortiz** requested additional information on alternative care. She wished to know whether, in particular, alternative care was regulated in conformity with the Convention, what support was received from alternative care services by families at-risk in order to avoid separation, and whether, in the case of institutionalization, ties with the child's family were maintained and the return of the child to his or her family as soon as possible was sought and encouraged.

68. **Mr. Puras** welcomed the pilot programmes that had been introduced in order to integrate children with disabilities into mainstream education but invited the State party to go a step further and to take measures to ensure that such children had access to basic services, as well as to provide support to their families. The delegation should indicate what agency was responsible for monitoring respect for the rights of institutionalized children with disabilities.

69. Despite a considerable and laudable increase in annual budget allocations to health, maternal and child mortality and morbidity remained a cause for concern and were accompanied by considerable social disparities. The number of cases of polio was rising, and details on immunization would be welcome, as would comments on the absence of favourable developments in the nutritional situation and of measures taken to promote breastfeeding.

70. The adoption of legislation severely punishing illegal drug consumption had not succeeded in halting the rising trend in drug abuse. He asked whether a prevention, treatment and rehabilitation policy had been developed. Drug addicts should have access to services that addressed their needs; they should not be treated as criminals but rather as patients.

71. **Mr. Zermatten** asked when the age of criminal responsibility would be raised from the age of 7 to 12. He was aware that the death penalty was not applicable to minors, but he requested confirmation that that rule also applied in terrorism cases.

72. In practice, children's courts and legal assistance did not yet exist. He asked when that shortcoming would be rectified. He wondered whether any alternatives to deprivation of liberty and to probation existed. He enquired whether any teams had been set up in local police forces to help individuals who frequently committed offences only as a means of survival.

73. **Mr. Koompraphant** asked whether the reason for the small number of cases of child abuse or exploitation could be traced to the lack of effective mechanisms for detecting such cases. He had been given to understand that many victims chose not to file a complaint owing to the way in which their complaints were received and to the fact that they could even sometimes be punished. Efforts should be made to encourage reporting of such incidents. The delegation should indicate what steps were being taken in that regard,

whether any form of child witness support was available and whether the police were required to report cases of child abuse to social services when they detected such incidents.

74. **Mr. Citarella** said that the length of pretrial detention was often excessive, that children were brought before judges under the same proceedings as adults and that children were placed in adult prisons where they were subjected to ill-treatment and, in some cases, torture. A thorough reform of the judicial system was therefore required. Lastly, he wished to know whether children could be sentenced to stoning.

The meeting rose at 1 p.m.