

UNICEF

# Child Protection System Mapping and Assessment

---

Sindh

**Collective for Social Science Research**

**12/1/2012**

## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY</b>	<b>i</b>
<b>SECTION 1: INTRODUCTION</b>	<b>1</b>
1.1 Background and Rationale for Study	1
1.2 Pakistan in a Global Context	2
1.3 Institutional Changes in Pakistan, i.e. Devolution (18th Amendment)	4
1.4 Report Contents	5
<b>SECTION 2: STUDY DESIGN</b>	<b>7</b>
2.1 The Process	7
2.2 The Toolkit	8
2.3 Outputs	9
<b>SECTION 3: PROVINCIAL RISK PROFILE AND BASIC DATA</b>	<b>11</b>
3.1 Poverty and Demographic Context	11
3.2 Child Health and Education	12
3.3 Children Affected by Emergencies / Armed Conflict	13
3.4 Birth Registration Profile	14
3.5 Child Labor Data	15
3.6 Harmful Cultural Practices	16
• Child Marriage	16
• Honor Killing and Vani	16
3.7 HIV / AIDS Data	17
3.8 Violence Against Children	19
3.9 Children with Disabilities	20
3.10 Child Mobility and Trafficking	22
3.11 Children without Adequate Family Care	23
3.12 Children in Conflict with Law	24
<b>SECTION 4: LAWS AND POLICIES</b>	<b>26</b>
4.1 Relevant National Laws Applicable to Sindh	26
4.2 Sindh Specific Legislation	28
4.3 Pending Legislation	30
• Domestic Violence Bill:	30
• Corporal Punishment Bill	30
4.4 Recommendations	31
<b>SECTION 5: FORMAL SYSTEMS AND CAPACITIES</b>	<b>32</b>
5.1 Overall Child Protection System in Sindh – Key Features	33
• Fragmented Approach to Child Protection	33
• Sindh Child Protection Authority	33
• Child Protection Units	33
• UNICEF	33
• Multilateral Agencies	33
• Thematic Government Level Coordination	34
• Provincial Ombudsmen	35
• Helpline for Children	35
• Social Work Training and Human Resources	35
• Adoption / Foster Care / Guardianship	35
• HIV/AIDS and Child Protection	36
• Emergency Preparedness and Response	36
5.2 Primary Department Mapping: Social Welfare Department	36
5.3. Secondary Department Mapping: Labor Department	39

5.4 Recommendations	40
<b>SECTION 6: CHILDREN IN CONFLICT WITH THE LAW</b>	<b>43</b>
6.1 Mapping and Assessment of the Children and Justice System of Sindh	43
• The Judiciary	44
• The Home Department of Sindh	44
• Informal Justice System	45
6.2 Recommendations	46
<b>SECTION 7: CONTINUUM OF CARE, CIVIL SOCIETY AND CHILD PROTECTION SYSTEM AT THE DISTRICT LEVEL</b>	<b>48</b>
7.1 Negative Attitudes, Customs and Practices	48
• Acceptability of violence against children:	48
• Social apathy to sexual violence against children:	49
• Acceptability of Child Labor	49
• Reliance on informal dispute resolution mechanisms	50
7.2 CSOs and Child Protection	50
7.3 Child Protection System and Community Actors at a District Level	50
7.4 Thematic Mapping of Child Protection Services in Sindh	52
• Schools for Disabled Children	53
• Child Labor Services	54
• Legal Aid Services	54
• Hospital-Based Child Protection Centers	55
7.5 Matrix of Actors and Activities in Child Protection	55
7.6 Recommendations	56
<b>SECTION 8: RESOURCE MOBILIZATION AND FISCAL ACCOUNTABILITY</b>	<b>59</b>
8.1 Allocations and Budgeting for Child Protection	59
8.2 Monitoring and Accountability	59
8.3 Role of Donors	60
8.4 Recommendations	60
<b>SECTION 9: SINDH CHILD PROTECTION AUTHORITY</b>	<b>63</b>
9.1. Role and functions of the Sindh Child Protection Authority	63
9.2. Staffing model for the SCPA	65
9.3. Costing	67
<b>SECTION 10: CONCLUSION- CHILD PROTECTION SYSTEM DEVELOPMENT</b>	<b>69</b>
10.1 Sindh Child Protection Authority	69
10.2 Laws	69
10.3 Data and Data Management	70
10.4 Standards and Regulations	70
10.5 Infrastructure and Service Delivery Mechanisms	70
10.6 Capacity Building	70
10.7 Communication, Education and Mobilization for Change	71
10.8 Financial Resources	71
<b>ANNEX 1: MEETING MINUTES</b>	Error! Bookmark not defined.
<b>ANNEX 2: SECTOR COSTING TABLE</b>	Error! Bookmark not defined.
<b>BIBLIOGRAPHY</b>	<b>72</b>

## List of Boxes, Tables and Figures

Box 1. Summary of key objectives of study .....	2
Box 2. Pakistan’s international commitments relevant to child protection .....	3
Box 3. Child protection federal laws applicable in Sindh .....	26
Box 4. Child protection laws specific to Sindh .....	28
Box 5. Matrix of actors in protective environment for children .....	56
Box 6. Costing for the Sindh Child Protection Authority .....	67
Table 1. Demographic and macroeconomic indicators.....	11
Table 2. Child health and education indicators .....	12
Table 3. Children in emergencies .....	13
Table 4. Birth registration data .....	14
Table 5. Child labor data.....	15
Table 6. Child marriage data.....	16
Table 7. Honor killing and Vani .....	17
Table 8. HIV / AIDS indicators.....	18
Table 9. HIV Prevalence among high-risk groups in Sindh .....	18
Table 10. Violence against children.....	19
Table 11. Child abuse data (Madadgaar).....	20
Table 12. Violence against children (Karachi) .....	20
Table 13. Children with disabilities.....	21
Table 14. Child mobility and trafficking .....	22
Table 15. Children without adequate family care .....	23
Table 16. Children and justice.....	24
Table 17. Residential services and shelters .....	52
Table 18. Schools for disabled children .....	53
Table 19. Child labor services .....	54
Table 20. Legal aid services .....	54
Figure 1. Diagrammatic representation of study methodology .....	8
Figure 2. Organogram of overall child protection system in Sindh.....	32
Figure 3. Social Welfare Department organogram .....	38
Figure 4. Organogram of children and justice system in Sindh.....	43
Figure 5. Organogram of child protection system at a district level.....	51
Figure 6. Establishment of system: cooperation, coordination and collaboration ...	65
Figure 7. Optimal staffing of the Sindh Child Protection Authority.....	66

## ACRONYMS

ABLC	Anti-Bonded Labor Cell
ADR	Alternative Dispute Resolution
CBO	Community-Based Organization
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CPC	Child Protection Committee
CPM&A	Child Protection Mapping and Assessment
CPMIS	Child Protection Management Information System
CPO	Child Protection Officer
CPU	Child Protection Unit
CRC	Convention on the Rights of the Child
CRSR	Convention Relating to the Status of Refugees
CSO	Civil Society Organization
DG	Director-General
DVC	District Vigilance Committee
FIA	Federal Investigation Agency
GJTMAB	Gender Justice through Musalihat Anjuman Project
HACT	Harmonized Approach for Cash Transfer
HRCP	Human Right Commission Pakistan
IDP	Internally Displaced People
IDSP	Institute of Development Studies and Practices
ILO	International Labor Organization
INGO	International Non-Government Organization
JJSO	Juvenile Justice System Ordinance 2000
LGO	Local Government Ordinance
LSBE	Life-Skills Based Education
MDG	Millennium Development Goals
MICS	Multiple Indicator Cluster Survey
MIS	Management Information System
NADRA	National Database and Registration Authority
NCCWD	National Commission for Child Welfare & Development
NCRC	National Commission on the Rights of Children
NCRCL	National Centers for Rehabilitation of Child Labor
NDMA	National Disaster Management Authority
NFC	National Financial Commission
NGO	Non-government Organization
P&D	Planning and Development
PACHTO	Prevention and Control of Human Trafficking Ordinance
PCLU	Provincial Child Labor Unit
PDHS	Pakistan Demographic and Health Survey
PPC	Pakistan Penal Code
PSLM	Pakistan Social and Living Standards Measurement
RCMHC	Rehabilitation center for Multiple Handicapped Children
RoB	Roles of Business
SCPA	Sindh Child Protection Authority
SCPO	Senior Child Protection Officer
SCPO	Senior Child Protection Officer
SOP	Standard Operating Procedures

SPARC	Society for the Protection of the Rights of Child
SWD	Social Welfare Department
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
WAR	War Against Rape
YOIS	Youthful Offenders Industrial School

## **EXECUTIVE SUMMARY**

A child protection system comprises of structures, functions and capacities that work together for child protection goals. It works on several levels of society, from government to community, and engages several actors, including government and Civil Society Organizations (CSOs) or representatives [User's Guide: 7]. Child protection systems are currently organized around these themes: birth registration; child labor; harmful cultural practices; child marriage and discrimination; physically, sexually and psychologically abused and neglected children; children without adequate family care or alternative care; child mobility and child trafficking; sexual exploitation; children and justice; and child protection in emergencies/armed conflict.

A mapping and assessment exercise on child protection systems in Pakistan was carried out with the support of UNICEF. Its objectives were to assess the key risks facing children, the capacity of current structures, and the legal framework/policy agenda relevant to child protection. The assessment will be used to plan for future services, engagement and coordination of key players, and financial and human resources to strengthen child protection systems.

### **i. Global Context**

Pakistan is signatory to the United Nations Convention on the Rights of the Child (CRC), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and other Protocols and Conventions protecting children from sale and prostitution, hazardous labor, and discrimination on the basis of education or disability. It is not party to the Convention Relating to the Status of Refugees.

### **ii. National Context**

The process of devolution has altered the political, programmatic, policy, and service context of child protection. After the 18<sup>th</sup> amendment, introduced in 2010, the sole legislative and administrative authority on all matters relevant to child protection lies with the provinces.

### **iii. Methodology**

The Child Protection Mapping and Assessment (CPM&A) was a comprehensive process that engaged stakeholders from government, civil society and UNICEF, from November 2011-June 2012. It was guided by a Provincial Steering Committee comprised of government officials, who approved and customized the Toolkit based on the provincial context, and granted time for interviews. The Toolkit was a detailed questionnaire used to gather data on all of the child protection thematic areas mentioned above. This report was an outcome of the Toolkit. Findings were shared with the Steering Committee in the form of Toolkit, report, and presentations/meetings.

### **iv. Basic Data and Provincial Risk Profile**

Sindh's poverty-related indicators are weak. GDP is dropping, 31 per cent of the population lives below the poverty line, landlessness is a major problem, and food insecurity prevails in certain districts. Gender imbalance is extreme, and over half the population are under age 19. Sindh is off-track to meet its Millennium Development Goals (MDGs), in part due to the floods from 2010 and 2011, which affected more than two million children. On-going political conflict and growing crime in Karachi has affected children as well, although no major research has yet quantified it.

This context worsens child protection indicators as well. Birth registration is around 20 per cent only. Child labor in hazardous and bonded conditions exists in 0.2% of children between and the overall instance of child labor as per the Sindh Multiple Indicator Cluster Survey (MICS) is 3.1%. The figures for child labor in hazardous industries for Sindh quoted in MICS are admittedly not precise. Other sources for Sindh give 3.5% as the figure (MICS Sindh 2003-4: 122). Bonded labor remains a problem in Sindh, despite the Bonded Labor System Abolition Act passed in 1992 and children are among those who suffer. The use of children as domestic workers in landed households and urban homes is widespread, although no data is available yet. Child marriage does take place, although the legal age for girls to marry is 16 while for boys it is 18. Honor killings and forced marriages are both used as dispute resolution mechanisms between families or tribal groups in Sindh. Figures based on media and police reports indicate that 266 females (all ages) in Sindh were killed in the name of honor killing in 2010.

HIV/AIDS is a concentrated epidemic among high-risk groups in Sindh, which include children living on the street who are subjected to commercial sexual exploitation. In 2011, the Sindh AIDS Control Programme counted 24 boys and 18 females who are living with the disease.

Child abuse is prevalent, and includes corporal punishment, kidnapping, murder, and sexual abuse. In 2010 the number of children reported in newspapers as victims of violence in Sindh was 1,529. The Non-government Organization (NGO) Madadgaar, which runs a helpline for victims of abuse, recorded 3,304 such cases from January 2010 to May 2012. There are an estimated 30,000 street children living and working in Karachi, many of whom are drug users. Reported cases of rape indicate that girls under age 18 are the most vulnerable.

There is no recent reliable data on children living with disabilities. 1998 figures for children with disabilities, up to age 19, number 451,337. In 2008 Sindh had 1,608 special children enrolled in schools.

There is virtually no comprehensive data on child trafficking (for purposes of labor and sexual exploitation) across national borders or across the provinces. Karachi does function as a hub for trafficking children from Nepal, Bangladesh, India, and the poorest parts of Pakistan. An estimated 3,409 adolescent street children are commercial sex workers in Karachi.

In Pakistan the most permanent form of family-based care for children who are orphans is guardianship. Full adoption is not possible, and there is no foster care system. 5.1 per cent of children up to age 17 are orphaned, and 4.9 per cent have only one living parent. There are at least 23 institutions for children without parental care in Sindh.

In Pakistan the minimum age for criminal liability is 7 years. Most children in conflict with the law are males. 271 children are in detention in jails in four juvenile jails in Sindh. The figure does not include children who may be imprisoned in adult jails. Female juveniles are grouped with adult females and detained in women jails. Therefore, no data for female juveniles is recorded and made available.

#### **v. Laws and Policies**

Many national laws are applicable in Sindh, e.g. the Pakistan Penal Code which addresses various thematic areas of child protection. The Juvenile Justice System Ordinance (JJSO) 2000 is the most important law that addresses process and standards for handling criminal cases involving children. Other national laws cover child marriage, employment, birth/death registration, human trafficking, and crime.



The provincial Sindh Children's Act (1955) is a comprehensive law that lays out procedures for handling children in need of protection; however, it is not being fully implemented. The Sindh Child Protection Authority (SCPA) Act 2011 protects children at risk through the setting up of a provincial level Authority and Child Protection Units (CPUs) at the district level. However the Authority has not yet been established; the 2011 Act does not override existing legislation. The same year, the Sindh High Court banned *jirgas* to resist the influence of informal justice mechanisms in meting out harsh punishments to girls, yet it is not effectively enforced.

Pending legislation includes the Domestic Violence Bill and the Corporal Punishment Bill, that is pending approval of the Provincial Assembly.

#### **vi. Formal Systems and Capacities**

This Report includes an organogram that illustrates the overall child protection system in Sindh. The system involves actors from departments of Home, Social Welfare, Special Education, National/Provincial Disaster Management Authorities, Women Development, Federal Investigation Authority (FIA), Labor, Local Government and more. It also includes actors from the national level, such as National Database and Registration Authority (NADRA) and Bait-ul-Mal. The organogram shows the depth of involvement of these actors from the provincial to the community level.

There is some coordination among government departments and CSOs. There is a Working Group on Child Protection chaired by the Secretary Social Welfare Department (SWD) and including members such as UNICEF and representatives from NGOs, as well as Secretaries from the above-listed government departments. The Working Group has established a Task Force on Birth Registration and a Task Force on Street Children. There is another Working Group on Protection in Emergencies, the purpose of which is to bring together all actors, including donors and government to better coordinate services during emergencies, such as the floods. This Working Group has a sub-cluster on Child Protection which works in emergencies after activation by the government and United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA). It is led by the SWD and UNICEF.

The SWD was identified as the primary department with regards to child protection as it is the most closely involved government department in child welfare and protection issues. It runs 3 orphanages for children, 6 CPUs, 12 education/rehabilitation centers for children with disabilities, 4 shelters for women and children, as well as a Social Welfare Training Institute to provide in service training to human resources in the field and trainings to NGOs on different technical and administrative topics. SWD has registered almost 7,500 non-profitable or charitable organizations in Sindh. The Labor Department was identified as the secondary department with regards to child protection as its mandate includes addressing child labor and bonded labor issues. A Provincial Child Labor Unit (PCLU) has been set up in Sindh and the unit is working in collaboration with the International Labor Organization (ILO) to decrease child labor in the province. However, the department needs to be strengthened in order to fulfill its mandate.

There are child protection services in the private sector as well. They include homes for the destitute, private orphanages, shelters for women and children, rehabilitation services for drug users/addicts, and legal aid services. There are at least 34 schools for children with disabilities in Karachi. At least three non-government organizations provide life skills-based education to empower community members to prevent child sexual abuse. Further mapping at the district level across the provinces would be needed to complete the picture.

The SCPA, if established, would streamline the coordination among government departments, along with CSOs, to enhance and deepen the child protection system in the province.

#### **vii. Children in Conflict with the Law**

Despite provisions in the JJSO 2000, and the Sindh Children's Act 1955, there is only one court for children in the province, and it is not functional. As a result children are tried in adult courts that have been notified to try them. Judges are not well-versed in the law as it pertains to children. The JJSO does not override existing laws, such as those pertaining to Hudood and terrorism; as a result children tried under these laws can be sentenced to death. According to the JJSO, the state is to provide free legal assistance to child offenders and victims. However, this is not the case in practice and civil society organizations provide free legal aid to children,

The Home Department has three subsidiary units that play a role in handling of children in conflict with the law. The Police Department registers and investigates cases, but the police are often unaware of which law to register cases under. During this process children are detained beyond the permitted period (24 hours), and may be abused and manhandled by police. The Prisons Department manages the juvenile detention facilities in Sindh, i.e. the Youth Offenders Industrial Schools that hold boys between ages of 16-18. The Schools exist only in Hyderabad and Karachi, and need to be established for the other districts as well. The Probation Department is the most underutilized and understaffed, with a total of only three probation officers in the province and none specifically appointed for children. This Department is responsible for running the Remand Homes in Sindh, to house children in conflict with the law under age 16. There is only one such Home in the province (in Karachi) whereas the law calls for one in each district.

At the community level the most important informal justice mechanism remains the tribal *jirgas*, or *faislos* as they are known in Sindh. A male council of elders constitutes a *jirga*, which rules on a wide range of family and community disputes, including those related to honor killings. It emphasizes a system of compensation for crimes rather than punishment. Girls under age 18 may be given in compensation to aggrieved parties, or killed as part of honor crimes.

#### **Recommendations**

- The JJSO after necessary amendments should override all other laws relevant to children and justice.
- The ban on informal justice system mechanism of *jirgas* must be enforced.
- The Home Department's subsidiary units need to increase collaboration.
- A formal system of referral should be established between the Home Department and the SWD so that children in need of care and protection, child victims and child witnesses can be provided protection.
- A system of formalized training with regard to children and justice needs to be made active immediately ensuring that ALL police, prison staff, judges, prosecutors, probation officers participate.
- Separate children's courts should be set up as per the requirement of JJSO.
- Remand Homes need to be established in more districts in Sindh.

#### **viii. Community, Civil Society and Continuum of Care**

The first step to assess the protective environment for children is noting attitudes, customs and practices that have a negative impact on children, whether there is open discussion allowed about these practices, and what efforts are being made to change these attitudes.

*Acceptability of violence against children* is the first such attitude noted; it translates into widespread corporal punishment of children in schools or by elders, and also domestic violence within the home. Corporal punishment has been banned in schools, and a bill criminalizing it is pending in the provincial assembly, as is a bill to stop domestic violence.

*Social apathy to sexual violence against children* leads to a number of crimes such as rape and incest that are either ignored by society and the state or given scant attention. Underage marriages are broadly acceptable as well, particularly of girls under the age of 18 although they are not ready physically or psychologically for marriage and childbearing. NGOs conduct intermittent awareness-raising campaigns, and have also worked with government and other stakeholders to impart life skills based education to children so as to help them protect themselves against violence and exploitation. There is also a move to standardize the age of marriage at 18 for both boys and girls.

The *acceptability of child labor* is common in Sindh, linked with high levels of poverty and the easy manipulation of children in informal sectors of the labor force. There is open discussion of the issue and a lively debate regarding the utility of banning or limiting such labor. CSOs seek to increase the minimum age of entry into the labor force and the Bait-ul-Mal runs National Centers for the Rehabilitation of Child Labor (NCRCL) for children.

The *reliance on informal dispute resolution mechanisms* is another prevalent attitude, leading to honor killings and the use of girls in marriage to settle disputes within parties. Government in Sindh has begun to move against this, but the difficulties of pursuing justice within the formal system are so great that many people prefer to settle within the informal system.

### **Civil Society Organizations and Child Protection**

There are several CSOs in Sindh that are directly working in the sphere of child protection, while others are indirectly linked to it in one way or the other. There is no comprehensive mapping of all CSOs in Sindh, in particular the smaller community-based organizations (CBOs) working at the village level. There have been some efforts to coordinate initiatives, however. There is no single procedure to register all NGOs working in Sindh, and those with licenses are not properly monitored. The registration of all CSOs with one department, such as the SWD, will result in a stronger referral system, uniform standards of care, better planning of services and a consolidated system of data sharing.

### **District Actors in Child Protection**

This report presents an organogram to map the child protection system at the district level, showing the key community players, both informal and formal, that make up this system. However, each district will not have the same system due to cultural, infrastructural, and other reasons. Key community players include the District Officers of the SWD, Deputy Commissioners, Union Council Secretaries, police, magistrates, teachers and health workers. In the absence of referral mechanisms they cannot be said to constitute a cohesive system.

