KARACHI: A Roundtable Conference on Interaction on Child Rights, Abuses, Legislation and Way Forward was held on September 15, 2015 at Hotel Avari Towers under the auspices of Sindh Human Rights Commission, Government of Sindh and The Asia Foundation.

The first part was to launch the First Annual Report of The Sindh Human Rights Commission and then followed by a lively discussion on the Child Rights, Abuses, Legislation and Way Forward.
A large number of participants from government and civil society took part in the discussion and also made recommendations as to how to contain child sex abuse in the wake of Kasur tragedy that has shaken the conscience of the people living in Pakistan and abroad and in which about 900,000 families were affected.

Mr. Farman Ullah, Senior Programme Officer, The Asia Foundation specially flew from Islamabad to attend the event.

Ms. Rubina Brohi member of the Commission, the facilitator welcomed the participants and handed over the mike to the Chairperson for the Introduction of the Conference.

Justice (R) Majida Razvi said “Children are the future of the nation and as such, are our assets,”

Considering and believing in it, the law makers of the Constitution of 1973 guaranteed children’s rights under different Articles of the Constitution.

Article 35 of State Policy states: The state shall protect the marriage, the family, the mother and the child.

Article 37 states; The state shall make provisions for securing just and humane conditions of work, ensuring that children and women are not employed in vocations unsuited to their age or sex.

Article 11 (3) No child below the age of 14 years shall be engaged in any factory or mine or any other hazardous employment.
There are other laws also to protect the children like Guardian and Wards Act.

UN Convention on the Rights of the Child in its Preamble guarantees:

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration.

She further said that Despite the addition of Article 25-A in the constitution of Pakistan, a large number of children remained deprived of basic education. A report released in collaboration with the government, UNICEF and UNESCO, indicated more than 6.5 million
children were not enrolled in primary education and another 2.7 were not enrolled at lower secondary level in Pakistan. There were more girls out of school than the boys and most children out of school belonged to the poorer households. The report also drew attention to a lack of reliable data on education and the need for better disaggregated data to help policymakers and education experts address the challenges faced by the education system.

A UN report, titled 'Committing to Child Survival: A Promise Renewed, found Pakistan among five countries where half of the worlds under-five mortality took place and among three countries where more than 4 in 10 of all neonatal deaths worldwide occurred.
Leading causes of these deaths were pneumonia and diarrhea, Sindh was leading among other provinces. Another UNICEF study titled "Surviving the First Day: State of the World's Mothers 2013", launched in May in Islamabad, identified Pakistan as having -the highest first-day infant mortality rate in Asia which was one in 77 babies.

Pakistan continued to be one of the only three polio-endemic countries in the world. A rise in polio cases was registered from 52 cases in 2012 to 85 in 2013. The last polio case of the year was reported in December in South Waziristan, FATA. Majority of the polio cases were reported from FATA, particularly North Waziristan where immunization activities had been halted by local leaders since June 2012. The rise in the number of polio cases may be linked to refusal by parents to get their children vaccinated. 27 vaccinators and their police guards were killed in the past year. Sixteen of those killed were from Khyber Pakhtunkhwa.

Measles, which had hit the country in 2012, continued taking the toll with the same force in 2013 and onwards.

According to Pakistan Pediatrics Association (PPA) estimates, 1,000 to 1,200 school-going children aged six to 16 take up smoking every day in the country. If we look at the MDGs, our achievements are at the lowest.
Goal 1. Eradicate Extreme Poverty & Hunger.
Goal 2. Achieve Universal Primary Education.
Goal 3. Promote Gender Equality & Empower Women.
Goal 4. Reduce Child Mortality (New date will be available in late September 2015).
Goal 5. Improve maternal Health
Goal 7. Ensure Environmental Sustainability.
Goal 8. Develop a Global Partnership for development.

The above are the tips on the iceberg.

The country has provided constitutional guarantees plus various laws civil as well as criminal to give protection to children, from birth Guardian and Wards Act to attaining majority and onward yet we see a very dismal situation today. Although child abuse is rampant in the country but the impunity which has surfaced from incidents of Kasur has hopefully waken us up to seriously take the issue. We have not forgotten the serial killer Iqbal from Lahore who killed children and put them in acid.