### **Creating a Protective Environment**

The activities along the spectrum of 'continuum of care', or the protective environment for children, range from preventive to responsive. They include birth registration, identification of children at risk, access to services and legal aid, determination of best interest, alternative care, and more. These activities are mapped against four sets of actors: government, civil society, informal/kinship groups, and donors from multilateral or bilateral organizations that provide assistance. This mapping exercise reveals that informal groups play an important role in almost all of these activities, along with the other actors,

suggesting they should be more involved in future efforts to improve capacity and services for child protection.

#### Recommendations

- All CSOs must be registered with one authority, preferably the SWD. These CSOs must be held accountable and make transparent their practices, data, and partners and consent to regular audits by the government or a third party. The SWD will have to revise their registration process and strengthen their monitoring capacity if they are to undertake this task.
- Cooperation among CSOs working at the provincial and district level needs to increase.
- CSOs should focus on increasing the capacity of parents to engage with child protection and develop the skills necessary to meet their responsibilities to children.
- Operating procedures for all facilities offering child protection related services need to be standardized across government, NGO, and private sectors.
- Adoption of a more effective system for guardianship must be established
- There are several child rights coalitions/networks at the national level, e.g. National Juvenile Justice Network, Child Rights Movement and Pakistan Coalition for Education. These networks need to be more active and establish a stronger presence at provincial level as well.
- Child Protection Committees (CPCs) at the community level (as recommended by the SCPA Rules) should be set up. This could include both informal and formal actors and thereby increase coordination between the formal and informal systems.
- Life skills education should be made part of the curriculum in schools and madrassahs.

#### **viii. Resource Mobilization and Fiscal Accountability**

There is no separate classification for child protection in budget documents and functional classification of expenditure used by the Sindh Government. The same is true within individual departments. CPUs under the SWD amount to only 4.75% of its current budget. The major donor for child welfare and protection in Sindh is UNICEF. There is a need to improve capacity of government personnel associated with child protection activities, as well as maintain a database for effective monitoring and transparency. The proposed SCPA will address the above issues, and improve fiscal coordination substantially.

#### Recommendations

- Child protection should be provided as a consolidated head in budget documents.
- The aggregate development budget for the SWD needs to increase beyond 0.6% of total development budget for the province.
- Expenditure tracking and outcome-based budgeting should be introduced.
- Donor funding should be part of the consolidated account of the relevant department and subject to same scrutiny as other public funds.
- A coordinated child protection work plan needs to be prepared and funding sought on that basis. This will also reduce transaction costs for monitoring and accountability allocations, and for introducing outcome-based budget for child protection.

#### **ix. Sindh Child Protection Authority**

The SCPA Act was passed in 2011 providing for an interdepartmental coordinating body. It is not yet operational. Members will include representatives from a number of government departments, provincial assembly, and CSOs. The Authority will:

- coordinate and monitor child protection related issues at provincial and district level, support and establish institutional mechanisms for child protection,
- set minimum standards in child protection,
- review laws and propose amendments,
- recommend development of a policy and plan of action for children,

- set up a child protection management information system,
- mobilize financial resources for child protection,
- initiate through relevant authorities prosecution of offenders when a child is a victim,
- undertake systematic research on child protection issues.

It will oversee district level CPUs headed by a Child Protection Officer to protect and assist children in need. All key stakeholders need to make an active role in making it functional, which includes elected representatives. The Rules of Business need to be passed, so that CPUs may be set up, and a Child Protection Management Information System (CPMIS) can be developed. District level offices of various departments who are members of the Authority should closely coordinate with the CPUs. A third tier, at the *tehsil* level of the Authority, may be set up to improve outreach through community-CPCs. These can include community-based organizations, child rights advocates, teachers, police officers, and union council staff.

#### **x. Conclusion: Child Protection System Development**

The Authority is an optimal model for collaborating on child protection issues. This section lays out action points, based on recommendations from this report, in an order of priority. Much has already been accomplished by conceptualizing the SCPA. Devolution has been a first step towards mobilizing the funding and readiness of the Sindh government to plan for its own needs in the social sector with a renewed commitment. While the challenges of developing a strong child protection system in the province may be daunting, close coordination across government departments, civil society, and stakeholders at the district and community level, can reap enormous benefits in the years to come.



## SECTION 1: INTRODUCTION

### 1.1 Background and Rationale for Study

Until recently, children's needs have been addressed by government and Civil Society Organizations (CSOs) on issue-based agendas, with goals developed to improve indicators and achieve progress in tackling specific issues. Child labor is one such example, as is trafficking in children. Programmatic and policy approaches to tackle the former are not integrated with efforts to tackle the latter. The concept of child protection, instead, seeks to bring collaboration and coordination among stakeholders working for the welfare of the children who are the most vulnerable in our society.

In order to build a system to protect the most vulnerable children, clarity of understanding needs to be achieved first.

"...by definition, a child protection system has certain structures, functions, and capacities, among other components that have been assembled in relation to a set of child protection goals."(User's Guide<sup>1</sup>: 18). The system, "operates at several levels (ranging from the formal to the less formal), involves several nested contexts, and relies on different actors."(User's Guide: 21). The actors include children, the family, the community, and the state, and they can operate at one or more levels." [User's Guide: 7]

This approach is being applied to mapping and assessment of thematic areas that pertain to child protection:

"Child protection systems are currently organized around a number of themes. This is evident in global legal frameworks and conventions, national policies and laws, government structures, NGO (Non-government Organizations) and civil society projects, and informal practices. The Toolkit breaks these themes down to **(i) birth registration; (ii) child labor; (iii) harmful cultural practices (e.g. child marriage, discrimination); (iv) physically, sexually, and psychologically abused and neglected children; (v) children without adequate family care or alternative care, (vi) child mobility and child trafficking; (vii) commercial sexual exploitation; (viii) children and justice; and (ix) child protection in emergencies/armed conflict.** Using these themes as a way to gather information on what exists, enables the user to begin the process of creating an integrated systemic approach. In essence the themes become the building blocks of an integrated system." [User's Guide: 16]

The purpose of the mapping and assessment exercise carried out in Sindh was to assist in future planning for an improved child protection system in the province. It comprised of two main areas (Box 1). The first was an assessment of the basic data with regard to the thematic areas, the capacity of government, non-government, informal and other actors to protect children at risk, and a review of laws and policies in place for the same purpose. Next, the task was to use this information for future planning, i.e. to assist in developing a

---

<sup>1</sup> This document is not dated. It was produced for the purpose of understanding the toolkit to be used in the mapping and assessment of child protection.

child protection system that would engage human and financial resources, services and key players in order to prevent children from risk and protect them more effectively.

**Box 1. Summary of key objectives of study**

<b>Part 1: Assessment</b>	<b>Part 2: Future Planning</b>
Key Risks facing children	How to improve services?
Capacity of child protection structures	How to coordinate key players?
Legal framework/Policy agenda	Financial and human resources required?

**1.2 Pakistan in a Global Context**

The first step of the mapping and assessment exercise was to contextualize Pakistan in terms of its global commitments. Since Pakistan signed the Convention of the Rights of the Child (CRC) it has committed itself to protecting children’s human rights and preventing their exposure to harm. Its other international commitments directly address some of the thematic areas under research in this report, such as the Convention on the Rights of Persons with Disabilities (ratified in 2011) and International Labor Organisation’s (ILO) Worst Forms of Child Labor Convention (ratified in 2001). These commitments require Pakistan to report on their implementation and create systems within the country to achieve their goals.

The National Commission for Child Welfare & Development (NCCWD) created on an executive order is responsible for coordinating the implementation of and reporting on the CRC. NCCWD is due to be replaced by the National Commission on the Rights of Child (NCRC). This is being deferred due to the delay in the adoption of the NCRC Bill at the federal level. To meet its reporting requirements, Pakistan submitted its 3rd & 4th periodic reports to the UN Committee in December 2007. The Committee reviewed the reports and forwarded its concluding observations in September 2009. The Committee noted a “lack of a legislative framework harmonized with the Convention in many areas and delays in the adoption of laws”<sup>2</sup>, of particular concern was the delay in the adoption of the Child Rights Bill, the Child Protection (Criminal Law Amendment) Bill, the NCRC Bill and the implementation of the Juvenile Justice Ordinance (JJSO) 2000.

Pakistan’s progress in implementing its commitments with regard to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is underway but much is still to be done. The Ministry of Women Development is responsible for reporting on CEDAW. Combined 1st, 2nd and 3rd periodic reports were submitted in August 2005, examined in the 38th session May-June 2007. The UN Committee reviewing these reports was concerned, among other observations, that violence against women and girls persists, including domestic violence, rape and crimes committed in the name of honor, and that there is lack of accountability for these crimes; and that the Convention has not yet been fully incorporated into the domestic law of the State.<sup>3</sup>The current mapping and assessment of child protection systems will take a similar view on these particular thematic areas as they pertain to children.

---

<sup>2</sup>United Nations and Convention on the Rights of the Child. 2009. Third and Fourth Periodic Reports of State Parties (Pakistan) in Consideration of Reports Submitted by State Parties Under Article 44 of Convention on the Rights of the Children. Concluding Observations: Pakistan. Submitted 2 October,2009. 3.

<sup>3</sup> Ibid



**Box 2. Pakistan's international commitments relevant to child protection**

<b>PAKISTAN IS PARTY TO:</b>	<b>STATUS</b> 4	<b>DATE PERFORMED</b>
<b>Convention on the Rights of the Child (CRC), 1989</b>	Ratified	12-Nov-90
<b>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979)</b>	Ratified	12-Mar-96
<b>Optional CRC Protocol on Sale of Children, Child Prostitution and Child Pornography</b>	Ratified	5-Jul-11
<b>Optional CRC Protocol on Involvement of Children in Armed Conflict</b>	Signed	26-Sep-01
<b>Optional Protocol to CEDAW (1999)</b>	Non-Party	
<b>Hague Convention on Protection of Children and Inter-country Adoption</b>	Non-Party	
<b>Hague Convention on Civil Aspects of International Child Abduction</b>	Non-Party	
<b>Convention on the Rights of Persons with Disabilities (2007)</b>	Ratified	5-Jul-11
<b>Convention Against Discrimination in Education (1960)</b>	Non-Party	
<b>Minimum Age Convention (ILO Convention #138, 1973)</b>	Ratified	6-Jul-06
<b>Worst Forms of Child Labor Convention (ILO #182, 1999)</b>	Ratified	11-Oct-01
<b>Convention Against Transnational Organized Crime (2000)</b>	Ratified	13-Jan-10
<b>(Palermo) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000)</b>	Non-Party	
<b>Convention Relating to the Status of Stateless Persons (1954)</b>	Non-Party	
<b>International Covenant on Civil and Political Rights (1966)</b>	Ratified	23-Jun-10
<b>International Covenant on Economic, Social and Cultural Rights (1966)</b>	Ratified	17-Apr-08
<b>Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)</b>	Ratified	23-Jun-10
<b>Indigenous and Tribal Populations Convention (1957)</b>	Ratified	15-Feb-60
<b>Convention Relating to the Status of Refugees (1951)</b>	Non-Party	

<sup>4</sup>**Accession** is an act by which a State signifies its agreement to be legally bound by the terms of a particular treaty. It has the same legal effect as ratification, but is not preceded by an act of signature. "To **ratify** a treaty, the State first signs it and then fulfils its own national legislative requirements." "**Signature**" of a treaty is an act by which a State provides a preliminary endorsement of the instrument. Signing does not create a binding legal obligation.[<http://www.unicef.org/crc/files/Definitions.pdf>]

### **1.3 Institutional Changes in Pakistan, i.e. Devolution (18th Amendment)**

The domestic context of Pakistan's social sectors has changed dramatically over recent years. Pakistan has gone through a significant process of devolution since 2009. The 18<sup>th</sup> Constitutional Amendment – enacted in April 2010 – and the 7<sup>th</sup> National Financial Commission(NFC) – enacted in December 2009 - have together devolved substantial administrative, fiscal and legislative powers to the provinces from the federal level. This devolution has addressed a long-standing politically contentious issue with respect to the federal character of the state. It has thus added to underlying political stability in a multi-ethnic state. However, there are a number of issues with regard to service delivery in general, and child welfare and protection in particular that need to be addressed that have surfaced as a result of this devolution.

The 18<sup>th</sup> Constitutional Amendment abolished the concurrent list in the constitution. This list had allowed both the federal and provincial governments to concurrently legislate on a range of issues pertaining to social, cultural and economic areas. After the 18<sup>th</sup> Amendment, 44 of the 47 items on the concurrent list have been devolved to the provinces, i.e. the provinces now have exclusive administrative and legislative jurisdiction over these functions. These include education, health, population, social welfare, labor and others. From the list, it is clear that virtually all areas relevant to child protection have now come under the provincial domain.<sup>5</sup>

The 7<sup>th</sup> NFC award has created the requisite fiscal cushion for devolution of functions through the 18<sup>th</sup> Constitutional Amendment. At the vertical level, the Award has reduced the federal share in revenues from 57.5% to 47%. This vertical devolution of fiscal resources to the provinces has enhanced the revenue base of all four provinces significantly. Moreover, by broadening the criteria for horizontal distribution of resources, the share of smaller provinces in revenues has increased substantially. The magnitude of the fiscal impact can be gauged from the fact that in the last year before the new NFC Award was announced, federal transfers to provinces were Rs. 635 billion and the year after the NFC was enacted, it increased to Rs. 1033 billion and by 2011-12 had reached Rs. 1313.7 billion. Sindh's share increased by Rs. 61 billion in one go after the NFC award was finalized.

There are numerous teething problems associated with the quantum of devolution that has come to the provinces' way rather suddenly. There are primarily four areas that the provincial government will have to address to overcome these problems. The first is the lack of capacity of provincial governments in a number of areas to effectively formulate and execute policies and to monitor outcomes. The second area is the lack of prioritization of social sectors in the incremental expenditure that has come about as a result of enhanced revenues. Although the Sindh Government has increased its development expenditure by close to 50% compared to the pre-NFC award era, expenditure on the social sectors has remained low on the priority list. Third, while the NFC Award has increased the resource base of the provinces significantly, it has created an adverse incentive so far as their own fiscal effort is concerned. Given the new responsibilities and obligations that the provinces have undertaken as a result of the abolishment of the concurrent list, it is all the more important that they increase their revenue effort.

---

<sup>5</sup> Although there is a provision that until the province does not legislate on a particular issue, existing federal legislation will remain on the statutes. However, Sindh has passed the Sindh Child Protection Authority Act.

Although Sindh has made more of an effort than the other provinces, as it has started collecting General Sales Tax on services, there is much higher potential that needs to be tapped in order to finance increasing responsibilities. The fourth area where Sindh, along with all other provinces, has also failed is the development of a local government system. The third tier of government is constitutionally enshrined but it is a provincial subject and the provinces have to enact the law and hold local government elections. Since important child protection functions have to be carried out by local governments, it is imperative that an effective local government system is put in place as soon as possible.

As stated earlier, these are however teething problems, and can be resolved over time. Civil society monitoring and advocacy to resolve these issues and donor support will be critical to overcoming these issues.

#### **1.4 Report Contents**

This Report is comprised of nine Sections. The next section introduces the study design and methodology. Section III lays out the provincial risk profile and basic data relevant to child protection. Section IV introduces all the relevant federal and provincial laws that affect children, and efforts underway to streamline laws and policies in Sindh. Section V describes the formal systems and capacities in the provincial government to protect children. Section VI is a discussion of what happens to children who come into conflict with the law. Section VII maps out the broader context, beyond formal systems, that makes up the continuum of care for children, as well as civil society efforts and the situation at the district level. In Section VIII the discussion turns to resource mobilization and fiscal accountability in the existing system. Section XI brings the recommendations together and maps out an optimal system for child protection, much of which is already being developed at the present time. Section X attempts a costing of the optimal system, based on available data. The concluding section suggests how to prioritize the steps required to build that system.



## SECTION 2: STUDY DESIGN

### 2.1 The Process

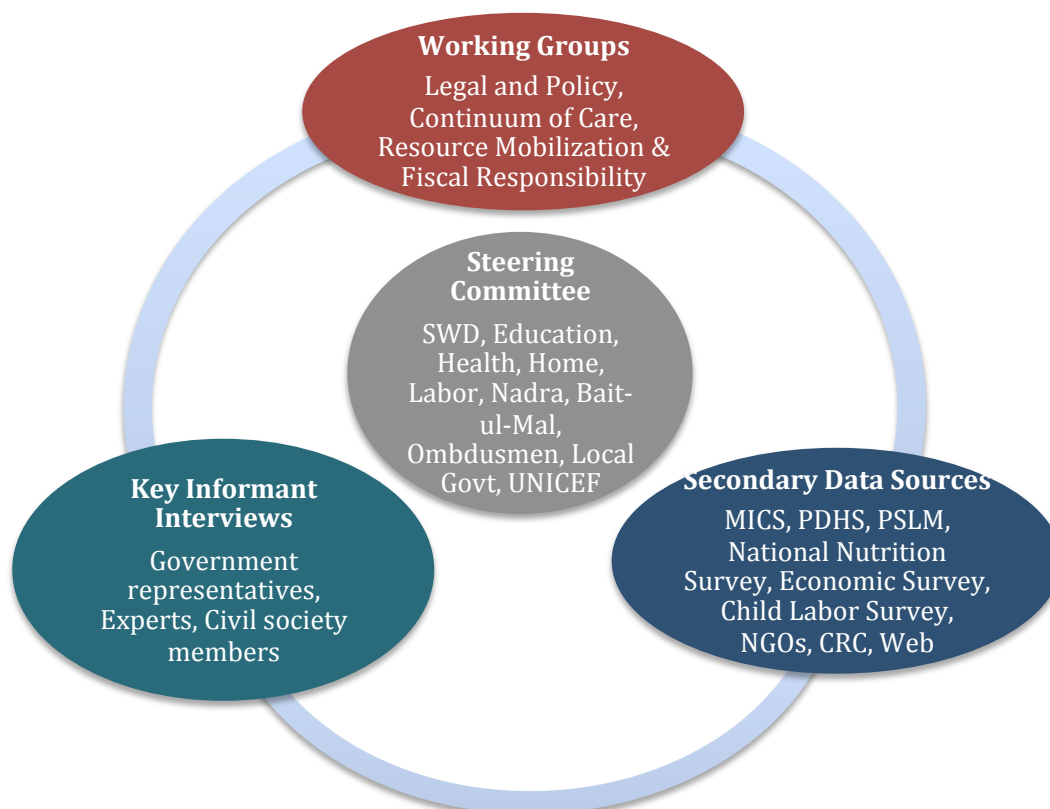
The Child Protection Mapping and Assessment (CPM&A) exercise was a comprehensive process that engaged stakeholders from government and civil society, as well as UNICEF. It was carried out from November 2011 until June 2012, and coordinated by consultants from the Collective for Social Science Research, Karachi. The process went through the following stages:

1. UNICEF **selected national consultants** to coordinate and conduct the CPM&A.
2. **Provincial Steering Committees** consisting of government department representatives who were stakeholders in the formulation of a child protection strategy for their provinces were **notified**.
3. The Collective for Social Science Research met with each Provincial Steering Committee along with UNICEF representatives to introduce the CPM&A Toolkit and process. **The Provincial Steering Committees amended and endorsed the Toolkit.**
4. **Three Working Groups were established** for each Province as follows:
  - a. **Legal and Policy:** The first working group was formed to review legal and policy issues relevant to child protection;
  - b. **Continuum of Care:** The continuum of care working group reviewed the response to child protection in the province, including preventive and rehabilitation services provided by the government as well as civil society;
  - c. **Resource Mobilization and Fiscal Accountability:** The third working group reviewed the specific child protection related budgets of key government departments, donors and multilateral agencies such as UNICEF

The Collective organized and conducted the Working Group meetings with the assistance of UNICEF and Provincial Social Welfare Departments (SWD). The minutes of these meetings were subsequently reviewed by the SWD and approved and disseminated to all participants.

5. The Collective conducted **key informant interviews** with government and non-government representatives to gather information and data on the thematic issues highlighted by the Toolkit and systems in place to address these issues, as well as presented suggestions for improvement.
6. The Collective held **focus group discussions** with CSOs in each province to discuss the dimensions of continuum of care for children in each province and understand which organizations were engaged with child protection at the local level.
7. **Findings** from all the above interviews and synthesis of available data was **plugged into each provincial Microsoft Excel Toolkit.**
8. **Provincial Steering Committees** will be individually **presented with the findings** of their respective provincial CPM&As, so that the way forward to building a stronger child protection system can be formed.

Figure 1. Diagrammatic representation of study methodology



## 2.2 The Toolkit

The Toolkit referred to above is an Excel file organized to gather relevant data on all the thematic areas pertaining to child protection. Researchers entered into the toolkit all data gathered from various sources, including surveys and interviews.

“The **Mapping and Assessment Toolkit** consists of 20 inter-related tools with a number of questions embedded in each tool. These tools are organized into **five sections** in the Comprehensive Toolkit version. Those sections include **(1) General Provincial Information**, which establishes a context within which the system operates including the global legal and policy frameworks, the policy and legislative framework, and the specific risks that children face within a province; **(2) System Overview**, including system structures, functions, capacities, and the children and justice sector, with tools assessing the community context and role of civil society; **(3) Continuum of Care**, which assesses the protective environment, including norms and attitudes; **(4) Resource Mobilization and Fiscal Accountability**, which assesses the human and financial needs of the system and how well child protection is reflected during the budget process, and **(5) Moving Forward on System Development**, which allows users to frame and cost a program to develop the child protection system drawing on the results of the mapping and assessment.” (User’s Guide p.6)

The Toolkit was designed to generate and synthesize data, or lack of data, as well as recommendations in a condensed format. It can continue to be updated and used in order to guide future mapping and assessment exercises.

### **2.3 Outputs**

The first output of the study was the set of completed Toolkits for Sindh, Punjab, Khyber Pakhtoonkhwa, Balochistan and Gilgit-Baltistan. Second, a synthesis report for each province collated the findings from the CPM&A. Third, presentations summarizing the provincial findings will be shared with the Steering Committees comprising selected government officials in each of the provinces. Finally, an advocacy note was prepared to share these findings with a wider group of stakeholders in the respective provinces.





## SECTION 3: PROVINCIAL RISK PROFILE AND BASIC DATA

### 3.1 Poverty and Demographic Context

Progress on child protection is highly challenging because Sindh's broader poverty-related indicators are already so weak. The GDP per capita is USD 750 and 31 percent of the population lives below the poverty line (Table 1). A key feature of poverty in Sindh is landlessness: 59 per cent are landless. Poverty declines with increasing landholdings, therefore small or zero landholdings deepen the plight of the poor (UNICEF (b): 3).

Those parts of Sindh which are food secure include northern districts, and the urban districts of Hyderabad and Karachi. The most food insecure districts include Tharparkar, Umerkot, Mirpurkhas, and Dadu (UNICEF (b): 5).

Gender imbalances are extreme. Research has shown that rural women in Sindh are the most deprived. They experience inequality with men in terms of rights, control over household resources, money, and decision-making power (UNDP 2011 (draft):3-4).

**Table 1. Demographic and macroeconomic indicators**

Indicator	Total	Male	Female	Source/Date
<b>Total Population (thousands)</b>	39,042	19,451	19,591	Projection for 2011 based on the growth rate between 2003 and 2007 as per the Pakistan Demographic Surveys 2003 and 2007.
<b>Population (thousands) under 19</b>	17,984	9,428	8,555	Pakistan Demographic Survey 2007.
<b>Population (thousands) under 5</b>	5,015	2,441	2,574	Projection for 2011 based on the growth rate between 2003 and 2007 as per the Pakistan Demographic Surveys 2003 and 2007.
<b>Population annual growth rate (%) (National)</b>	2.1%			Pakistan Economic Survey 2010-2011
<b>Population that is urbanized, %</b>	43.0%			
<b>Life expectancy at birth (years)</b>	55.4			<a href="http://www.sindh.gov.pk/aboutsindh.htm">http://www.sindh.gov.pk/aboutsindh.htm</a>
<b>GDP per capita (US\$)</b>	\$750			Sindh Economic Report: 14, 2006
<b>% of population below poverty line</b>	31			Millennium Development Goals Report: Sindh, 2011.

Out of a total population of 39 million, over half (21 million) are under age 19.

As the overall well-being of children will be negatively affected by on-going poverty, it is expected that the number of the most vulnerable children (i.e. those children who fall in categories pertaining to child protection), will increase.

### 3.2 Child Health and Education

Almost half of Sindh's children under age five suffer from moderate to severe stunting, and over a quarter of infants are born with low birth weight. Net primary school enrollment ratio is only 57% for boys and 48% for girls, while the figures drop even further for secondary school enrollment ratios. When the rural/urban divide is taken into consideration, then the full extent of Sindh's rural poverty is revealed: e.g. 73% of children are enrolled in schools in urban Sindh, while only 50% are enrolled in rural areas.

**Table 2. Child health and education indicators**

<b>Indicator</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Source/Date</b>
<b>Infant mortality rate (under 1)</b>	81			Pakistan Demographic and Health Survey (PDHS) 06-07:91.
<b>Under 5 mortality rate</b>	101			PDHS 06-07: 91.
<b>Maternal mortality ratio</b>	314			PDHS 06-07: 179
<b>% under-5 suffering wasting: moderate &amp; severe</b>	19.4%			National Nutrition Survey 2011
<b>% under-5 suffering stunting: moderate &amp; severe</b>	47.3%			National Nutrition Survey 2011
<b>Percent infants with low birth-weight</b>	27.4%			PDHS 06-07: 124
<b>% &lt; 5 w/diarrhea oral rehydrate/con't feeding</b>	59.3%			PDHS 06-07:135
<b>Primary school enrollment ratio, net</b>	53.0%	57.0%	48.0%	Pakistan Social and Living Standards Measurement Survey (PSLM) 2010-2011.National / Provincial / District. Table 2.6.
<b>Secondary school enrollment ratio, net</b>	37.1%	40.3%	33.4%	Pakistan Social and Living Standards Measurement Survey (PSLM) 2010-2011.(Using datasets)
<b>Youth (15-24) literacy rate</b>	71.0%	79.0%	59.0%	Government of Pakistan, Ministry of Education, Education for All Mid-Decade Assessment Country Report, 2008.
<b>Urban school enrollment ratio, net</b>	72.9%	74.1%	71.7%	Pakistan Social and Living Standards Measurement Survey (PSLM) 2010-2011.
<b>Rural school enrollment ratio, net</b>	49.3%	59.7%	36.4%	Pakistan Social and Living Standards Measurement Survey (PSLM) 2010-2011.

### 3.3 Children Affected by Emergencies / Armed Conflict

Sindh is off-track to meet 8 of its MDGs, by its own admission as submitted in its provincial MDG progress report (United Nations Development Programme (UNDP) 2011 (draft)). One of the main reasons for this is the emergency context created by the floods in 2010 and 2011. In the first flood alone, an estimated 589,402 children had to be moved into camps for internally displaced. In the following year an estimated 2.4 million children were affected by floods and until today many are still unable to return to their homes (Table 3). Floods are becoming a recurrent, , problem for the people of Sindh which was hit by floods in 2012 as well. Children affected by floods and other natural disasters, as well as those exposed to violent political conflict, need specific protection measures.

**Table 3. Children in emergencies**

Indicator	Total	Male	Female	Source/Date
<b>Number of children affected by floods, 2011</b>	2,400,000			UNICEF Pakistan Update 2012
<b>Number of missing, separated or unaccompanied children</b>	1,093	938	155	Human Right Commission of Pakistan (HRCP), State of Human Rights in 2010: 225 (for period Jan-Oct 2010 and caused in part by the floods in the province.)
<b>Number of flood affected children (internally displaced) 2010</b>	600,000	N/A	N/A	UNHCR. 2010. <i>Statistical analysis of camp profiling monitoring survey in Sindh province, 2010: 4.</i>
<b>Number of malnourished children ages 6-59 months in flood affected districts</b>	90,000	N/A	N/A	Sindh Health Department and UNICEF <i>Flood Affected Nutrition Survey (FANS)</i>

Poverty compounds the devastating impact of flood displacement. For example, data from the 2011 floods reveal that 84 percent of the affected population is food insecure, according to the UNICEF *Pakistan Update 2012*. The *Flood Affected Nutrition Survey* of 2010 found there was a severe nutrition crisis, with the province recording a global acute malnutrition rate of 22.9 percent in northern Sindh and 21.2 percent in southern Sindh (among children from six months to five years of age).

An estimated 2.6 million *katcha* households (i.e. illegal settlements) were affected by the floods. Since families had no rights to reclaim their lost homes, many were forced to wander. They were denied eligibility for government provided support in the form of Watan cards since they also lacked national identity cards. Also excluded from emergency and reconstruction efforts were minorities (ethnic and religious), Afghan refugees, and internally displaced persons from conflict areas. Hindus avoided camps, in part due to the fact that they lacked identity cards (UNICEF 2012 (a):10). Deepening poverty increases children's vulnerability to early and forced marriages, trafficking, exclusion from schools and entry into labor force (UNICEF 2012 (a):10).

The emergency context includes civil conflict and insecurity, particularly in the city of Karachi, where there is ongoing strife of a political, ethnic, and sectarian nature. While the number of total casualties is small in proportion to its huge population, the damage must not be underestimated when one takes into account the gang warfare, police raids, strikes, and riots that regularly disrupt ordinary life in various parts of the city. Children are directly affected by school closures, loss of family income due to the troubles, and trauma of repeated exposure to violence. There is a need to collect accurate information on the effect of such conflicts on children, particularly with regard to their levels of post-traumatic stress disorder and disruption of their education.

Although Pakistan is not signatory to the 1951 Convention Relating to the Status of Refugees, and as such is not a formal recipient of refugees on its soil, nonetheless there is a significant presence of Afghan refugees in the country. The current estimate for refugees in Sindh numbers 69,944, half of whom it can be assumed are children.<sup>6</sup> These refugees reside mainly in Karachi, and they do receive some assistance from international organizations and local NGOs.

### 3.4 Birth Registration Profile

Table 4. Birth registration data

Indicator	Total	Source/Date
Birth registration, total	20.0%	Sindh Multiple Indicator Cluster Survey (MICS) 03-04:120
Birth registration, urban	48.0%	Sindh MICS 03-04: 120
Birth registration, rural	6.0%	Sindh MICS 03-04:120

Birth registration is a core indicator of child protection, without which children cannot access the benefits of citizenship in a modern state. It refers to the “registration of a child at birth with name, nationality, and right to know and be cared for by parents.” (CRC Article 7) Pakistan has a number of laws requiring the state to register children at birth, the earliest of which dates back to 1886. Under more recent legislation the National Database and Registration Authority (NADRA) has initiated the provision of a ‘B’ Form to every Pakistani children 18 years of age or less, which contains a registration number that will be used when the child applies for a National Identity Card at age 18<sup>7</sup> (37 Pak Committee Report). However, this is a step that comes after the initial birth registration which does not include the issuance of the ‘B’ Form.

In Sindh the figures remain alarmingly low despite these measures. Registration of people of all ages in the province is currently at 20%. A quick look at the sources for these figures shows that they are not as current as they could be across the provinces. One reason for this is that the agency that collates the data on birth registration, NADRA, is not the main source of the figures. Union Councils that come under the purview of the Local Government department are responsible for registering births. They maintain a record and share it with

<sup>6</sup>[http://www.unhcr.org/p/basic\\_facts%\\_pdf](http://www.unhcr.org/p/basic_facts%_pdf)

<sup>7</sup> Third and Fourth Periodic Reports of State Parties (Pakistan) in Consideration of Reports Submitted by State Parties Under Article 44 of Convention on the Rights of the Children. 4 January 2008, p 37.

NADRA which manages the provincial and national database for birth registration. Once current information is shared more widely it will be possible to assess the situation accurately.

### 3.5 Child Labor Data

Child labor refers to “any work performed by a child which is detrimental to his or her health, education, physical, mental, spiritual, moral, or social development” (CRC Article 23/33 Provisions). Pakistan has ratified the ILO Convention on the Minimum Age of Employment (in 2006), as well as the ILO Convention on the Worst Forms of Child Labor (in 2001) and pledged to eliminate it altogether by 2015. Among occupations deemed hazardous, any connected with transport of passengers, work at a railway station or a port authority are outlawed for children. A number of processes are also forbidden, including minework, work with electrical wires, pesticides, a range of toxic chemicals, the cement and coal industries, and the manufacture of fireworks and explosives.<sup>8</sup>

Bonded labor is another serious problem in Sindh, with occasional reports from certain areas that bonded laborers, including children, are being held against their will by landlords.

Table 5. Child labor data

Indicator	Total	Male	Female	Source/Date
Child labor (5-14 years) total (Urban)	10.0%			UNICEF Situation Analysis for Children and Women in Sindh: 81, 2011. 2012, (which quotes MICS 03-04)
Child labor (5-14 years) total (Rural)	26.0%			UNICEF Situation Analysis for Children and Women in Sindh: 81, 2011. 2012 (which quotes MICS 03-04)
Among working children, % in agricultural sector	46.0%	47.0%	35.8%	Summary Results of Child Labor Survey in Pakistan (1996).
Among working children, % in industrial sector	18.2%	17.2%	29.4%	Summary Results of Child Labor Survey (1996)
Among working children, % in services sector	35.8%	35.9%	34.8%	Summary Results of Child Labor Survey (1996)

The last Child Labor Survey in Pakistan was conducted in 1996, and current figures quoted above are derived from a variety of additional sources, such as the MICS. Unfortunately there are no accurate figures for children working in different sectors, such as hazardous industries and domestic work, although the informal sector is the largest employer of women and children and it offers them the least protection.

<sup>8</sup>ibid. p. 111.

The highest percentage of boys in Pakistan age 5-14 years who work are from Sindh, according to data from MICS 2003-04. The Child Labor Survey found that among those children age 5-14 years working in Sindh, 46 percent worked in agriculture (Table 5) 18.2 percent in industry, and 35.8 percent in the services sector (not shown.)

Accurate figures guide policy-making and implementation of laws, and unfortunately there is too little data on child labor at present. Another round of the Child Labor Survey is planned, but no date has been fixed yet.

### 3.6 Harmful Cultural Practices

- **Child Marriage**

Table 6. Child marriage data

Indicator	Total	Male	Female	Source/Date
Child marriage, total	27,674	2,737	24,937	Pakistan Social and Living Standards Measurement Survey (PSLM) 2010-2011.
Child marriage, urban	7,408	348	7,060	PSLM 2010-2011.
Child marriage, rural	20,266	2,389	17,877	PSLM 2010-2011.

Under Pakistani law, girls can enter marriage at age 16 and boys at age 18. However, children younger than these ages are often married. CEDAW stipulates that betrothal and marriage of a child below the minimum age should have no legal effect (Article 16). It also states that there should no discrimination on the basis of gender in law that regulates marriages.

Recent figures from the PSLM 2010-11 Survey indicate there are 27,674 people in such unions – with the number of female children far exceeding the number of male children. Though these figures give us some idea of the number of child marriages, yet this data is not comprehensive. It only represents the number of children currently married. It does include children who may have been widowed, divorce or joined in *nikah* (consummation of marriage not having taken place).

In Sindh marriages of a girl to the holy Quran is a practice of ensuring that land assets belonging to the girl remain under the control of her father or brothers. Accurate figures are not available.

- **Honor Killing and Vani**

Honor killings and forced marriages are both used as dispute resolution mechanisms between families or tribal groups in parts of Pakistan. In Sindh the practice is known as *karo kari* and involves a tribal *jirga* (council of elders) taking a decision to murder a girl and, but not always, her lover due to the dishonor their illicit romance has brought their family and tribe. Girls are often killed at the hands of their own brothers or fathers, and

killers have rarely been prosecuted. The practice is concentrated mostly in districts along the border between Sindh and Balochistan.

*Vani* is the practice of offering young girls in marriage in compensation for a wrongdoing between two parties; the decision for this is also taken by *jirgas*. When there are exchanges of girls in marriage between two parties, also used as a practice of dispute resolution, the practice is known as *watta satta*.

**Table 7. Honor killing and Vani**

Indicator	Total	Male	Female	Source/Date
<b>Honor Killings, total (All ages)</b>	N/A	N/A	266	2010 Violence Against Women, Aurat Foundation:37
<b>Vani (all ages)</b>	N/A	N/A	103	2010 Violence Against Women, Aurat Foundation: 37
<b>VAW survivors (0-18 years)</b>	N/A	N/A	296	2010 Violence Against Women, Aurat Foundation: 24

Figures on honor killings are based largely on media reports, and it is unclear whether cases are actually increasing over the years or whether the media has grown more interested in reporting the crime. Honor killings in Sindh totaling 266 were noted in 2010, but without the age of victims provided. According to a press report about a provincial assembly briefing session, 557 cases of honor killings were reported in Sindh during 2011, out of which only 197 were reported to law enforcement.<sup>9</sup> While the numbers are not as great as those for other child protection indicators, they do reveal the depth of vulnerability to the most severe form of patriarchal control. The numbers above include those under the age of 18, but unfortunately it is not possible to determine how many they are out of the total figures. The Aurat Foundation's 2010 Report does provide data for under 18 years of age in the form of general cases of violence against women that were reported in the province, but not specifically pertaining to honor killings or *vani* or *watta satta*. In 2010 a total of 103 cases involving *vani* were recorded in Sindh, but age was not specified.

In Sindh, 296 cases were registered for under age 18 survivors, but for 1,153 cases there was no age-disaggregated data at all (Aurat Foundation: 24) Data collection from now onwards must record the age of victims in order to accurately reflect what is happening on the ground.

### 3.7 HIV / AIDS Data

Age disaggregated data on HIV/AIDS in Pakistan is not readily available, but some picture does emerge. The national adult HIV prevalence is reported to be 0.1% only. Pakistan had an estimated 97,400 people living with HIV at the end of 2009, with 2917 patients registered in 13 treatment and 7 Prevention of Parent to Child Transmission centers across the country (National Aids Control Program 2010:11).

<sup>9</sup> As reported in [www.dawn.com/2011/12/21/pa-wants-karo-kari](http://www.dawn.com/2011/12/21/pa-wants-karo-kari).

**Table 8. HIV / AIDS indicators**

Indicator	Total	Male	Female	Source/Date
Estimated number of children age 0-18 living with HIV/AIDS	42	24	18	Sindh AIDS Control Programme. 31st March 2011 <a href="http://sacp.org.pk/sindh.php">http://sacp.org.pk/sindh.php</a>
Estimated number of children age 0-14 living with HIV/AIDS	16	9	7	Civil Hospital, Karachi 22/11/11

The Sindh AIDS Control Programme quotes a figure of 42 cases pertaining to HIV positive children up to 18 years of age. The Aga Khan University Hospital has four children on Anti Retroviral drugs, out of 24 child cases.

The numbers are low, but as the literature has stated repeatedly that the threat of a full-blown epidemic remains, given its growing prevalence among high-risk populations in Pakistan. The Fourth Surveillance Report sampled high-risk groups for HIV prevalence across the country, including the cities of Dadu, Karachi, Larkana, and Sukkur in Sindh (Table 9).

**Table 9. HIV Prevalence among high-risk groups in Sindh**

District	IDU <sup>10</sup> numbers	%	MSW		HSW		FSW	
Dadu	194	31 (16%)	--	--	--		--	
Karachi	365	154 (42%)	360	21 (5.9%)	359	43 (12%)	377	7 (1.9%)
Larkana	365	68 (18.6%)	360	11 (3.1%)	355	53 (15%)	375	7 (1.9%)
Sukkur	365	70 (19.2%)	360	8 (2.2%)	357	22 (6.2%)	375	3 (0.8%)
<b>Total</b>	1,289	323 (25%)	1,080	40 (3%)	1,071	118 (11%)	1,127	17(1%)

Source: National AIDS Control Program 2012: 32, 65,87.

Out of a total of 1,289 IDUs who were surveyed, one quarter were HIV positive, and the second highest proportion of HIV positive was among the *hijra* sex workers at 11 percent. Prevalence was still fairly low among male sex workers (3 percent) and female sex workers (1 percent).

The prevalence figures among high-risk groups are consistently increasing, thus heightening the risk of the epidemic spreading into the mainstream population. National level findings show that high-risk behavior takes place well before the age of 18, and child protection efforts will have to address this population.

<sup>10</sup> IDU = intravenous drug users, MSW = male sex workers, HSW= hijra sex workers, FSW = female sex workers



### 3.8 Violence Against Children

Child abuse is the “deliberate act of ill treatment that can harm or is likely to cause harm to a child’s safety, well-being, dignity and development. Abuse includes all forms of physical, sexual, psychological or emotional ill treatment.”<sup>11</sup> (Save the Children, UK) It includes all forms of sexual violence including incest, early and forced marriage, rape, involvement in child pornography, and sexual slavery. Child sexual abuse may also include indecent touching or exposure, using sexually explicit language towards a child and showing children pornographic material. (See UNICEF CPM&A Toolkit Section 1a)

**Table 10. Violence against children**

Indicator	Total	Male	Female	Source/Date
<b>Children murdered in 2010</b>	233			HRCP. <i>State of Human Rights in 2010</i> .
<b>Number of children reported as victims of violence in newspapers, 2010</b>	2,689			Society for the Protection of the Rights of the Child (SPARC). <i>State of Pakistan’s Children: 224</i> .
<b>Number of violence and abuse cases against children in Sindh 2010</b>	1,529			Lawyers for Human Right and Legal Aid, as quoted in US Dept of State <i>2010 Human Rights Report Pakistan</i> .
<b>Percentage of schools with protective school policies* in place</b>		20%	71%	Fafen Education Institution Monitor. <a href="http://www.fafen.org/site/v4">www.fafen.org/site/v4</a>
<b>Number of children victims of sexual abuse as reported by newspapers in 2010</b>	358			Sahil. <i>Cruel Numbers 2010</i>
<b>Number of children kidnapped</b>	212			UNICEF Situation Analysis for Children and Women in Sindh.p.80 (2010 figures)
<b>Number of children committed suicide (total)</b>	46	13%	15%	For the period of 2010. SPARC 2010: 242
<b>Violence against girls under 18</b>	N/A	N/A	296	Aurat Foundation, Annual Report 2011: .41. Figure is number of cases

\*This refers to schools in which corporal punishment is not permitted.

Figures in Table 10 do not give us the full picture, and rely on a combination of NGO and media sources, such as the number of children reported as victims of sexual abuse in newspapers during 2010. Far more work is required to collect accurate data reflecting the incidence of the full range of violent crimes against children, such as those relating to pornography.

<sup>11</sup>This definition is provided by Save the Children.

<http://sca.savethechildren.se/PageFiles/3189/child%20protection%20definition%20SC.pdf>

**Table 11. Child abuse data (Madadgaar)**

Child Abuse	2010	2011	Jan-May 2012	Total
<b>Sindh</b>	1529	1190	585	3,304
<b>National</b>	5120	3592	2092	10,804

Madadgaar is an NGO that runs a helpline to support women and children exposed to violence. Table 11 shows that over a two and a half year period 3,304 cases of violence against children were reported, out of a total of 10,804 such cases nation-wide that were reported to Madadgaar.