In view of the prevailing conditions SHRC has requested all of you to put all your experience together to enable us to give recommendations for possible legislation for the benefit of our coming generation.

She said that the Commission lacked resources and staff, but despite that from the beginning it had started awareness campaign, training programmes, press briefings arranging seminars and inspection of Jails hospitals and other places as per our mandate and have given recommendations to the Government. We have succeeded in solving many suo-moto cases. Quite a few Applications have been resolved and a few are pending,” she observed.

She said we need more psychiatrists and psychologists in the prevailing scenario.

Justice (retired) Majida Razvi said on the one hand we preach Islam, on the other rape was on an ascending order. Even kids were forced to wear ‘hijab,’ she said.
When it comes to child sexual abuse, merely passing laws was not enough as they will not make much difference until the attitude of the society changes, said Shehla Raza, Deputy Speaker, Sindh Assembly who presided over the Roundtable Conference.

“It’s strange and shocking that in some cases of child sexual abuse, parents merely asked us for money, pleaded for jobs and ultimately patched up with the culprits,” Raza said.

“We also saw that even doctors are not sympathetic towards the victims,” she added.

Raza, said awareness was needed in every segment of the society.

She noted that the Sindh Assembly had passed a law through majority vote in connection with such cases, but the Council of Islamic Ideology, in response, had issued a statement that the provincial assembly should be dissolved.

“We had responded by issuing a statement that the Council of Islamic Ideology should be dissolved. We are doing whatever we can to change this mindset,” she added.

She conceded that the Sindh Human Rights Commission’s budget was not enough and needed to be increased. “The educational system should be analyzed in a different way now,” she noted.

She pointed out that when Muhammad Khan Junejo was the Prime Minister, an initiative was taken to hand over development budget to legislators that had paved the way for ghost schools and other such problems.
MPA Sharmila Farooqui said every religion taught humanity and no religion allowed child abuse. She added that in many cases, parents themselves exploited their children.

She pointed out that rape cases had been surfacing in India too despite many amendments in the law there. “We need to take notice of child trafficking, child pornography and other such heinous crimes too,” she said.

“The implementation of the law is not up to mark but that doesn’t mean that the government is not pressing for its implementation.”

Farooqui regretted that there were two female judges for every 35 male ones. She observed that after the passage of the 18th Constitutional Amendment, Sindh could prepare its own legislation, but it was not easy to implement it.

Referring to the poverty in Sindh, she observed that there were millions of out-of-school children and the dropout rate, particularly of girls, was very high.

She said when a law was passed that a girl could be married off only when she was 18, parents in rural areas started complaining about it.

“The rule of law should not be such that you transform the country into a Gestapo state. We have to work a lot for creating awareness and in this regard the federal government should come forward as progress across the world is made at the state level.”

Farooqui said much needed to be done to protect children from conflict.
But **MPA Sorath Thebo** differed. She said why one should hide what was going around from children.

**Sara Zaman** from ShirkatGah said we were seriously over legislated but there was lack of capacity building.

**Ms. Rukhsana** from War against Rape (WAR) said child sexual abuse was on the rise. Children were not only being abused but they were often murdered but parents try that cases of child sexual abuse were not reported to police because of family honor.

**Former IGP Niaz A. Siddiqui** said training programmes were being held for police officers to deal with child abuse cases. He added that 1,200 officers had been trained so far.
He said legislation was the basis of all laws and it could be framed in accordance with the Constitution. Article-4 says every person was equal before law and entitled with equal protection. Other things were of social and cultural nature, he added. He said rules and regulations were informal and different in every house. He said we make laws but we don’t make rules and that generates conflict. He said unless there were rules, institutions could not be held responsible regarding implementation of law.

Siddiqui said in the absence of rules, law could be interpreted in different ways.

“Every province has its own order regarding police order,” he observed. He said the media was double edged sword; it could be used; it could be misused. He said if our social interpretations were faulty, there won’t be social order in the society.

He said foreign countries refuse to import goods from Pakistan because child labour was rampant in the country. We need to make labour laws, he added. Siddiqui paid tributes to Sindh Assembly for making laws. He said now a girl could only marry at the age of 18, an age when she was entitled to have an identity card.