The high number of 2,582 missing/kidnapped children (Table 12), as reported in media, is a figure for the city of Karachi only, and the number is sure to be much greater for the province as a whole. Rape and sexual violence figures collected by WAR suggest that the most vulnerable are children, i.e. under age 18. There are an estimated 30,000 street children in Karachi which and a link with substance abuse is observed.

**Table 12. Violence against children (Karachi)**

Indicator	Total	Male	Female	Source/Date
<b>Missing children in Karachi</b>	2,582			UNICEF Situation Analysis for Children and Women in Sindh: 80 2011. 2012
<b>Proportion of sexual assault survivors under age 18 (Karachi)</b>	50%			Out of 22 cases of sexual assault investigated in Karachi by War Against Rape (WAR). Sexual Violence Factsheet January-June 2011.
<b>Average age of rape survivors investigated by WAR (Karachi)</b>	18			War Against Rape (WAR). Sexual Violence Factsheet January-June 2011. Figure refers to time period 2005 until June 2011.
<b>Estimated number of street children in Karachi</b>	30,000	95%		HRCF as quoted in UNICEF Situation Analysis for Children and Women in Sindh
<b>Estimated number of Karachi's street children involved in drug abuse</b>	22,200			For the period of 2010. SPARC 2010

### 3.9 Children with Disabilities

The Convention on the Rights of Persons with Disabilities (Article 2) defines them as persons “who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.” It further takes note of any form of discrimination against persons with disabilities [UNICEF CPM&A Toolkit 1a].

**Table 13. Children with disabilities**

<b>Indicator</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Source/Date</b>
<b>Children with disabilities, total (0 to 19 yrs)</b>	451,337	251,006	200,331	Population Census 1998 [www.census.gov.pk/datacensus.php]
<b>Children reported with a vision impairment (Blind, 0-19 yrs)</b>	29,787	16,413	13,374	Population Census 1998
<b>Children reported with a hearing impairment (Deaf and Mute, 0-19 yrs)</b>	26,746	14,893	11,853	Population Census 1998
<b>Children reported with an understanding impairment (Mentally retarded, 0-19 yrs)</b>	29,743	15,508	14,235	Population Census 1998
<b>Children reported with a movement impairment (Crippled, 0-19 yrs)</b>	33,896	20,025	13,871	Population Census 1998
<b>Children reported with a crisis/fits impairment (Insane, 0 to 19 yrs)</b>	25,438	13,302	12,136	Population Census 1998
<b>Children having more than one disability (0-19 yrs)</b>	39,004	20,613	18,391	Population Census 1998

\*www.census.gov.pk/datacensus.php

Some data on children with disabilities is being collected on a provincial basis, most recently by the MICS 2007-08 optional module on disability. Data from the Population Census Organization 2007 indicates a total disabled population in Pakistan of approximately 3.3 million, including those who are blind, deaf/mute, crippled, insane, mentally retarded, or having multiple disabilities.<sup>12</sup>

In the case of Sindh, in which this module was not used, data relies on the Population Census 1998 (Table 13). Sindh quotes figures for those up to age 19 based on the Population Census 1998, of almost half a million, which is bound to have increased as the population has grown over the past decade. Certain indicators from the optional module are absent from the above table since no data was available. These include numbers of children reported with specific learning and development impairments and the percentages of children with disabilities in schools.

Issues faced by children with disabilities in Pakistan include never attending school or else high drop-out rates due to unfriendly school environments. Their integration into society is hampered by lack of transport services, disability-friendly buildings, and trained teachers who can cater to their needs, particularly in the rural areas.<sup>13</sup>

<sup>12</sup>Third and Fourth Periodic Reports of State Parties (Pakistan) in Consideration of Reports Submitted by State Parties Under Article 44 of Convention on the Rights of the Children.4 January 2008. p. 140.

<sup>13</sup> Ibid. p. 137

Since Pakistan ratified the CRC, some steps have been taken to protect and promote the rights of children with special needs. At the time of the last report to the Committee on the Rights of the Child, in 2008, the province of Sindh was stated to have 1,608 special children enrolled in schools. Karachi has also been declared a disability-friendly city.<sup>14</sup>

### 3.10 Child Mobility and Trafficking

Child trafficking takes place in Pakistan, in which children have been brought across the country and into the Gulf to be used for camel races, and brought from one part of the country to another to be used as sex workers. What we have less information on is exact figures. One reason for this is that the FIA collects data on cross-border trafficking from all the provinces, but this remains to be shared with concerned departments at the provincial level. Another reason is that the movement of children from one province to another has not been tracked, obviously due to the difficulty of doing so, which leaves us with little information about children’s mobility and related safety. There is virtually no comprehensive data on children trafficked in and out of the country for labor exploitation, or estimates for child migrants within the country, or estimates for children trafficked for commercial sex within the country either.

Adolescent street children who are commercial sex workers in Karachi are estimated at 3,409 (Table 14). Further probing of these figures is needed to establish how they came to be on the streets, whether they come from Karachi or other parts of the country, and if they have been trafficked for the purpose of commercial sex.

**Table 14. Child mobility and trafficking**

<b>Indicator</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Source/Date</b>
<b>Estimated number of adolescents living and working on the street (Karachi)</b>	30,000	28,500	1,500	HRCF 2010, quoted in UNICEF Situation Analysis for Children and Women in Sindh, 2012
<b>Number of adolescent street children involved in commercial sex (Karachi)</b>	3,409	2,164	1,245	Quoted from UNICEF/National AIDS Control Programme (2008) in SPARC <i>The State of Pakistan's Children</i> , p. 230

At least a hundred children, usually between the ages 3-10, from Sindh have been trafficked for use as camel jockeys in the Gulf, primarily from districts Hyderabad and Sukkur. In some cases their parents were given some payment in return for the boys’ labor. While the practice has been largely curtailed, there are no latest figures to demonstrate this. By 2008, 692 former camel jockeys were repatriated from the UAE and almost half reunited with their parents.<sup>15</sup>

<sup>14</sup> Ibid. p. 51

<sup>15</sup> Ibid p. 139

Trafficking and sexual exploitation are closely linked. Karachi serves as a hub for women and girls brought from India, Bangladesh, Nepal, and poorest parts of Pakistan, where they may be bought or sold by middlemen.

### 3.11 Children without Adequate Family Care

**Alternative** care is provided to those children whose families are unable to take adequate care of them or abandon/relinquish them. Alternative care may be formal or informal, including arrangements such as: kinship care, foster care, other forms of family-based or family-like care placements, residential care or supervised independent living arrangements. (Guidelines for the Alternate Care of Children 2009)

**Adoption** is “the legal transfer of parental rights and responsibilities for a child which is permanent” (Save the Children UK, UNICEF CPM&A Toolkit 1a). In Pakistan, adoption as such is not provided for in the law. Instead, courts can confer guardianship of orphaned children, but this can sometimes be a temporary, not permanent, responsibility. (UNICEF CPM&A Toolkit 1a) A version of adoption/guardianship called **kafalah** in Muslims countries involves no change in kinship status but allows an unrelated child to receive care, legal protection and inheritance (Save the Children UK, UNICEF CPM&A Toolkit 1a). In Pakistan the most permanent form of family-based care permitted to orphans is guardianship.

Children without parental care are those who are not living in the overnight care of at least one parent. Such children who are out of their home countries or victims of emergency situations can be designated as unaccompanied or separate (Guidelines for the Alternative Care of Children). Children without **adequate** care are those who live with only one parent.

**Table 15. Children without adequate family care**

Indicator	Total	Male	Female	Source/Date
<b>Children (0-17) orphaned by all causes (000s)</b>	5.10%	N/A	N/A	PDHS 2006-7: 16
<b>Number of children with one living parent (half orphans)</b>	4.9%			PDHS 2006-7: 16

In Sindh there are at least 23 institutions for those children without parental care or living with foster families and at least 1,681 children.<sup>16</sup> The massive displacement caused by the recent floods increased the risk of children going missing or being trafficked. Due to cultural constraints, the number of girls among them may not be fully reported. On the whole, though, there is no reliable data available in Sindh on the number of children under guardianship or in residential institutions and formal care.

<sup>16</sup> CRC report p. 139

### 3.12 Children in Conflict with Law

Children who come into conflict with the law are those who come in contact with enforcement authorities because they are suspected, or guilty, of breaking the law. (UNICEF CPM&A Toolkit on Diversion and Alternatives to Detention, 2009 draft, quoted in Toolkit 1a). In Pakistan the minimum age for criminal responsibility is currently 7 years.

Alternatives to detention refer to legal measures “imposed on children who are being formally processed through the criminal justice system that do not involve deprivation of liberty (UNICEF Toolkit on Diversion and Alternatives to Detention, 2009 draft, quoted in Toolkit 1a).” Aftercare is the “control, supervision and care exercised over children after they leave community-based programs or are released from detention. It may include probation or enrollment in a community program (UNICEF Toolkit on Diversion and Alternatives to Detention, 2009 draft, quoted in Toolkit 1a).” Probation is the only system of non-custodial punishment in the country, but there are not enough probation officers to make it effective.

Though some data was available for children in conflict with the law there were still several gaps. We do not know how many children have been arrested, how many children have died in detention and how often the juvenile prisoners have contact with parents and family. There is no system of pre-sentence diversion, such as community-based programmes, to avoid sending children to jail, neither are their aftercare programmes to help them reintegrate into society after prison. Incomplete systems and data collection combined provide an unclear picture of children in the justice .

**Table 16. Children and justice**

<b>Indicator</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Source/Date</b>
<b>Children in detention in jails(total)</b>	271	271	0	Data obtained from IG Office, Karachi Central Jail, 17th Dec 2011.
<b>Children in pre-sentence detention (total)</b>	252	252	0	IG Office, Karachi Central Jail, 17th Dec 2011
<b>Children in Remand Home (under 16)</b>	13	13	0	Warden, Remand Home [date?]
<b>Custodial sentencing</b>	69	69	0	Assistant Director Probation, 17th Feb 2012.
<b>Number of children tried/convicted for possession of arms</b>	76	76	0	IG Office, Karachi Central Jail, 17th Dec 2011
<b>Number of children tried/convicted for theft or attempted theft</b>	83	83	0	IG Office, Karachi Central Jail, 17th Dec 2011
<b>Foreign juveniles in jail</b>	33	33		IG Office, Karachi Central Jail, 17th Dec 2011
<b>Babies/Infants accompanying mothers to jail</b>	28			IG Office, Karachi Central Jail, 17th Dec 2011

The Sindh figures in Table 16 reflect only the number of children who are in the four juvenile jails in the province, they do not include children who may be imprisoned in adult jails. Age-disaggregated data was not available for this category.

The above discussion has summarized available indicators on child protection thematic areas in Sindh. The gaps and weaknesses in the data are instructive for future planners, who will need to plan for future surveys and build databases that can be updated regularly to monitor the government's efforts on child protection.

## SECTION 4: LAWS AND POLICIES

This Section outlines the range of laws and policies that have a bearing on child protection issues and are applicable to the province. Legal and Policy Working Group members helped to analyze the laws and suggested recommendations for improving legislation where necessary.

### 4.1 Relevant National Laws Applicable to Sindh

The box below outlines laws that have been adopted from national legislation and endorsed by the Sindh Government. Key features in each legislation have been summarized, gaps identified and recommendations made for improving existing legislation

#### Box 3. Child protection federal laws applicable in Sindh

Name	Key Features	Gaps	Policy Agenda
<b>Child Marriage Restraint Act 1929</b>	Legal minimum ages for marriage. Boys = 18, Girls = 16	Discrepancy between male and female minimum ages; Minor penalties; Muslim family / Shariat laws override this law.	Minimum age for both boys and girls should equal 18. Increase penalties and this law should have overriding powers over other laws.
<b>Juvenile Justice System Ordinance 2000</b>	Process and standards for handling criminal cases for children (under 18)	Not explicit against solitary confinement for children	Stronger implementation of law. Capacity Building of police, prison staff, lawyers and judges on legislation.
<b>Employment of Children's Act 1991</b>	Standards and working conditions for children. Lists occupations that are not allowed for children under 14	Contradiction between ILO Minimum Age Convention - Requires minimum age of employment that is greater than or equal to age at which compulsory education ends (i.e. 16 for Pakistan). Does not cover domestic and home based labor	Employment under 14 should be banned; 14-18 should be regulated. Penalties should be increased. Contradiction between ILO and law needs to be resolved. Should regulate domestic and home-based labor as well. Notification issued in Sindh requiring area inspectors to inform factories etc should be recalled



<b>Birth Marriage and Death Registration Act 1886</b>	Birth Registration standards and procedures	Birth registration for children with unknown fathers or for children who have no contact with their families (e.g. street children) is not possible. Weak implementation	Rules and regulations (by-laws) for registering children with unknown fathers. Stronger implementation of legislation.
<b>Prevention and Control of Human Trafficking Ordinance (PACHTO) 2002</b>	Bonded Labor; Trafficking in and out of Pakistan	Does not cover organ trade, forced marriages, internal trafficking and use of children for drug trafficking.	Amend legislation to include internal trafficking, drug trafficking, organ trade and forced marriages. Legislation should explicitly provide rescue and rehabilitation services for child victims of trafficking
<b>Pakistan Penal Code (PPC)</b>	Minimum age for criminal responsibility = 7; Honor Killing; Corporal Punishment; Violence, murder, assault; trafficking; kidnapping; sexual abuse; forced labor (slavery / bonded labor)	While PPC does not hold children under 7 criminally responsible, children under 7 can be tried under <i>zinalaws</i> and Anti-Terrorism Act. Corporal punishment is allowed if considered for best interest of child. Weak implementation of honor killing laws	Increase min age of criminal responsibility to 12 (as per CRC recommendations). PPC should override <i>zinalaws</i> and Anti-Terrorism Act. Corporal punishment under any circumstance should be strictly banned.
<b>Criminal Law (Amendment Act) 2005</b>	This law increased penalties for honor killings.	Allows the victim's family to negotiate a physical or monetary settlement with the accused in exchange for dropping cases, in keeping with the provisions of the Qisas and Diyat Laws	The proposed amendments on PPC and CrPC made by Aurat Foundation and lawyers should be adopted and passed by the Provincial Government.

Bonded Labor Abolition System Act 1992	The Act abolishes bonded labor including in cases where families along with dependent children are bonded for labor in consideration of an advance payment. It mandates District Vigilance Committees (DVC) to monitor bonded labor.	The Bonded Labor System Abolition Act 1992 bans the practice of Bonded Labor without containing special provisions regarding children. Penalties for keeping bonded labor are not severe.	DVCs mandated under this act need to be made operational. Law enforcement officials and labor inspectors need to be sensitized to this issue.
Guardianship and Ward Act;	Legal guardianship / kafalah	Full adoption under this law is not possible and the process can be complex. Foster care systems are not developed and there is no provision for tracking children in guardianship.	This law needs to be expanded to include foster care and formal kinship care and/or supplemented with additional laws regulating the above.
Probation of Offender's Ordinance	Under this the age of the offender, the nature of the offence, (which should not be punishable with imprisonment for more than two years,) is to be considered and the youth is to be either put on probation or dismissed with an admonition.	Implementation of law is poor.	The law needs to be implemented and judges familiarized with it in conjunction with the JJSO which urges probation as a preferred treatment for juveniles. Practice suggests that judiciary is not familiar with the provisions of this law.

## 4.2 Sindh Specific Legislation

The box below outlines laws developed specifically by the Sindh Government to address child protection issues. Key features in each legislation have been summarized, gaps identified and recommendations made for improving existing legislation (i.e. the policy agenda for moving forward).

### Box 4. Child protection laws specific to Sindh

Name	Key Features	Gaps	Policy Agenda
<b>Sindh Children's Act 1955</b>	Handling of children in conflict with the law, measures for care and protection of neglected / destitute children & punishment for	Child defined as under 16. Minor penalties; No reference to CRC or ILO; Covers harassment and seduction of girls but not of boys.	Stronger implementation, child should be defined as under 18; capacity building of police, lawyers and judges on legislation.

	cruelty and abuse of children	Weak implementation.	
<b>Sindh Child Protection Authority Act, 2011</b>	Protects children at risk (violence, abuse, exploitation, labor, begging, trafficking, substance abuse, armed conflict, children without family or alternative care, those affected by HIV). Mandates setting up a child protection authority at provincial level and CPUs at district level. Responsible for providing or referring children at risk to appropriate services	SCPA has yet to be set up as do Child Protection Units (CPUs) in each district. This law does not over-ride existing legislation.	SCPA should be set up immediately. Appropriate funds should be allocated towards establishing SCPA and CPUs in each district of Sindh. Membership of SCPA should be expanded to include representatives from Departments of Health, Education, Zakat, Local Government, Finance and Women's Development. Co-opted members should include BISP and Bait-ul-Mal. <sup>17</sup> Capacity building of relevant stakeholders on legislation
<b>Sindh Borstal Schools Act 1955</b>	Allows specially designated courts to make an order in appropriate cases of accused children aged between 15 and 21 to assign them to a Borstal school. In Sindh such schools are called Youthful Offenders Industrial Schools (YOIS) (16-18yr olds) and Remand Homes (7-15 yr olds).	Very weak implementation	YOIS and Remand Homes should follow the standards laid out in the Borstal Schools Act.
<b>Sindh High Court ban on</b>	This ban is intended to prevent informal	Weak implementation and	The ban needs to be implemented and

<sup>17</sup> Benazir Income Support Programme (BISP) is a social protection program run by the federal government to provide cash transfers to poor women. Bait-ul-Mal is a federally-run program that offers monetary support to widows.

<b>jirgas2011</b>	justice mechanisms from continuing to function, particularly because of the harsh punishments meted out to women and girls as a result of these jirgas.	jirgas continue to be held. Legislators and political leaders have also been know to participate in jirgas.	all political leaders must endorse this ban.
<b>Sindh Orphanages (Supervision and Control) Act 1976</b>	This Act provides for a Board that will monitor and supervise orphanages in the province.	This Act is not implemented and currently no such Board is functioning in the province.	This act should be repealed and the SCPA (once set up) should take over the role of monitoring and supervising orphanages.
<b>Sindh Local Government Act, 2012</b>	This Act mandates the Union Administration to register births, deaths and marriages. The Union Council is authorized to decide the birth registration fee.	The law is adequate but implementation and awareness of law is not satisfactory.	Union Council secretaries need to be trained to register births using computers, clear directions on how to register children with unknown parentage should be issued and people should be made aware that birth registration is compulsory.

### 4.3 Pending Legislation

The Legal and Policy Working Group members identified legislation that have been drafted by specific departments in the Sindh government to improve child protection issues. These have yet to be passed by the Sindh Assembly. If passed, they will have a positive bearing on child protection issues in Sindh.

- **Domestic Violence Bill:** Two versions of the Bill have been presented to the Chief Minister of Sindh. One drafted by the Home Department and the other by the Women Development Department. While the content of both bills is relatively similar, neither of these two prescribes any punishment for violators. Advocacy groups are now in the process of advocating with the Chief Minister to amend the bill to ensure that domestic violence is criminalized.<sup>18</sup>
- **Corporal Punishment Bill:** Pending approval of Provincial Assembly

<sup>18</sup>Interview with Maliha Zia, advocate and member of domestic violence advocacy group, July 2012.

#### **4.4 Recommendations**

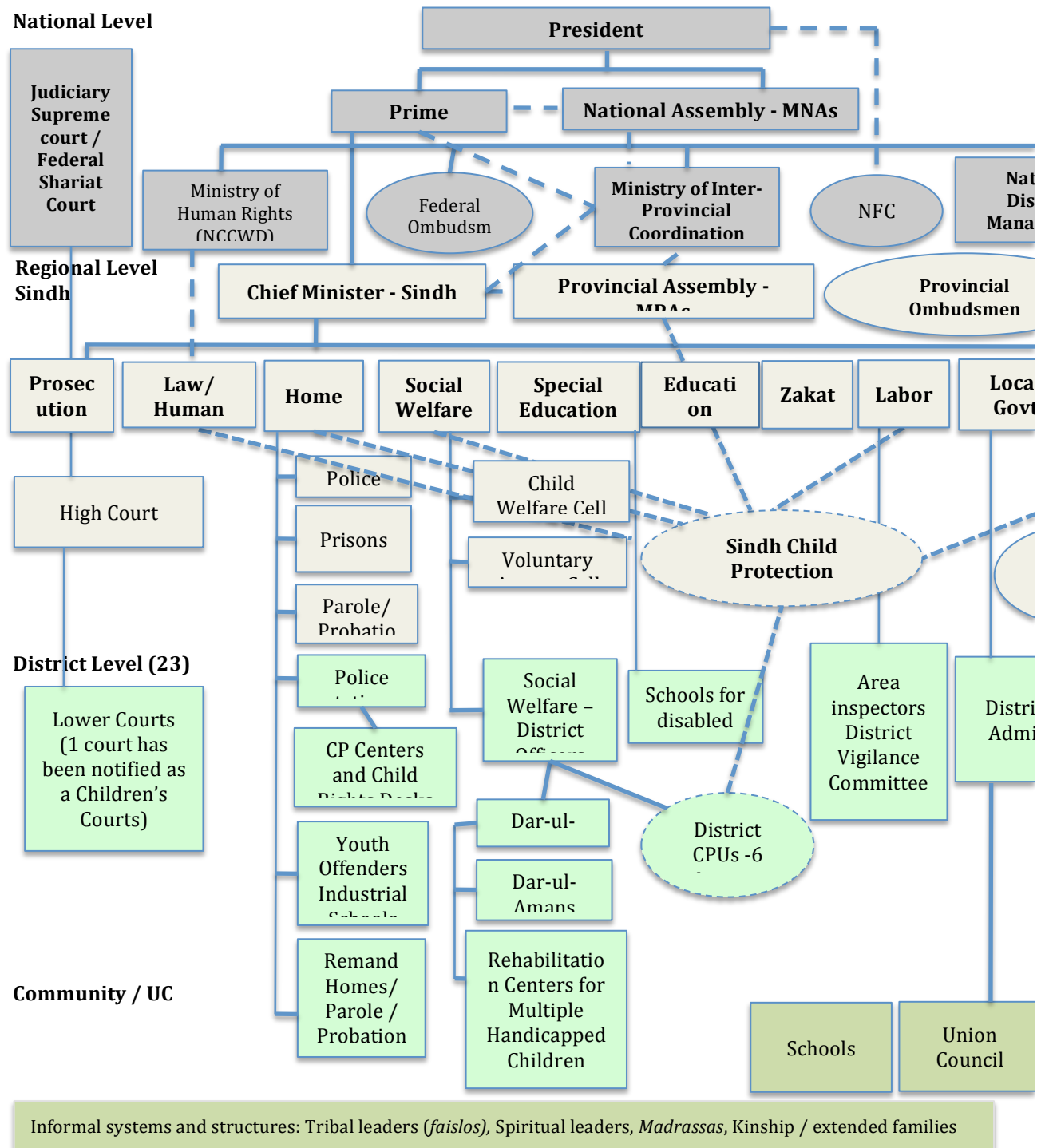
In addition to the specific legislative recommendations identified in the above two sections, the legal and policy working group and key informants suggested the following recommendations to improve implementation of child protection laws and policies in Sindh.

- **Capacity Building**  
All government employees, especially the police and judiciary must be made aware of all the laws, policies and penalties related to child rights violations particularly those relevant to customary and discriminatory practices. Similarly case workers (SWD and CPUs) and area inspectors (Labor Dept) must be trained on related laws and policies. Local Government Department capacity must be developed on birth registration.
- **Communication, Education and Mobilization**  
Increase awareness of communities on laws related to child protection
- **Resource Mobilization**  
Resources need to be allocated to enforce implementation of various child protection related laws that exist and to develop the capacity of personnel executing these functions.

## SECTION 5: FORMAL SYSTEMS AND CAPACITIES

This Section will describe the overall child protection system in Sindh, and offer an analysis of its working. It will then map the SWD in terms of its work pertaining to child protection. It will also describe the services, including those provided by non-government actors that are also available on the ground. The organogram below brings together all those government bodies and networks relevant to child protection in Sindh.

Figure 2. Organogram of overall child protection system in Sindh



## 5.1 Overall Child Protection System in Sindh – Key Features

- **Fragmented Approach to Child Protection**

Several Departments across the province play a role in child protection, including Social Welfare, Home, Special Education, Labor, Health, Education, Local Government and Women Development. Child protection is a comprehensive concept that deals with a wide range of thematic issues that requires representatives of all of these departments to coordinate and plan together how they will strengthen the system.

Several national bodies such as FIA, National Disaster Management Authority (NDMA), NADRA, Bait-ul-Mal also play a role in child protection. Interviews have shown that their coordination with provincial departments is weak, in terms of strategizing and sharing of data. NADRA's cooperation with the Department of Local Government in increasing birth registration across the province is an exception.

- **Sindh Child Protection Authority**

A specific child protection coordination body is yet to be established and operationalized under the SCPA Act, 2011. It will be headed by Minister Social Welfare and have members from Departments of Law, Home and Labor, as well as 2 Members of the Provincial Assembly, 2 advocates and some additional representatives from civil society. Currently, the rules of business await approval of the Chief Minister Sindh. Its proposed role will be discussed in detail in the last section.

- **Child Protection Units**

The SWD has set up 6 CPUs in Sindh (Karachi, Hyderabad and Sukkur, Mirpur Khas, Tando Muhammad Khan and Badin). Once the SCPA will be established all CPUs will fall under their jurisdiction. CPUs are planned for all 23 districts of Sindh.

- **UNICEF**

UNICEF plays a major role in coordination of child protection issues in Sindh. It actively supports projects in all thematic areas of child protection. It has played a significant role during emergencies and in capacity building of stakeholders on child protection issues. It has supported the process of conceptualizing SCPA and coming up with relevant draft legislation. Until recently it provided technical and financial assistance to the SWD and it helped to establish and run the Child Protection Committees (CPCs) at the community level formed during the flood emergencies of 2010 and 2011. It has assisted in setting up of CPUs, training civil society and government human resources, and assisting government in meeting its commitments under the CRC and the MDG child related indicators.

- **Multilateral Agencies**

Apart from UNICEF, other multilateral agencies such as UNHCR and ILO also have a role to play in Child Protection issues related to refugees and labor. These agencies play an important role in data collection and undertake projects. Capacity training

and funding is provided by these agencies to local CSOs which become Implementing Partners of various projects.

- **Thematic Government Level Coordination**

**I. A steering Committee for integrated planning and monitoring:** (chaired by Additional Chief Secretary Planning and Development (P&D) Department). Its terms of reference include the establishment of a series of Working Groups to address specific areas, within which Task Forces have been formed.

**a. Working Group on Child Protection:** This was notified in November, 2011. Its purpose is to provide policy advice and analysis, initiate legislative review related to child protection in light of 18th Amendment, coordinate with provincial line departments and oversee programmes addressing Child Welfare and Protection. It is chaired by Secretary SWD, with members from UNICEF, and Secretaries from Education, Health, Labor, and Planning and Development Departments. Non-official members are the following NGOs: Azad Foundation, PAVHNA, KONPAL, I EARN, Initiators, and SPARC. It has a mandate to set up 6 Task Forces, 2 of which have been constituted.

**i. Task Force on Birth Registration:** Its mandate is to review the situation and gather stakeholders to decide on strategy to achieve universal birth registration. This Task Force includes multi-sectoral representation, most important being Local Government Department and NADRA, with whom an integrated strategy will be developed. This Task Force was only notified recently, i.e. April 2012. Development of a process to register births of transgender children has been one major accomplishment of this group.

**ii. Task Force on Street Children:** Its mandate is to review programmes for children working and/or living on the streets in major towns of Sindh with focus on prevention and protection and to ensure proper utilizations of government allocated funds for this purpose

**b. Working Group on Protection in Emergencies**

**i. Protection cluster:** The Protection Cluster during Emergencies is -chaired by UNHCR . Child Protection sub cluster works under the umbrella of protection cluster and is chaired by UNICEF and co-chaired by SWD. The Child Protection Sub-Cluster was formed for emergency response led by SWD and UNICEF. (Another Sub-Cluster on Gender Based Violence is chaired by United Nations Population Fund( UNFPA). The purpose of creating the Sub-Cluster on Child Protection in emergencies is to bring together all actors: donors, government and NGOs, to coordinate their work and prevent overlap. This allows for efficiency in delivery of services and less duplication. Unfortunately NGO participation in the sub-cluster is greater in the emergency phase and less in the rehabilitation phase.

**II. Committee on Standardization of Age of Marriage** (chaired by Secretary Women Development Department) was formed in December 2009. Its mandate is to review existing laws on age of marriage, prepare a report based on existing



data, identify the rationale for uniformity in age at marriage, and propose recommendations for policy and legislative changes. Its members include representatives from civil society as well as Secretary Population and Welfare Department, and a nominee from the Law Department.<sup>19</sup>

- **Provincial Ombudsmen**

The Sindh Provincial Ombudsmen has set up Children's Complaint Office in Karachi and Desks in 13 Districts of Sindh. However, only complaints with respect to public (government) maladministration can be heard. The general public is not fully aware of the function of ombudsmen and complaint procedures.

- **Helpline for Children**

CSOs such as Lawyers for Human Rights and Legal Aid(LHRLA)/Madadgaar and Roshni Helpline have confidential, toll free help lines for children and their families. These organizations play a role in data collection as well as providing counseling and reintegration services.

- **Social Work Training and Human Resources**

Social work degrees are being offered at Karachi University and University of Sindh though no course of study specifically focuses on child protection. Existing course material currently used in Social Welfare departments in universities in Sindh needs to be examined and improved. While social work degrees are offered at these universities it is not mandatory for people employed in the non-government social work sector to have such a degree before they are hired. However, social workers employed by the government in the SWD need to undergo basic training offered at the Social Welfare Training Institute.

The formal curriculum for teacher training, medical professionals or lawyers does not necessarily include any training on child protection issues. While some NGOs are advocating permanent changes in curriculum especially in these sectors, little headway has been made. In the absence of institutionalized training, some CSOs such as Aahung and SPARC conduct short courses on child protection issues for actors in the child protection system.

- **Adoption / Foster Care / Guardianship**

Children without adequate family care can only be awarded guardianship status in Pakistan. There is no system of adoption or foster care in Pakistan. Children without adequate care can be placed in orphanages or residential institutions. There is no registry of all such institutions in Sindh and no reliable data available on number of children under guardianship or in residential institutions. Standards for residential care facilities have been developed by UNICEF and SWD, and they are yet to be implemented.

No formal kinship care system exists in Pakistan but informal kinship care is quite common. Relatives often take responsibility of children whose parents are dead or cannot care for children for other reasons. However, no state support is given to families that informally care for these children.

---

<sup>19</sup>Notification No.SO (C-IV)SGA&CD/4-71/09 Services, General Administration and Coordination Department, Government of Sindh

- **HIV/AIDS and Child Protection**

Pakistan has the National Strategic Framework II (2007-2012) to prevent a generalized epidemic and eliminate stigma against the infected and affected. AIDS is not a high priority child protection area in Pakistan as the number of children affected are fairly low. However, each province has its own AIDS Control Program. The Sindh AIDS Control Program maintains data and individual files on all children that have HIV/AIDS.

In Sindh there are 3 Anti-Retroviral Treatment and Care centers (2 in Karachi and 1 in Larkana) run by the public sector, 2 ARV Treatment and Care Centers run by the private sector (Agha Khan University Hospital and Indus Hospital) and 3 Prevention of Parent to Child Transmission Centers (2 in Karachi and 1 in Larkana). All children receiving treatment are monitored.

- **Emergency Preparedness and Response**

The Provincial Disaster Management Authority (PDMA) is the primary department responsible for disaster planning and response in Sindh. It is a subsidiary unit of the NDMA. During the time of emergency such as the recent floods in 2011, District Disaster Management Authorities (DDMAs) are also activated. The PDMA and DDMAs have recently been formed so there is still some confusion and overlap between roles that need to be fine-tuned. NDMA plays a lead role in relief work, while PDMA focuses on rehabilitation.

The PDMA and UNICEF are also important members of the Child Protection Sub-cluster that enables effective strategizing of service delivery on the ground during emergencies. This Sub-cluster includes representatives from PDMA, Department of Social Welfare, UN agencies, CSOs and community based organizations that play a role in child protection. The Sub-cluster coordinates effectively through regular meetings and information sharing.

A Gender and Child Cell has been established at the national level with the NDMA and at the provincial level with the PDMA in Sindh. This advises the NDMA and PDMA on policy making and technical issues with regards to children and women. This cell is collaborating with UNICEF and other experts to develop Standard Operating Procedures with respect to child protection issues during emergencies.

## **5.2 Primary Department Mapping: Social Welfare Department**

The mandate of the SWD is as follows:

- To serve the marginalized and vulnerable.
- Register, guide and train voluntary social welfare agencies.
- Provide services for rehabilitation of disabled women and children.
- Rehabilitate destitute and under-privileged women and children.

Child protection services provided by the SWD in Sindh are as follows:

- Three orphanages (*Dar-ul-Atfals*) in 3 out of 23 districts. Total 30-40 children enrolled in the 3 *Dar-ul-Atfals*.
- Three CPUs in 6 out of 23 districts. A total of 509 children served in 2011.

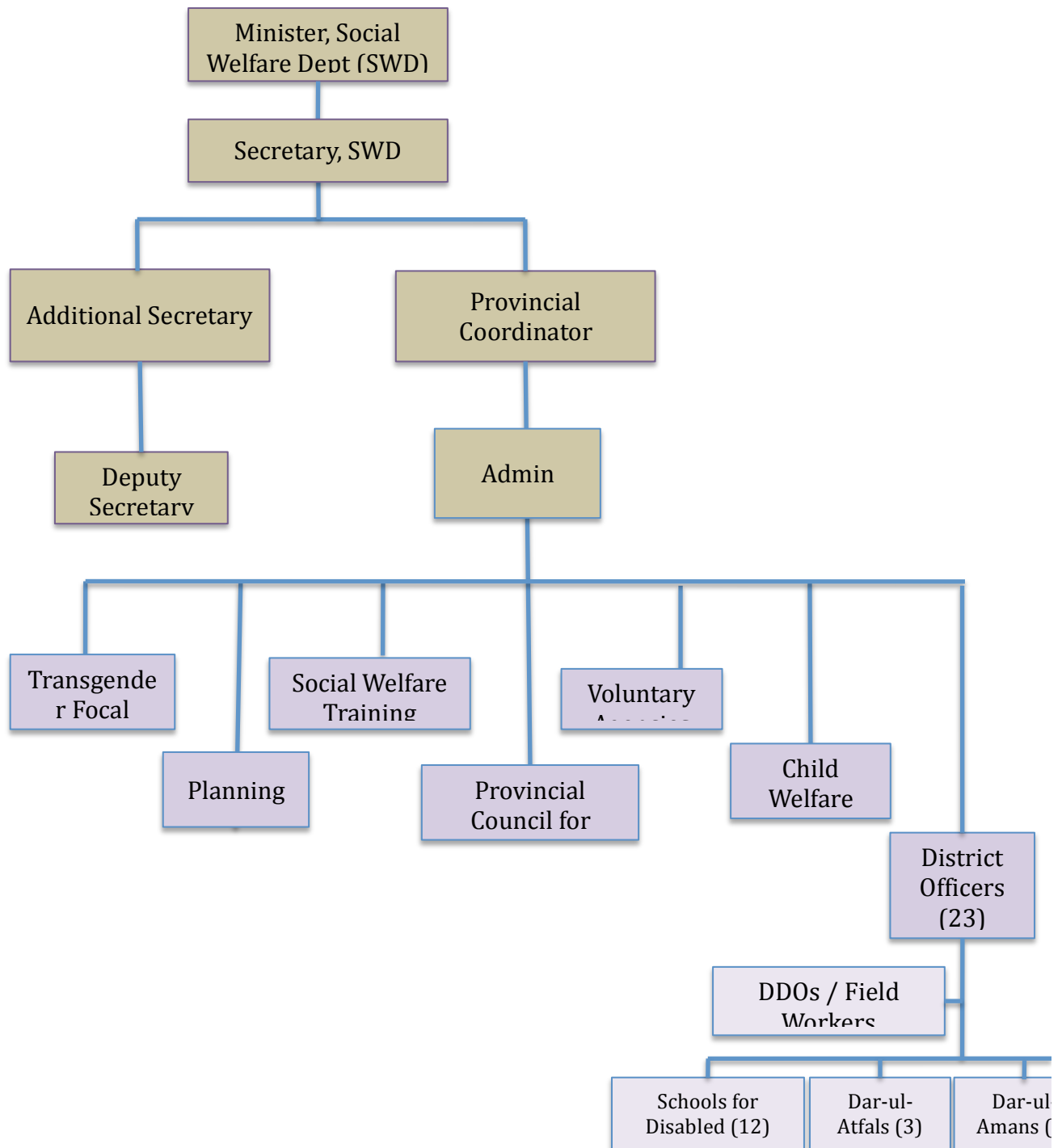
- Twelve Rehabilitation Center for Multiple Handicapped Children (RCMHC) for children with disabilities. Approximately 411 children are enrolled in the schools for disabled children.
- Four shelters for women (*Dar-ul-Aman*) and their children in 4 out of 23 districts. There are approximately 7-9 children in each *Dar-ul-Aman*.<sup>20</sup>

The organogram in Figure 2 maps out the SWD in Sindh.

---

<sup>20</sup> Data provided by Research Associate, SWD on July 2, 2012.

Figure 3. Social Welfare Department organogram



Many, but not all, non-profit or charitable organizations need to be legally registered with SWD. Currently there are 7500 voluntary agencies registered in Sindh. SWD is meant to monitor and guide them to carry out work for women and children. The SWD receives referrals of cases of children from other government departments, yet it lacks the organizational capacity to assume responsibility for them.

There is also severe shortage of funds and capacity to effectively achieve the above mandate and deliver existing services. There are frequent changes of personnel at the higher level, which hamper institutional learning and ownership of programmes. The SWD had set up a Social Welfare Training Institute which was intended to professionalize social work and create a cadre of officers that can serve in the Department. However, the Social Welfare Training Institute has been temporarily suspended until donor funding comes through to restart it.

Another critical issue is the status of SWD among other government departments. Unfortunately, work that focuses on women and children assumes relatively low status as compared to the work of other government departments such as Home or even Education. This perception persists even among government officials, such that bureaucrats generally prefer to be assigned to another Department.

### **5.3. Secondary Department Mapping: Labor Department**

The mandate of the Labor Department is to promote industrialization, industrial peace, investment and employment in the province. It is also responsible for the welfare of working labor force and enhancement of its capacity through training and development. In addition, the Labor Department is to ensure that labor laws and rules are observed in the province.

A Provincial Child Labor Unit (PCLU) has been set up in Sindh and the objectives of this unit (as stated on the Labor Department's website) are: expand capacity within the government to tackle child labor particularly its worst forms; assess a community-based child labor monitoring system in selective districts; promote implementation of laws, policies and programs relating to child labor; form a Child Labor Resource Centre to develop knowledge on child labor and enable research as well as networking of stakeholders to address child labor.

The Labor and Manpower Department is also involved in implementing the "Combating Abusive Child Labor II" Project initiated by ILO-IPEC Pakistan with funding from the European Community (EC). This project is in collaboration with the Department of Labor under the National Time Bound Programme Framework (NTBP), 2008-16 and part of the National Policy and Plan of Action to Combat Child Labor (NPPA-CL). Project schemes are being designed for the implementation of ILO Convention-182 and 138, both of which have been ratified by the Government of Pakistan. Therefore this initiative is essential in combating the worst forms of child labor in Pakistan. Provincial Coordination Committees on Child Labor in all four provinces have been established to provide policy advice on child labor issues.

According to the Abolition of Bonded Labor Act 1992, District Vigilance Committees (DVC) have to be set up at the district level that comprise of representatives of the District Administration, Bar associations, press, recognized Social Services and the Labor Department. The Labor Department is meant to ensure that these DVCs are established and the DVCs are meant to monitor the labor conditions in workplaces across the provinces, which includes taking notice of children in hazardous employment. However these DVCs are not functional in the province. An Anti-Bonded Labor Cell (ABLC) has been set up at Mirpurkhas in collaboration with the Police where a Helpline has been established for bonded labor victims. The ABLC is meant to provide services of the police to complainants and establish links with the DVC for the bondage and protection of victims. Though these initiatives are not solely to children, they address child protection issues.

Labor Inspectors are not well-versed in child labor laws and regulations. In 2001 labor inspections were made conditional in by the Cabinet decision in Sindh, Labor inspectors are to inform the employer before a visit. This renders the inspection useless as child labor can be disguised. Moreover, there is no system to monitor child labor in the informal sector and nor does the department maintain any data regarding the number of children currently working (especially in hazardous conditions). However, in 2010, in cooperation with SPARC the department registered 712 brick kilns. This will ensure that the brick kilns were inspected for instance of child labor.

#### 5.4 Recommendations

- **Laws, Policies, Standards and Regulations**
  - Systems such as foster care should be developed for children without adequate family or alternative care.
  - Guardianship and Wards Act should be reviewed to streamline the process of granting guardianship to individuals.
  - A system to track children who are under *kafalah* (guardianship) should be established.
  
- **Cooperation, Coordination and Collaboration**
  - Thematic Working Groups to tackle specific child protection issues (e.g. thematic child labor, honor killings, children with disabilities, etc.) need to be constituted at the provincial level with membership across relevant government departments.
  - SCPA to be made functional to oversee all child protection issues with the cooperation of all the relevant government departments.
  - CPCs should be constituted at the Union Council level to coordinate on child protection issues.
  
- **Capacity Building**
  - Capacity building of lawyers, police and social workers (at district level) on child related laws and child rights needs to be built.
  - Interactive training seminars involving government and NGO stakeholders on child protection concept and system-building.
  - Review of courses on child and family welfare being offered at major universities is needed to ensure they are comprehensive and cover all areas of child protection and welfare.
  - Revive the Social Welfare Institute established by SWD.
  - Child labor inspectors should be trained and monitor factories, mines and shops etc to ensure child labor laws are not violated.
  
- **Service and Service Delivery Mechanisms**
  - CPUs should be established in all districts and should focus on referral services for children in need / at risk and have the capacity for emergency care of children if needed for the short term.
  - Care and rehabilitation services for victims of sexual abuse and trafficking need to be strengthened as they are inadequate.
  - A helpline should be set up for children
  
- **Communication, Education and Mobilization for Change**

- Once CPUs have been established at the district level, a mass communication strategy should be developed to ensure that community members are well aware of the units, their functions and services.
- Community members must be made aware of existing services for child protection.
- Programs to increase awareness of the role and functions of the Ombudsman and the Children Complaint Office should be undertaken.
- **Accountability Mechanisms**
  - Once the SCPA is set up it should maintain a registry of all orphanages and residential institutions for children. It should be responsible for inspection, quality control and regulating standards for private and public institutions.