“Sexual exploitation often begins at home and in the neighborhood,” he observed. He said previously children were sent to UAE and used as camel jockeys. Thanks to media houses this practice has been eliminated, he added.
He said there was a difference between sense of security and security adding sense of security has disappeared. He said there was sense of security was very much there in the West although their crime rate was higher than us. “Terrorism that is mostly indoctrinated is essentially mental disorder,” he observed. He said media should be given full credit for exposing “marriage with Holy Quran.” He pointed out that begging in Pakistan was organized by a mafia. He said expectations from parliamentarians were that rules were made and implemented.

**Zahida Hashmi**, the director of the SOS Children’s Villages, said previously a child was looked after by the entire neighborhood, but now even parents did not fulfill their responsibilities. Another speaker, **Fouzia Tariq**, said there was no legislation against child abuse similar to the domestic violence law. “Police are reluctant to lodge an FIR in child abuse cases and TV channels play a negative role while covering such incidents,” she added.

She said two weeks ago a child was sexually abused in Shershah area in Karachi. Police was reluctant to lodge an FIR, she added. She said people by and large have become materialistic. She pointed out that almost every child has an iPod and everything was available on Google. Our children pose questions as to who were Taliban and suicide bombers, she went on to say.
Psychiatrist Dr. Waseem Alvi who is associated with Citizens Police Liaison Committee (CPLC) said most of the cases his organization was getting were of missing girls. He said one could witness disharmony in families. He pointed out that in some cases of child sexual abuse relatives were involved. He said parent’s needs to be educated. He said bombardment of information was another factor. He said children were vulnerable to mental abuse too. Furthermore, prolonged litigation in courts was also an issue.

He said if a child was living in Lyari, chances are that he would become prone to drug abuse. He could also become part of a gang, he added. Responding to a question by one of the participant that there were merely 700 qualified psychiatrists, therefore GPs must be trained in psychiatry, he said GPs could identify a case but could not recommend medicine for psychiatric illness. Another speaker said socio-cultural changes have occurred during the last few years and sub-cultures were also impacting Pakistan society.

Faizullah Korejo, SSP Investigation South said dignity of human being should be observed. He said children working at homes were also abused. “It’s kind
of bonded labour,” he observed. This was the reason that children working at homes often run away.

**Khalid Chachar, Additional Secretary Religious Affairs** said children face extreme exposure to information bombardment. He said children need to be monitored as to which sites they were visiting on the Internet. He said socio-cultural changes have taken place and sub-cultures also have an impact on society. He said children need good environment and media should not create hype if there was an incident of child sexual abuse.

**Ava Cowasjee** said we have laws but they were not implemented. She said adults need to be educated.

**Seema Nazli, Assistant Director, Social Welfare Department** in Jacobabad a marriage between a 15-year-old girl and a 15-year-old boy was being
solemnized and our department stopped it. She made the startling disclosure that at times the bridegroom was so small that he has to be taken to the ceremony in arms. She emphasized that media should play a positive role. She regretted that often a compromise was made amongst families and our role ends. An 11-year-old boy said he ran away from his house because his father uses to beat him.

Sorath Thebo said In Hyderabad a teacher was found asking a girl student to meet him somewhere. She said such cased should be reported. She said parents should think what needs to be done for the protection of children.

At the end Syed Gul Munir Shah Member Sindh Human Rights Commission thanked the guest for giving their time and valuable input for recommendation. He thanked the Asia Foundation for the support for the Event without which the Conference could not take place on such an important Issue. He thanked Mr. Farmanullah for coming all the way to attend the conference.

**Recommendations:**

- Children should be taught to identify child abusers and Curriculum needs to be changed accordingly.
- Parents need to be educated in this regard.
- More psychiatrists and psychologists are needed.
- Children need to be monitored as to what they were watching on Internet.
- Media should not create hype if there was a case of child sexual abuse.
- Laws should be implemented seriously in letter and spirit.
- Adults should also be educated about child rights.
- Human rights should be linked to economic rights and included in the curriculum.
- Laws need to be changed / amended with the passage of time.