The above-mentioned services and related recommendations are not exhaustive, but they are indicative of the major efforts in particular areas pertaining to child protection and the areas of suggested improvement. Each district in Sindh should be mapped separately in order to complete this picture.

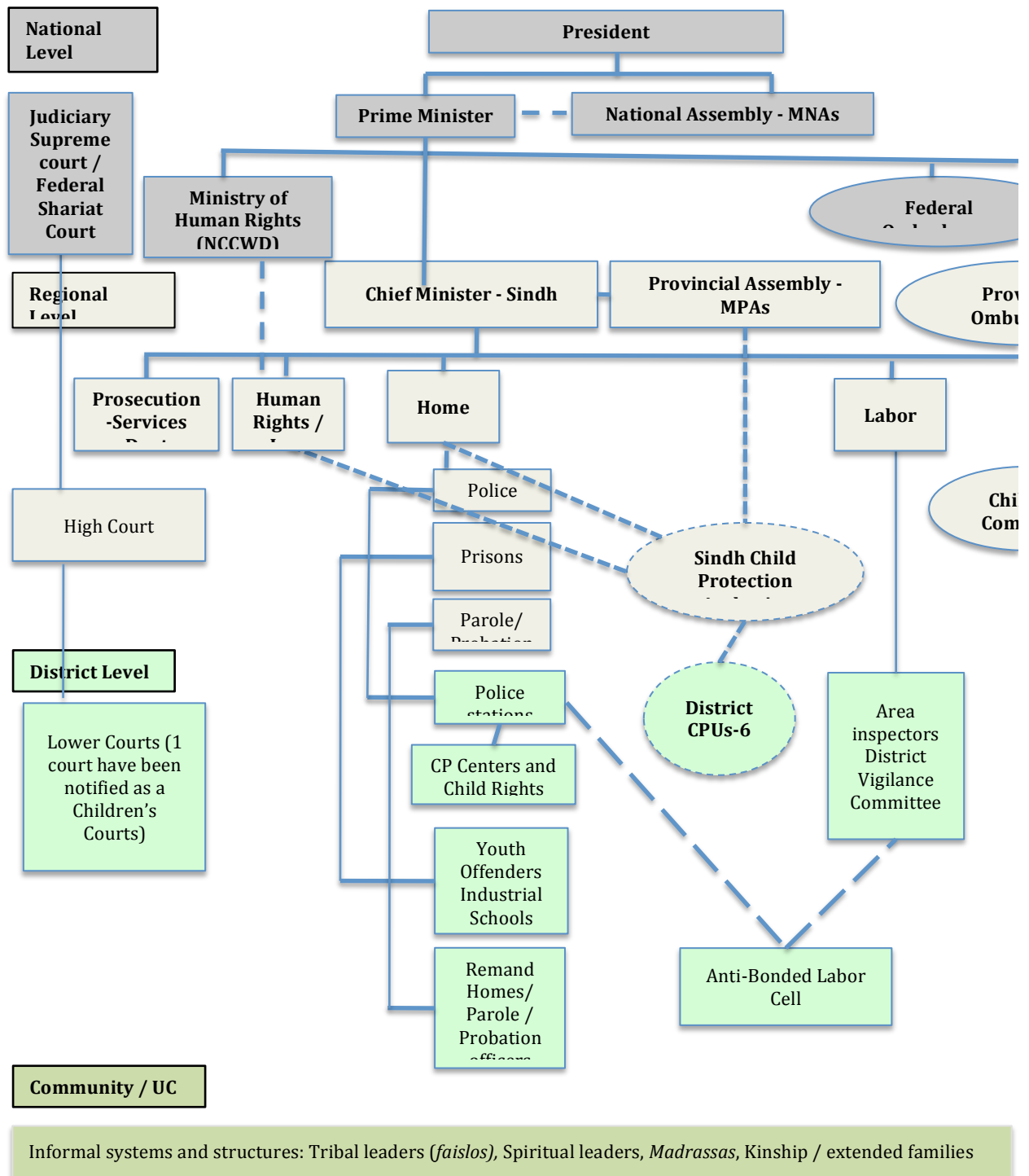




## SECTION 6: CHILDREN IN CONFLICT WITH THE LAW

### 6.1 Mapping and Assessment of the Children and Justice System of Sindh

Figure 4. Organogram of children and justice system in Sindh



- **The Judiciary**

While the JJSO 2000 and the Sindh Children's Act 1955 separate courts for children in conflict with the law, currently there is only one such court in all of Sindh which is not functional. Juveniles are tried in regular courts that have been notified by the government to do so. In trying children in these courts, the risk of interaction with adult criminals increases manifold. In fact, as shared by one of the officials from Karachi's YOIS, juveniles are often exposed to drugs during the court process. Similarly, children's trials are not barred to the public, once again a violation of the rules laid out in the law.

Judges in Sindh are not very well versed with the JJSO or the Sindh Children's Act and have often passed sentences to children which are in violation of these laws. After appointment, the civil judges are usually attached for a few weeks to the Court of a Senior Civil Judge or a District or Sessions Judge to receive practical training. They also receive specialized training at the Sindh Judicial Academy. Such training is comprised of education in various substantive laws, court management, case processing and judicial procedures etc. Due to an existing shortage of judges and immense backlog of cases judges are spared for a limited time period for training.

Another major flaw in the system is that the JJSO does not over-ride *Hudood* and Anti-Terrorism laws. If a child is tried under any of these laws, he/she can be sentenced to death as well, which is in violation of the CRC.

According to Sec 3 of the JJSO, legal assistance at the expense of the state is to be provided to child offenders and child victims. Currently, there is only one Public Defenders office in Sindh that is the Legal Aid Office and funded by the Sindh government. However, officials interviewed for this study concurred that almost all children have access to legal representation in Sindh. Legal representation is arranged by families, the government or CSOs. All children, however, are not able to pay bail, and assistance in that regard is not always provided.

- **The Home Department of Sindh**

The Home Department of Sindh has 3 subsidiary units that play a role in handling of children in conflict with the law. The first point of interaction is the Police Department. The Police Department is mandated to register cases and conduct an initial investigation. The police force is usually not aware of the JJSO and violations of both the CRC and JJSO have been known to take place at this stage. For e.g. children are never to be detained in a police station lock-up for more than 24 hours, yet they have often been detained at police stations for the entire investigation / pre-trial period. Children are also often detained in the same lock-up as adults while in police custody, in violation of the law. Abuse and manhandling of children in police custody has often been reported. The police are also seldom aware of which law to register the case under. Child victims in need of care and protection are often referred by the police to private shelters such as Edhi or the SWD of Sindh.

In order to facilitate the police in registration and investigation of children's cases in accordance with the law the NGO SPARC in collaboration with the police has set up 5 Child Rights Desks at police stations in Khairpur, Sukkur, Hyderabad and in New Town and on Shahr-e-Faisal in Karachi. UNICEF has helped set up child protection centers in Liaqatabad and Ferozabad in Karachi and one in Hyderabad. The SHOs has been notified that all children's cases should be referred to police stations having a Child Rights Desk. While the Child Rights Desks are a well-meant initiative, frequent changes of staff at the police stations result in the SHO not being aware of their utility.

The second subsidiary unit of the Home Department that plays a role in handling of children in conflict with the law is the Prisons Department. It manages the juvenile detention facilities in Sindh, i.e. the YOIS. These facilities hold children between the ages of 16-18. Currently there are only 2 such schools in Sindh (Karachi and Hyderabad). YOIS has been built in close proximity to the Karachi and Hyderabad central jails. Prison staff is often rotated between the adult jails and the Y.O.I.S and the staff is not trained with respect to child protection. Separate wards for children have only been set up in Sukkur and Larkana and do not exist in any other district of Sindh. Children offenders from districts having no separate facilities are sent to the YOIS or children's ward closest to their district. There is no facility for girls in Sindh, and if need be, female child offenders are sent to the Women's Jail of their district.

The third subsidiary unit of the Home Department that deals with children in conflict with the law is the Probation Department. This is perhaps the most underutilized and understaffed. There are only 3 probation officers in Sindh, of which not one is specifically appointed for children. Conditional discharge (Article 4) or release on probation (Article 5) are alternatives to incarceration and are specified in the Probation of Offenders Ordinance, 1960. The JJSO 2000 states that deprivation of liberty should be a last measure of resort and encourages courts to consider these alternatives. While these services are specified they are rarely utilized.

The Probation Department of Sindh is also responsible for Remand Homes in Sindh. A Remand Home is a facility to house children in conflict with the law who are under 16 years of age. According to the rules laid out in the Remand Home Rules 2011, children in need of care and protection are also to be housed in the Remand Home. However, this practice is not in place. Further, the law requires one Remand Home in each district, however, there is only 1 Remand Home in Sindh (Karachi) and only 12 children are currently enrolled.

- **Informal Justice System**

- **Anjuman-e-Masalihat Committees:** Anjuman-e-Masalihat Committees at the union council level were established by Local Government Ordinance (LGO) in 2001 as part of an effort among government, NGO and international organizations (in particular the UNDP) to develop linkages between formal and informal justice systems, particularly in terms of maintaining human rights standards, and to meet the needs of children, women, and minorities in particular. Gender Justice through Musalihat Anjuman Project (GJTMAP) was an attempt to seek relief for the vulnerable by promoting non-formal community based Alternative Dispute Resolution (ADR) systems. Musalihat Anjuman, was informal, accessible and cost free and, therefore, expected to effectively dispense justice to victims of gender violence and address other issues as prescribed by LGO and the Rules of Business (RoBs). This system ADR involved public bodies. People were selected to the MA upon their recommendation for honesty and respect. However, post-devolution, this system is no longer functional.
- **Tribal Justice System, *faislo*:** The tribal justice system in Sindh is known as *faislo*. It conducts mediation, arbitration and reconciliation, and is a traditional form of ADR. The system can be used within an extended family, in village community, and in the larger tribe. The council is all male, and women and children do not appear before it. The kinds of disputes it engages with are agriculture and resource, community disputes, theft, *karokari*, injury and

murder, and kidnapping. *Faislo* does not focus on penalties and punishments, rather it emphasizes compensation instead, and standards may vary in different parts of the province. It uses *vani*, a girl given in compensation by one party to a dispute, as a means of resolving disputes, and also *sangchatti*, the practice of giving a woman to develop harmony with the other party. This informal justice system emphasizes compensation between parties to the dispute rather than the emphasis on punishment by the formal criminal justice system. In both cases a girl under age 18 may be given in compensation, or killed as a *kari*. (Saleem et al nd:16-32).

- **Spiritual, Tribal and Political Leaders:** In Sindh there is an overlap between some tribal heads and spiritual leadership. Leaders of local tribes are known to pass verdicts and conduct ADRs within their own and nearby communities. Decisions of such leaders are binding and they are the most powerful adjudicators in the informal justice system in Sindh. Frequently tribal leaders and powerful politicians are also closely linked. This sustains the informal justice system and further weakens the formal one.

While the Sindh High Court declared the *jirga/panchayat/faislo* system unlawful and in violation of the fundamental rights of a person, in particular women and children, people may prefer nonetheless to approach powerful politicians or tribal/spiritual leaders for decisions as the process is faster and not costly.

There is an unhealthy overlap between formal and informal mechanisms in the courts. Rape, for example, is not a crime for which “forgiveness” can be used as a solution, yet judges do allow victims to exercise this option. In a study on rape cases in Karachi, researchers noted that out of court settlements for rape victims brokered by their lawyers or the concerned judges, not only take place, but were often considered a face-saving and cost-effective way of ending a case. One example of such a settlement is that of a judge persuading an 18 year old victim of incest to go home with her parents rather than pursue the case. Another example is the case of a three and a half year old girl who was raped by her brother in law. The judge tried to persuade the child’s mother to accept a financial compensation of around one lakh. In the end the case was dismissed because the child could not identify the accused. (Khan and Zaman 2012: 18)

## 6.2 Recommendations

- **Laws, Policies, Standards and Regulations**
  - Police Order 2002 has lapsed. It should be revived with amendments made that focus specifically on child protection.
  - The JJSO should override all other laws relevant to children and justice.
  - The ban on informal justice system mechanism of *jirgas* must be enforced.
- **Cooperation, Coordination and Collaboration**
  - The Home Department's subsidiary units need to increase collaboration/coordination.
  - A formal system of referral should be established between the Home Department and SWD so that children in need of care and protection, child victims and child witnesses can be provided protection.
- **Capacity Building**

- A system of formalized training with regards to children and justice needs to be made active immediately, ensuring that all police, prison staff, judges, prosecutors, probation officers participate.
- **Service and Service Delivery Mechanisms**
  - Separate staff should be assigned for YOIS and staff should not be frequently changed from facilities for adults to facilities for children.
  - Similarly separate children's courts should be set up as per requirement of JJSO and children should not be exposed to adults when being transported back and forth from YOIS and courts
  - After care services should be provided to rehabilitate children leaving juvenile jails.
  - Remand Homes need to be made in more districts of Sindh.
  - Any new detention institutions made for children must be made keeping in mind the standards laid out in the Sindh Borstal Schools Act 1955.

## **SECTION 7: CONTINUUM OF CARE, CIVIL SOCIETY AND CHILD PROTECTION SYSTEM AT THE DISTRICT LEVEL**

This component of the mapping exercise outlines the ‘continuum of care’ that exists for children in Sindh. It consists of an analysis of the protective environment for children in the province. The promotion of positive attitudes towards child protection and open discussion of child protection issues are part of the protective environment, together with services to assist families, communities and countries to prevent violence, exploitation, abandonment and abuse, and respond to their needs. Provincial or local child protection services and systems, protective social practices, the knowledge and capacity of communities, families and children, supported by research, good oversight and monitoring, all contribute to building the protective environment. This section will be divided into four parts: a discussion of the attitudes and practices that negatively affect this protective environment, the child protection system at a district and community level, CSOs and lastly, recommendations to strengthen the continuum of care for children in Sindh.

### **7.1 Negative Attitudes, Customs and Practices**

The first step to assessing the protective environment was noting the attitudes, customs and practices that have a negative impact on children and also noting whether there was an open discussion of these practices. The major negative attitudes and practices identified in Sindh are listed below:

- **Acceptability of violence against children:**

- **Corporal Punishment**

Corporal punishment is accepted as a norm and is prevalent in schools, households and work places. Parents do not consider this to be an issue and are seldom willing to take action against it, often condoning and encouraging the act. There is an open discussion of the issue but a significant part of this discussion, be it family, teachers or government employees, are in favor of corporal punishment and think of it as necessary to the child’s good upbringing.

- **Domestic Violence**

It has been observed that if a woman is being physically or verbally abused by her husband, there is a high chance that the children are also being abused by either of the parents. The tension at home often forces children to leave their homes to live on the streets, thus vulnerable to exploitation and further abuse. Domestic violence is not openly discussed as it is considered a family and hence private matter. Unless very drastic physical abuse takes place, law enforcers do not interfere in the matter.

**Efforts targeting this attitude:** The Government of Sindh has sent out notifications to all schools banning corporal punishment but the desired effect is yet to be achieved. Many teachers and officials are still unaware of the notifications. UNICEF and some NGOs have drafted educational material that discourages the use of corporal punishment. This material is being taught in selected schools and teacher training programs. A bill criminalizing corporal punishment in all educational institutions has been drafted and is pending in the provincial assembly. Similarly, a bill regarding domestic violence against women and children has been drafted and women parliamentarians of Sindh are engaged in advocacy efforts to get it passed by the Sindh Assembly.

- **Social apathy to sexual violence against children:**

- **Child Marriages**

Underage marriages are not considered a harmful practice by a majority of the population partly due to interpretations of Islamic teachings, according to which a belief is held that children may be married once they attain puberty, particularly girls. Children are forced to marry at very young ages when they are neither physically nor psychologically ready for the responsibilities. This leaves them vulnerable to various forms of sexual trauma and further abuse, and has serious repercussions on their health. There is an open discussion on this issue.

- **Rape and incest**

Since children are the most vulnerable section of society they are most susceptible to sexual violence in the form of rape and molestation. Despite prevalent denial that incest takes place, cases have been recorded (Rasheed and Zaman 2012). It has been reported that in cases of incest the child's complaint is often not considered seriously by family members or the police. If it does reach the police, the police may try to bring about an out of court settlement or mediate between the family members. If rape survivors wish to seek justice in the courts, they face a formidable set of prejudices from the police, medico-legal officers, prosecutors and judges that challenge the veracity of the accusations and hinder the due process of the law (Khan and Zaman 2012).

**Efforts targeting this practice:** The provincial government notified a Committee for Age at Marriage which is urging the passage of a law to increase the minimum legal age of marriage of girls to 18 years. Sindh women parliamentarians, along with women's rights and reproductive health advocates are supporting these efforts. Every six months SPARC conducts campaigns against child marriages which are covered by newspapers, increasing awareness. Incest still remains a very sensitive issue and is addressed by only a few groups, including WAR and SAHIL.

- **Acceptability of Child Labor**

Child labor is very common in Sindh, taking place both at a formal and informal level. Most people accept this as an unavoidable norm due to a high incidence of poverty that forces families to send children to work. Children are often made vulnerable to various forms of abuse at these sites of labor that offer no protection to children. There is an open discussion of the issue. While groups (government employees, teachers, civil society) who are part of this dialogue may verbally criticize child labor they often advocate it in practice (by employing children). Some advocate for an outright ban on child labor while others deem it a necessary evil until the incidence of poverty decreases in Pakistan.

**Efforts targeting this practice:** CSOs are lobbying for an amendment to the Employment of Children's Act 1991 that increases the minimum age of labor. The federal government (through Bait-ul-Mal) has set up rehabilitation centers for child laborers and CSOs are also combating child labor by running various programs, albeit at a small scale.

- **Reliance on informal dispute resolution mechanisms**

Honor killing, *vani* and revenge killings are practices prevalent in the tribal belt of Sindh. These practices are often condoned by actors in the informal justice system. There is an open discussion on this issue with regular media coverage. However, the formal justice system is not strong enough to prosecute the perpetrators who have on occasion been protected by the rich and powerful.

**Efforts made to target this attitude:** CSOs are involved in conducting trainings of actors in the legal system in order to sensitize them with regard to these issues. However, efforts are at a small-scale. Attention is largely focused on legislating against acts such as honor killings.

It was noted in the course of this mapping exercise that while some headway was being made in terms of legislative change, very few large-scale campaigns that target negative attitudes in the form of awareness programs for parents and communities were being conducted. Legislative and institutional change must be accompanied by awareness campaigns and education as these cultural practices result from an attitude towards the rights of children that must be changed.

## **7.2 CSOs and Child Protection**

There are several CSOs in Sindh that are directly working in the sphere of child protection while other organizations are indirectly linked to child protection in one way or another. These organizations constitute the formal system that contributes to the 'continuum of care' available to children in Sindh. However, no comprehensive mapping has been done of all community-based organizations (CBOs) linked to Child Protection and therefore one cannot assess the outreach of those that are scattered and working independently from each other. Some attempts-such as the Child Rights Movement have been made to coordinate efforts of CSOs. However, effective coordination that maximizes efficiency and establishes a referral system among the CSOs and the government and civil society can only be achieved once some of the basic *procedural problems* are addressed.

Currently, there is no separate procedure being used to register NGOs that are working on Child Protection issues. In fact, there is no unified procedure for licensing any NGOs working in Sindh. All CSOs are registered under either of one of these six laws: a) Societies Registration Act 1860, b) The Trust Act 1882, c) Companies Ordinance 1984, d) Trade Organizations Ordinance 2007, e) Cooperative Societies Act 1925, and f) Voluntary Social Welfare Agencies (Registration and Control) Ordinance 1961. Each law comes under the jurisdiction of a separate government department. This procedure of licensing is highly fragmented which results in no one entity having information on the number of organizations operating in the province (registered or unregistered). Licensing of voluntary organizations under the Voluntary Social Welfare Agencies Ordinance is done with the SWD on a district and provincial level. However, even these licensed organizations are not regularly monitored. The registration of all CSOs with one government department, such as the SWD, will result in the establishment of a strong referral system, uniform standards of care, better planning of services and a consolidated system of data sharing. However, the capacity of the SWD will need to be increased in order to achieve these goals.

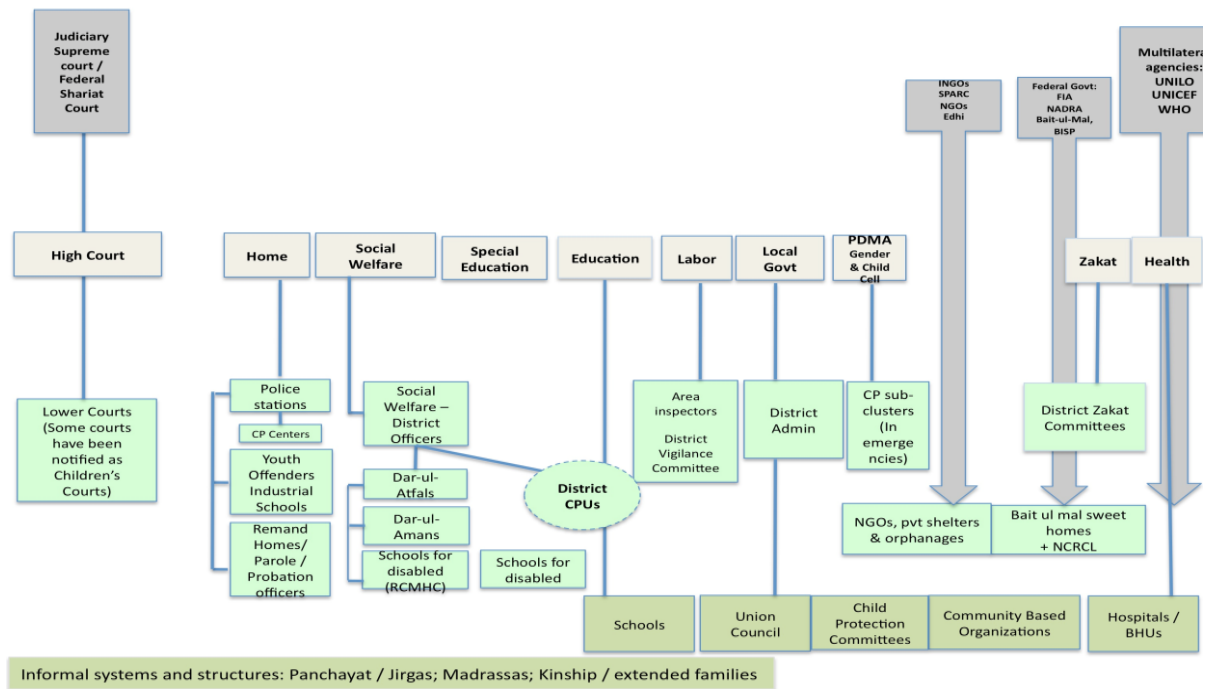
## **7.3 Child Protection System and Community Actors at a District Level**

This organogram (Figure 4) maps the child protection system at a district level showing the key community players, both informal and formal. The province is in the initial stages of developing a comprehensive child protection system and some districts (Karachi,



Hyderabad, Sukkur, Mirpur Khas, Tando Muhammad Khan and Badin where CPUS have already been established) have a better system than others. Moreover, the level of engagement of different community players is often determined by the personality and interest of individuals. There are also some cultural difference in attitude between North and South (tribal vs. non-tribal) Sindh that affect outcomes for children. Thus, it is difficult to generalize across districts unless a more formal and accountable system is developed.

Figure 5. Organogram of child protection system at a district level.



Key community players relevant to Child Protection at a district level include District Officers for Social Welfare, District Commissioners, union council secretaries (role limited mainly to birth registration), police, magistrates, teachers, health workers, religious leaders, CSOs, CBOs and labor inspectors. However, there are no formalized referral mechanisms in place among these players. These players and community elders may refer children to each other as they see fit. Some neighborhoods have *mohallah* committees that handle disputes and take decisions related to community matters, including family disputes.

Formal systems that exist at a micro level include Child Rights Units or Committees that focus solely on child protection issues. In some districts these have been set up by the government and in others, by CSOs. There are Child Rights Committees formed by SPARC in 16 districts of Sindh (Jamshoro, Hyderabad, Umerkot, Mithi, Badin, Nawabshah, Noushero Feroz, Ghotki, Khiarpur, Sukkur, Shikarpur, Kambar, Larkana, Dadu, Jacobabad, Sanghar) and 4 Child Rights Units are run by Thardeep (Tharparkar, Umerkot, Dadu & Jamshoro). The police have set up Child Rights Desks and Child Protection Centers in a few districts. Other than these, informal systems that have a bearing on child protection include kinship groups, *jirgas*, political associations and religious leaders that informally decide disputes. These decisions are outside the purview of the formal legal system. Family and clan continue to be the first arena of child protection available.

Some initiatives taken by the government can be utilized for the purpose of increasing effectiveness on the ground. For example, District Vigilance Committees (DVCs) that include a number of key community players have been set up in all districts that are supposed to monitor bonded labor. Unfortunately most DVCs are dormant and not adequately serving their function. However, if the DVCs are utilized more effectively, their mandate can be expanded to include child labor issues as well.

#### 7.4 Thematic Mapping of Child Protection Services in Sindh

Most services and systems provided by the provincial government have been mapped out in Section 5. This section maps out those services that are made available to vulnerable children by the federal government, CSOs and departments of the provincial government that have not been previously discussed. The tables below reflect the extent and nature of child protection services available in the province but are not meant to be a comprehensive mapping of *all* services since that is beyond the scope of this assessment.

- **Residential Services**

**Table 17. Residential services and shelters**

Name of Service	Provincial/ Federal Govt, Civil Society	District Information
<b>Sweet Home Orphanages</b>	Bait-ul-Mal, Federal Govt	<b>Sweet Home Orphanages</b>
<b>ApnaGhar Destitute Homes for Children</b>	Civil Society: Edhi Foundation	<b>Apna Ghar Destitute Homes for Children</b>
<b>Private Orphanages</b>	Civil Society: The SOS village, Azad Foundation Shelter, Anjuman-i-Hayatul Islam, Husaini Darul Atfal, Al Mohsin Orphanages, Anjuman Kashana-e-Atfal-o-Naunihal, Edhi Child Homes, Haji Abdullah Haroon Orphanage, Karsaz Trust Foster Home	12 in Karachi (info for other districts not collected)
<b>Shelters for Street Children</b>	Civil Society: PAVHNA, Azad Foundation, HDI	3 in Karachi
<b>Addiction Treatment and Rehabilitation Services</b>	Federal Govt	1 Model Addiction Treatment and Rehabilitation Center in Karachi <a href="http://www.anf.gov.pk/matrc.php">http://www.anf.gov.pk/matrc.php</a>
	Civil Society	7 (possibly more) drug addiction and rehabilitation centers for all age groups. 1 center in Karachi for

		children.
	Provincial government	Every district hospital mandated to have ward for drug addicts

Data pertaining to number of children served per year outside government services is not readily available, making estimates for expanding and improving services for them very difficult. Without sharing of data across government and non-government bodies, future planning cannot succeed. Drug use is a growing problem, particularly in Karachi among young boys and street children. The provincial government is not currently running a rehabilitation center, but the need is there. The Anti-Narcotics Force noted on its website that most services, including those in hospitals, offer detoxification services, and that rehabilitation services are needed to complement these efforts.

- **Schools for Disabled Children**

**Table 18. Schools for disabled children**

Name of Service	Provincial/ Federal Govt, Civil Society	District Information
Rehabilitation Centers for Multiple Handicapped Children	SWD, Provincial Govt	12 (4 in Khi, 1 in each Badin, Dadu, Thatta, Sanghar, Larkana, Shikarpur, Jacobabad and Sukkur)
Schools for Disabled	Special Education Dept, Provincial Govt	20 (Hyd (4), Sukkur (3), Thatta, MPK, Badin, Sanghar, Nawabshah, Khairpur, Shikarpur, Jacobabad, Larkana, Dadu, Mehar, Ratodero and Khandkot)
Private schools for children with disabilities	Civil Society	34 schools in Karachi*

\*<http://www.autism-pakistan.org/forum/viewtopic.php?t=80>

The private sector is a dynamic provider of services for a range of disabilities. These include schools for children with learning disabilities, hearing and vision impaired, and the physically handicapped. The schools, depending on the type of students they serve, offer regular education curriculums and vocational training. Further research is needed to establish the details of the above services. The SWD could play a coordinating role with CSOs to ensure that enough services are in place to meet the demand in the province.

- **Child Labor Services**

**Table 19. Child labor services**

<b>Name of Service</b>	<b>Prov/Federal Govt/ Civil Society</b>	<b>District Information</b>	<b>Number of children served per year</b>
National Centers for Rehabilitation of Child Labor	Bait-ul-Mal, Federal Govt	36 centers	~ 120 children enrolled in each
Child Labor Education Program	Sindh Education Foundation, semi-government	3000 schools	~500,000 beneficiaries

There has been research conducted on child labor, particularly the problem of bonded labor, but the efforts to protect and rehabilitate them in Sindh are not extensive and seem to rely mainly on the Federal Government alone. NGOs such as LHRLA and Ansar Burney Trust have also engaged in rehabilitation of child camel jockeys.

- **Legal Aid Services**

There are a number of legal aid organizations in the country that could be offering assistance to children. Others not mentioned above are the Prisoner’s Welfare Society housed in Karachi jail for women and juveniles, and the Pakistan Women’s Lawyer’s Association that provide free legal aid. The above-mentioned organizations are serving children as well as adults. The NGOs listed above do not have outreach all over the province. They are entirely dependent on funding from foreign donors in order to keep their programmes going. They lack the necessary capacity to serve large numbers of children.

**Table 20. Legal aid services**

<b>Organisation</b>	<b>Prov/Federal Govt/ Civil Society</b>	<b>Outreach / District Info</b>
Legal Aid Office	Government funded, privately run	All over Sindh
Sanjog	Civil Society	Karachi
Lawyers for Human Rights and Legal Aid	Civil Society	Based in Khi, but serves children from all over Sindh

War Against Rape	Civil Society	Based in Khi, but serves children from all over Sindh
------------------	---------------	---

- **Life skills and education services**

These efforts by NGOs attempt to provide community members (parents, teachers and children) the tools with which to conceptualize child sexual abuse and help to prevent it. The social norm is not to openly discuss the topic within home, school, or community networks. Therefore, teachers have to be separately sensitized, children equipped with skills to prevent themselves, and adults empowered to recognize the problem and step in to prevent it. A number of NGOs in Sindh have developed Life Skills Based Education (LSBE) modules, which include abuse-related information alongside other information pertaining to sexual and reproductive health.

**Table 21. Life skills education services**

Name of Service	Prov/Federal Govt/ Civil Society	District Information
<b>Aahung</b>	Civil society with provincial government support	Karachi, Hyderabad, Mirpurkhas, Umerkot
<b>Konpal</b>	Civil society	Karachi

- **Hospital-Based Child Protection Centers**

The NGO Konpal runs a center for child protection to assist children who are victims of abuse. This is located at Civil Hospital, Karachi. Although the center is located in the city, the Hospital itself is a hub for patients from all over Sindh, as well as some from Balochistan as well. The hospital treats thousands of patients daily. In 2010 the Hospital saw over 300 cases of child abuse.

## 7.5 Matrix of Actors and Activities in Child Protection

Box 5 maps the range of the type of activities that make up the protective environment available to children. These activities range from ‘prevention’ to ‘response’ and the engagement of key actors in each type of activity has been shown in Box 5.

Once the presence of these actors is mapped against the types of activities that make up the ‘continuum of care,’ it becomes apparent that the informal kinship networks play a role in almost each type of activity. However, these kinship groups (constituting of elders, families and parents) are not sensitized in some respects with regard to child protection. A focus on the capacity training of these actors coupled with attempts to bridge together the informal and formal systems can result in a positive change for children in Sindh.

**Box 5. Matrix of actors in protective environment for children**

Prevention ↑ ↓ Response		Government	CSOs and INGOs	Informal (Kinship groups)	Multilateral Agencies
		Cash Transfers	X	X	X
	Birth Registration	X			X
	Public Education and community mobilization for change related to child protection	X	X		X
	Identification of at risk children and families	X	X	X	X
	Individual family support mediation, assist with entitlements, service access, legal aid	X	X	X	
	Monitoring and Accountability of services				X
	Best Interest determination and gate keeping procedures				X
	Alternative care: Kinship, Alternative care	X	X	X	
	Diversion		X	X	X
	Identification, verification, reporting of suspected abuse	X	X	X	
	Psychosocial support and mental health services		X	X	X
	Sensitive case management, shelter services	X	X		X
	Tracing, reunification and reintegration	X	X	X	X

Currently, the government has a number of community-based health worker programmes that access households and could be used to enhance child protection. These include the Lady Health Workers, Lady Health Visitors, and doctors staffing the Basic Health Units. It is likely that these health service providers come across cases of vulnerable children whom they could refer onwards for help. If these health workers are trained to handle cases such as child sexual abuse (as is being done by the NGO Konpal), it can create an effective bridge between the informal and formal arenas. Moreover, these health workers can continue to mobilize and educate families and parents.

## 7.6 Recommendations

- **Laws, Policies, Standards and Regulations**
  - All CSOs must be registered with one authority under the SWD.
  - Operating procedures for all facilities offering child protection related services need to be standardized.
  - Adoption or a more effective system for guardianship must be established (This came up as a recommendation in Sindh by a lawyer specializing in

guardianship law. She felt that children are being sold at hospitals and illegal / fake birth certificates are being made under the table, so to avoid this, adoption should be legalized).

- Child marriage laws should be amended and the minimum age for both girls and boys should be 18 years of age.
- Corporal punishment and domestic violence bills should be passed.
- Employment of Children Act should be revised and penalties for child labor violations increased.
- **Cooperation, Coordination and Collaboration**
  - Cooperation among CSOs working at the provincial and district level needs to increase.
  - CSOs should compile a data base of their information that can be shared amongst themselves and with government.
  - *Madaris*, or religious schools, should be included in the child protection process.
  - There are several child rights coalitions / networks at the national level, e.g. National Juvenile Justice Network, Child Rights Movement and Pakistan Coalition for Education. These networks need to be more active and establish a stronger presence at provincial levels as well.
  - CPCs at the community level (as recommended by the SCPA Rules) should be set up.
- **Capacity Building**
  - CSOs should focus on increasing the capacity of parents to engage with child protection and develop the skills necessary to meet their responsibilities to children.
  - Capacity of public sector actors in child protection is a high priority area: police, justice officials, educationists and medical practitioners need to recognize child protection violations and help to protect children from abuse and other crimes.
  - Education dept should incorporate life skills based education in formal curriculum, teachers should be trained accordingly.
  - Police need to be trained more effectively on child related laws and child protection system and concepts.
- **Service and Service Delivery Mechanisms**
  - CSOs should not have to take the lead in providing services that are the responsibility of government, e.g. shelters and homes for neglected/abandoned children, legal aid to children, and rehabilitation of children who have come in conflict with the law.
- **Communication, Education and Mobilization for Social Change**
  - Life skills education needs to be made part of the curriculum of schools and madrassahs.
  - Target groups for civil society interventions must be more involved in developing initiatives.
- **Accountability**
  - All CSOs must be held accountable and make transparent their practices, data, and partners. They must consent to regular audits by the government or a third party.





## **SECTION 8: RESOURCE MOBILIZATION AND FISCAL ACCOUNTABILITY**

### **8.1 Allocations and Budgeting for Child Protection**

In the budget documents and functional classification of expenditure used by the Sindh Government, there is no separate classification or sub-classification for child protection. Since child protection functions and activities are spread across a range of departments, it is difficult, if not impossible, to accurately decipher the total outlay on child protection.

Even within allocations for individual departments, there is no head under which child welfare or child protection expenditures are provided. In many cases budgets for child specific functions are embedded in broader categories and cannot be separated. For instance, the budget for the juvenile jail is part of the allocation for jails as a whole and no separate accounting is ostensibly maintained.<sup>21</sup>

Some information was retrieved on child related functions of the SWD such as financing for the CPUs in the current budget. This comes to 4.75% of the current budget allocated to the Department. On the other hand the total current budget of the SWD is a mere .008% of the total current budget of the Sindh government in 2010-11. The aggregate development budget for the Social SWD is 0.6% of the total development budget of the province. 314.540 million rupees have been allocated for the project 'Establishing and Strengthening of Dar-ul-Atfals' and 190 million rupees for the "Establishment of CPUs for Street Children."<sup>22</sup>

The tentative conclusion that can be drawn is that allocations for child related functions in the province are exceptionally low. There is a case, therefore, for the provincial government to prioritize child welfare/protection related spending, especially since the 7<sup>th</sup> NFC award has increased the resource envelope of the province substantially.

It is also important that child protection is provided as a consolidated head in budget documents. Only then will it be possible to monitor expenditure in this area with some degree of accuracy. Since the Sindh government has recently added social protection as a separate functional classification in budget documents, it will be appropriate if child protection is added as a sub head in this classification and all cross-departmental allocations are clubbed together there.

### **8.2 Monitoring and Accountability**

As mentioned above, the first pre-requisite for effective monitoring of financial allocations is to develop proper accounting procedures that collates cross departmental allocations and provides details of individual projects and functions. The other condition for effective monitoring and accountability is that allocations across different heads are tracked so that it is ensured that resources are flowing in the direction where they are intended to. Moreover, resource inputs have to be matched with outputs in terms of non-financial indicators of child welfare and protection.

---

<sup>21</sup> We were informed by an ex DIG prisons that the share of the juvenile jail is between 2-3% of the total allocation for the Karachi Central Jail.

<sup>22</sup> This information was shared by the Accounts Department of the Social Welfare Department of Sindh.

It is thus important that expenditure tracking and outcome based budgeting is introduced in the province. Punjab and Khyber Pakhtoonkhwa are in the process of introducing such processes with the help of donor support and it will be advisable that the Sindh government also does so in all social sector expenditure generally, and for social and child protection in particular.

### **8.3 Role of Donors**

The main donor for child welfare and protection in Sindh is UNICEF. Apart from funding the CPUs of the SWD in 2010 - 2011, it provides technical support for various awareness raising campaigns and capacity building initiatives in the province. Presently, it is also working with the Local Government Department on improving procedures for birth registration in the province. In the realm of financing, UNICEF's contribution in capacity building initiatives for 2011 is close to US \$ 0.5 million to the SWD. This is part of UNICEF project cycle of 5 years (2008-2013).

Other than UNICEF, the ILO is involved in a project on 'Combating Abusive Child Labor' in the province. No other multilateral or bilateral donor agency has any project on child welfare and protection with the government in Sindh.

While donor involvement in the area is not extensive, UNICEF has supported children related functions of the government intensively. In addition to activities listed above, it has provided much needed support in the legislative process, and subsequent drawing up of the rules of business of the proposed SCPA. UNICEF has also initiated an elaborate accountability mechanism for its funding to the Sindh Government. From 2013, all UNICEF funding to the Sindh Government will go through a system of financial accounting known as Harmonized Approach for Cash Transfer (HACT).<sup>23</sup> UNICEF has already introduced this system in its funding for NGOs in the last few years. This is particularly important as donor funding to government departments or activities is not part of the routine government checks through the Auditor General's office. In fact, donor funding is kept in a separate bank account and is administered by the relevant project manager. This makes donor funds the most non-transparent element of expenditure undertaken by the public sector. Therefore, in addition to UNICEF's own procedures to inject accountability, it is also recommended that donor funding should be part of the consolidated account of the relevant department and subjected to the same scrutiny procedures – through the Auditor's office – as other public funds are.

### **8.4 Recommendations**

- **Laws, Policies, Standards and Regulations**
  - Child protection should be provided as a consolidated head in budget documents.
  - Expenditure tracking and outcome-based budgeting should be introduced.
- **Cooperation, Coordination and Collaboration**
  - A coordinated child protection work plan should be prepared and funding sought on that basis. This will also reduce transactions cost for monitoring and

---

<sup>23</sup>HACT reconciles all activity expense accounts and vouchers every 3 months. If reconciliation is not in line over a period of time, say 6 months, the system blocks funding for that particular department/activity. It is not possible to renew funding for that particular activity/department by project managers and will have to be reviewed at higher levels.

accountability allocations, and for introducing outcome-based budget for child protection. Instead of departments sending individual expense requests for child protection, they can all be collated after thorough deliberations and possibly under a work plan by the SCPA and forwarded as a consolidated Child Protection allocation to the Legislature for approval. Since all relevant departments – Social Welfare, Home, Labor, Education and Health – have representation in the SCPA, this will improve fiscal coordination substantially. Also, once a coordinated plan for child protection is developed and funding sought on the basis of that plan, the issue of low allocations and lack of prioritization can be more effectively addressed through advocacy with legislators and bureaucrats. A coordinated child protection work plan will also enable donors to assess needs clearly and commit resources based on their own area of expertise. It will also reduce transactions cost for monitoring and accountability of child protection allocations and for introducing outcome based budgeting for child protection.

- **Capacity Building**
  - Training and capacity building of staff in the Finance, P&D and SWD, especially with regard to incorporating outcome based budgeting procedures, should be initiated.
  
- **Financial Resources**
  - The aggregate development budget for SWD needs to increase beyond 0.6% of total development budget for the province.
  
- **Accountability Mechanisms**
  - Donor funding should be part of the consolidated account of the relevant department and subject to same scrutiny as other public funds.
  - A CPMIS must be created and maintained for effective monitoring and transparency.



## **SECTION 9: SINDH CHILD PROTECTION AUTHORITY**

### **9.1. Role and functions of the Sindh Child Protection Authority**

The SCPA Act was passed in June 2011 legislating an inter-departmental mechanism. The Rules of Business for the Authority were formed in 2012 but it is not operational yet. The Authority will play the coordination, standard setting, monitoring and oversight role in child protection in Sindh. It will be chaired by the Minister of the SWD.

Membership of the SCPA will be as follows: Minister-in-Charge of the SWD (Chairperson), Secretary of SWD (Secretary/Member), two members of the Provincial Assembly to be nominated by the Chief Minister, two well-known advocates having experience in child rights, two representatives from non-governmental organizations working for the welfare and development of children, and Secretaries of Home, Law, and Labor departments. The Authority may decide to co-opt another person or representative from UNICEF or any international organization.

The Authority will:

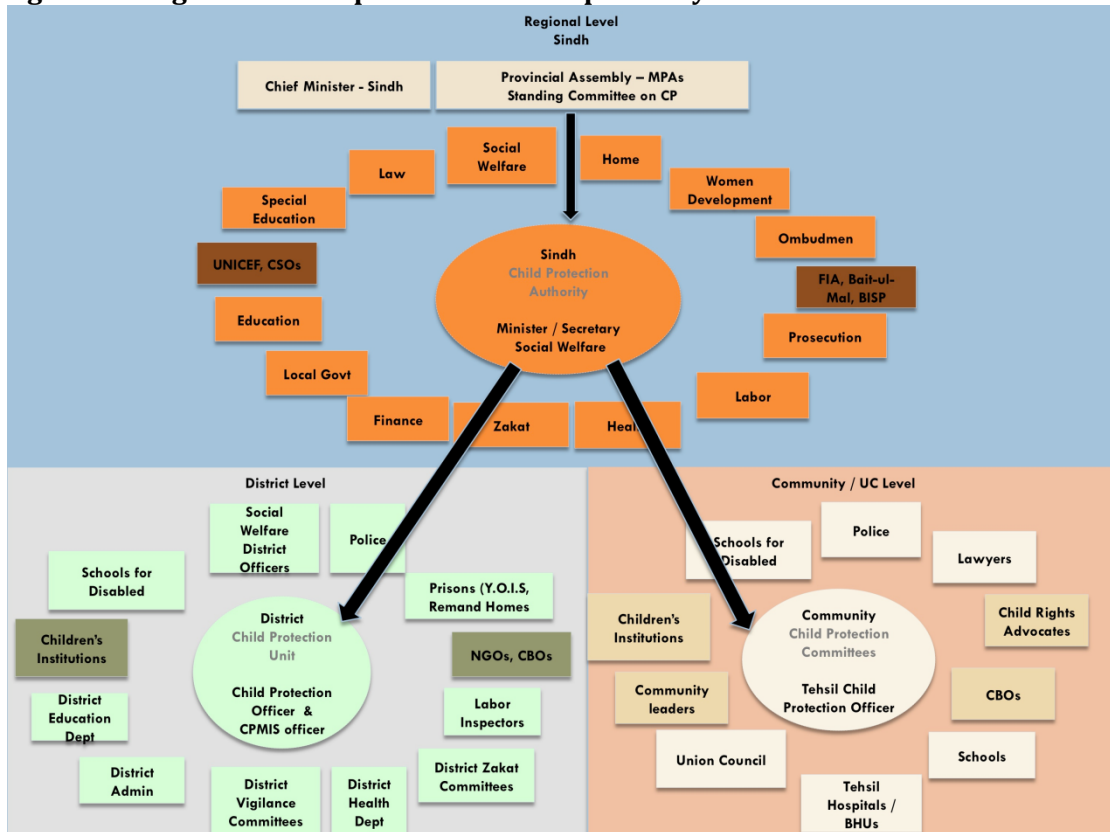
- coordinate and monitor child protection related issues at provincial and district level, support and establish institutional mechanisms for child protection,
- set minimum standards of care for child protection institutions,
- review laws and propose amendments,
- recommend development of a Policy and Plan of Action for children,
- set up a CPMIS,
- mobilize financial resources for child protection,
- initiate through relevant authorities prosecution of offenders for child victims,
- undertake systematic research on child protection issues.

The Authority will oversee district level CPUs each headed by a Child Protection Officer (CPO) who may hire one or more assistant CPOs depending on the size of the district. CPOs will be responsible for:

- protecting children in need in their respective districts,
- inspecting both government and NGO services for children in their respective districts,
- Identify children in need of protection, investigate child related cases, create awareness at community level on child rights and several other functions as outlined in sections 21-22 of the SCPA rules. At each district a panel of advocates will be maintained who are well versed in child related laws to represent and advice the authority on child cases.

The planned SCPA will be mandated to monitor all child protection institutions making sure that they adhere to standards of procedures. The Board of the SCPA will include two representatives from the NGO sector, which may improve the linkages between government and civil society working on child protection. Further, the designated CPOs working under the Authority will oversee all child protection activities at the district under their care.

**Figure 6. Diagrammatic representation of optimal system**



The proposed SCPA seems to be an optimal model for collaborating on child protection issues. If this Authority is properly set up and funded as planned and the various departments, MPAs, advocates and civil society play an active role in making it functional it can have very positive outcomes. However, in order to be even more effective and inclusive of all key stakeholders, membership of the Authority should be expanded, as shown in the diagram, to include Secretaries of Women’s Development, Education, Health and Zakat Departments. Co-opted members would include representatives from UNICEF, Bait-ul-Mal, FIA and BISP. This will require some collaboration across federal and provincial departments.

Greater political ownership will be critical to sustain this effort. To achieve this end, a Standing Committee on child rights at the Provincial Assembly should be put in place to drive the Government of Sindh to ensure that child rights are being respected, protected and fulfilled.

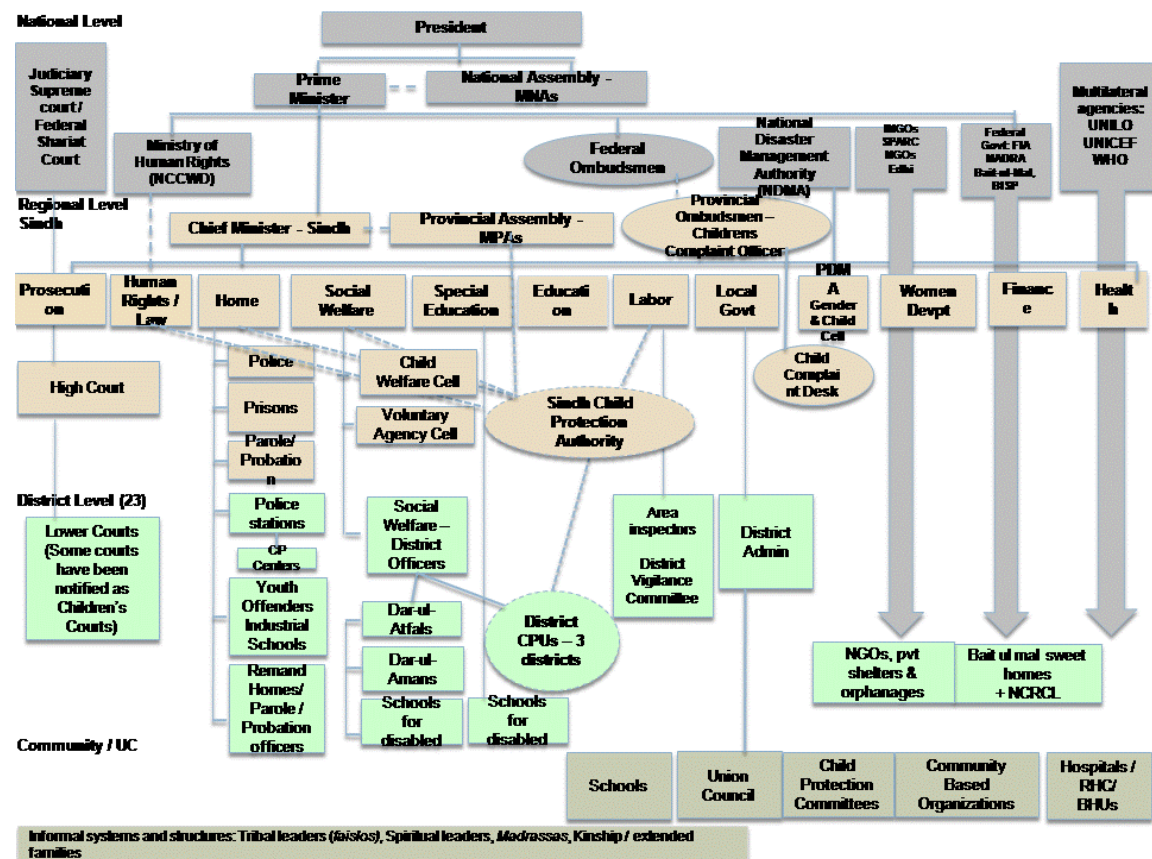
According to the draft rules of business for the SCPA Act 2011, the SCPA will have a central provincial office in Karachi as well as district level offices in each district of Sindh. The district level offices, CPUs will be headed by a CPO who will have his/her own staff at the district level. To improve child protection data collection and management, a CPMIS will be developed and managed by the SCPA at the provincial level. District level data will be generated through district CPUs.

CPUs at the district level should closely coordinate with the District offices of the various Departments who are members of the SCPA. This includes, as shown in the diagram, Social Welfare district officers, district police, prisons (YOIS) and probation officers (Remand Homes), labor inspectors, district Zakat committees, district health departments, district administration, district education department as well as private and public institutions

providing any kind of child protection services (e.g. orphanages, schools for disabled, temporary shelters, legal aid organizations, NGOs / CBOs working with street children, life skills education, etc.). There needs to be a central body that maintains registry of all orphanages and residential institutions for children. This body should be responsible for inspection, quality control and regulating standards for private and public institutions. Under the Rules of Business for SCPA, this responsibility has been assigned to the district child protection officers

Finally, community level CPCs should be set up at the Tehsil or Union Council level in order to have greater outreach. To achieve this end, an additional tier will need to be added to the current system described in the SCPA Act 2011 and its Rules of Business. The SCPA Act mandates the formation of provincial and district level child protection offices but does not for the Tehsil or Union Council levels. A Tehsil CPO would be much better equipped to understand the child protection needs of his/her community. CBOs, child rights advocates, schoolteachers, police officers and union council staff could all possibly serve on these committees.

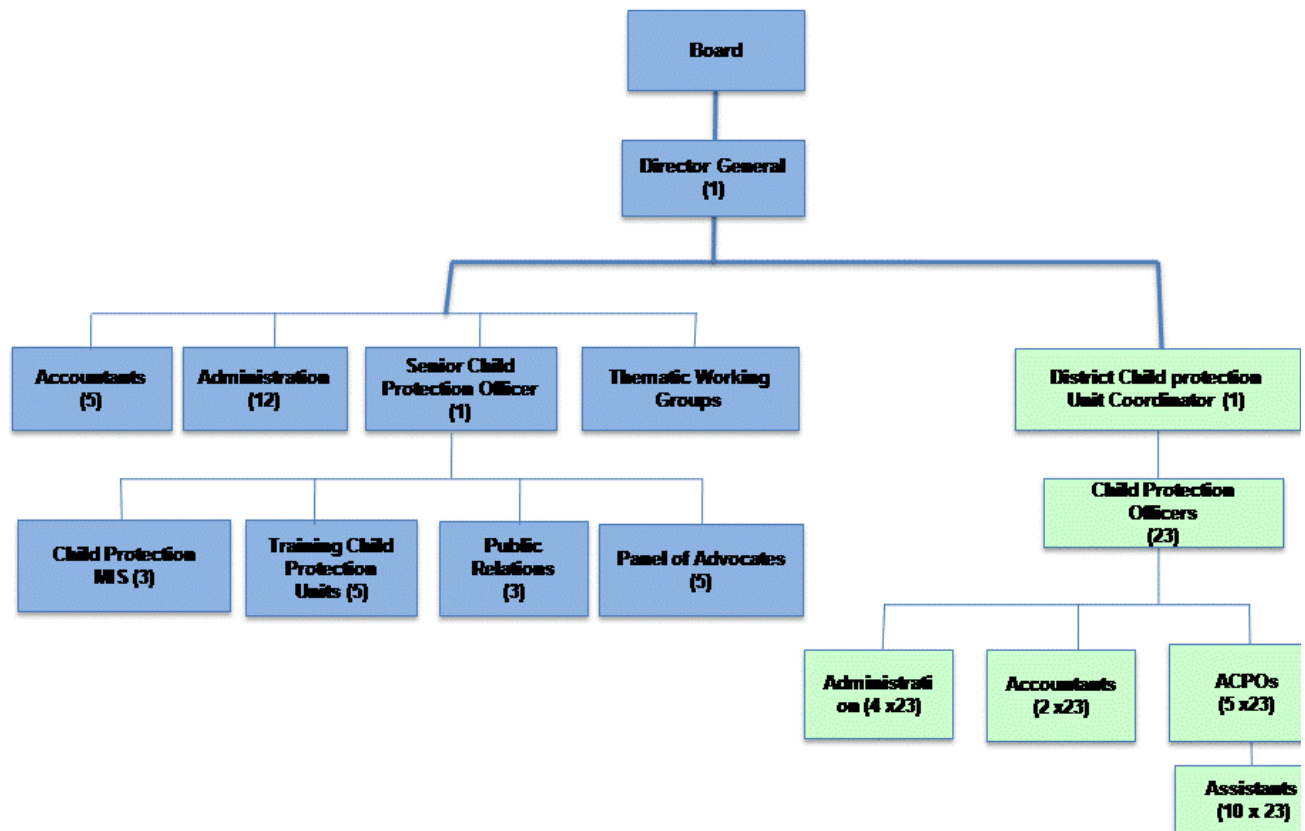
Figure 6. Establishment of system: cooperation, coordination and collaboration



## 9.2. Staffing model for the SCPA

Below an optimal staffing model for the SCPA is suggested and its respective costing provided. Figure 8 details the optimal staffing of the SCPA (one Head Office and 23 District CPUs, one in each district of Sindh.)

Figure 7. Optimal staffing of the Sindh Child Protection Authority



There will be one Director General(DG) who will oversee the functioning of both the Head Office and the district CPUs and will be responsible for setting up and managing Thematic Working Groups on child protection issues. One Senior Child Protection Officer (SCPO) and one district CPU Coordinator will report directly to the DG. The SCPO will be responsible for overseeing the CPMIS at the provincial level, a Training Unit, a Public Relations team and a Panel of Advocates. The CPMIS will regularly input data provided by the DCPUs on the number of children that have been helped by the DCPU and will also monitor other information sources to compile data related to child protection that can be used for policymaking and allocation of funds. The Training Unit will be essential as the staff employed at the district CPU will need regular trainings in order to bring them up to date with issues and methods related to child protection. The Panel of Advocates will represent the SCPA and children in need of legal aid in legal matters,

The district CPU coordinator will be in charge of coordinating closely with the CPOs at a district level and create a bridge between the provincial and district level systems. The staff for each district CPU will comprise of 1 CPO, 1 assistant CPO, 10 assistants, 4 people in the Administration team and 2 in the Accounts team. The functions of the CPU are extensive ranging from monitoring and referrals to service delivery and thus the staffing suggested here is an increase from the staffing planned so far in the SCPA rules.



### 9.3. Costing

The total cost (in rupees) for setting up the SCPA with this proposed staffing is provided below in

Box 6. The detailed costing has been provided in Annex 2.

#### Box 6. Costing for the Sindh Child Protection Authority

<b>TOTAL COSTS (SCPA)</b>	<b>Baseline Year</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>
<i>Recurrent and Capital Costs</i>	332,238,388	300,216,227	336,090,190	374,901,289	416,943,238
<i>Total Recurrent Costs</i>	267,012,388	293,713,627	323,084,990	355,393,489	390,932,838
<i>Total Capital Costs</i>	65,226,000	6,502,600	13,005,200	19,507,800	26,010,400



## SECTION 10: CONCLUSION- CHILD PROTECTION SYSTEM DEVELOPMENT

Reform and coordination that is required to institutionalize a strong child protection is possible once the decision to act has been taken by all stakeholders. Below is a set of actions in order of priority that may serve as a template for how the provincial government may wish to proceed.

### 10.1 Sindh Child Protection Authority

1. Establish Standing Committee on Child Protection at the Provincial Assembly
2. Establish SCPA at Provincial Level: Expand membership of authority to include other relevant Departments.
3. Establish CPUs at the District Level.
4. Appoint Child Protection Officers at Tehsil Level.
5. Set up CPCs at Community Level.
6. SCPA should set up thematic working groups to tackle specific child protection issues.
7. Child Protection Officers (under SCPA – CPUs) should be legally responsible for inspection, quality control and regulating standards for private and public institutions providing any service to children (e.g. remand home, juvenile jails, shelters /orphanages, madaris, schools, etc.).
8. SCPA should maintain registry of all orphanages, residential institutions and child protection services for children.

### 10.2 Laws

1. Amend JJSO such that it over-rides Anti-Terrorism and Hudood Laws when pertaining to children (under 18).
2. Police Order 2002 should be revived with amendments that focus on child protection.
3. Amend Child Marriage Restraint Act so that
  - a. It overrides Muslim Family and Shariah laws and
  - b. the legal age for marriage of girls is increased to 18.
4. Amend Employment of Children's Act such that
  - a. employment of children under 14 is completely banned and that of children between 14-18 strictly regulated
  - b. domestic and home based labor is also strictly regulated.
5. By-laws for registration of births of children with unknown fathers to be developed.
6. Amend PPC and Criminal Procedure Code such that
  - a. minimum age of criminal responsibility increases to 12
  - b. PPC overrides *zina* and anti-terrorism laws
  - c. corporal punishment under any circumstance be banned
  - d. legislation on honor crimes is strengthened.
7. Amend PACHTO such that it includes internal trafficking, drug-trafficking, organ trade and forced marriages.
8. Strictly enforce the ban on informal justice system, particularly *jirgas*.
9. Stronger implementation capacity building of stakeholders on all laws related to children including:
  - i. JJSO 2000
  - ii. Employment of Children's Act 1991
  - iii. Child Marriage Restraint Act, 1929
  - iv. Birth, Marriage and Death Registration Act, 1886
  - v. PPC and Criminal Procedure Code

- vi. PACHTO, 2002
  - vii. Sindh Children's Act, 1955
  - viii. SCPA Act, 2011
  - ix. Sindh Borstal Schools Act, 1955
  - x. Sindh Orphanages (Supervision and Control) Act, 1976
  - xi. Sindh Compulsory Primary Education Ordinance, 2001
10. Pass Domestic Violence Bill.
  11. Pass Sindh Prevention of Corporal Punishment Bill, 2011.

### **10.3 Data and Data Management**

1. CPMIS should include all core indicators identified in this exercise.
2. CPMIS should include a module to track Financial Resources allocated towards child protection.
3. CPMIS should be managed and centralized at Provincial SCPA office.
4. CPUs should generate district level data to feed into the CPMIS.
5. Communication and data sharing system between relevant government departments, UNICEF and civil society needs to be strengthened.
6. Child Labor Survey must be conducted.
7. Specific modules on child protection such as disabilities module should be added to the next Population Census.
8. The Health Management Information System(MIS) should collect relevant child protection data, such as child abuse, homicide, violence, from clinics, police stations, hospitals etc. that is age and gender disaggregated.
9. The Education MIS should collect data on corporal punishment and intimidation/threats by teachers to children in schools.
10. SCPA should maintain a registry of all orphanages and the number of children in them.

### **10.4 Standards and Regulations**

1. All CSOs should be registered with one body, ideally SWD.
2. Strengthen and strictly regulate process for Guardianship or develop an alternative system.
3. System to track children under Guardianship must be developed.
4. SCPA should develop SOPs for all residential institutions for children.

### **10.5 Infrastructure and Service Delivery Mechanisms**

1. YOIS and Borstal Schools /Remand Homes must be set up in all districts .
2. Separate Children's Courts must be developed and made functional.
3. CPUs must be set up in all districts with committees at community level.

### **10.6 Capacity Building**

1. A system of formalized training on child protection (child rights and laws) for the following service providers:
  - a. Police
  - b. Lawyers, Prosecutors and Judges
  - c. Prison and Probation Officers
  - d. Social workers
  - e. Educationists and
  - f. Medical practitioners
2. Curriculum Reform: Review of and revision of degree courses on child and family welfare being offered at major universities - ensure they are comprehensive and cover all areas of child protection and welfare
3. Increase the capacity and skills of parents to engage with child protection and meet their responsibilities to children

4. Capacity of data sharing institutions must be built in order to carry out surveys at a provincial level

#### **10.7 Communication, Education and Mobilization for Change**

1. Mass communication strategy should be developed to ensure that community members are well aware of the CPUs and all existing services for child protection.
2. Awareness campaign on child protection and how children can protect themselves.
3. Schools should enforce life skills based education.
4. Government and Private school teachers should be trained on life skills based education methodology and content.

#### **10.8 Financial Resources**

1. SCPA and all its subsidiary units must be owned and adequately funded by the Government
2. Allocate resources to collect relevant child protection related data on a regular basis. E.g. child labor survey, children with disabilities and violence against children.
3. All Departments playing a role in child protection should have a separate line item in their budgets for child protection
4. Department budgets for child protection should be adequately resourced.
5. Develop a system of outcome based budgeting.

The above activities will no doubt take place over an extended time period, but much has already been accomplished by conceptualizing the SCPA. Devolution has been a first step towards mobilizing the funding and readiness of the Sindh government to plan for its own needs in the social sector with a renewed commitment. While the challenges of developing a strong child protection system in the province may be daunting, close coordination across government departments, with civil society, and with actors at the district and community level, can reap enormous benefits in the years to come.

## BIBLIOGRAPHY

Adil, Adnan. 'Pakistan's urban capital', in *The News on Sunday*, 28 August 2011.

Aga Khan University Department of Pediatrics and Child Health. [draft not for citation]. *National Nutrition Survey Draft Report 2011*. Karachi.

A/HRC/15/20\* Human Rights Council. Fifteenth Session. 18 June 2010  
Agenda item 3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development. Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian.

Ali, Masud A.K.M. 2005. "Treading along a Treacherous Trail: Research on Trafficking in Persons in South Asia," in *Data and Research on Human Trafficking: A Global Survey*. Geneva: International Organization for Migration.

Anwar, Wajeeha and Manizeh Bano. 2010. *Cruel Numbers 2010*. Islamabad: Sahil.  
<http://www.sahil.org/images/CR2009.pdf> (Accessed 15/11/11)

Asian Development Bank. 2008. Pakistan Poverty Assessment Update. Pakistan Resident Mission, Asian Development Bank.  
<http://www.adb.org/Documents/Assessments/Gender/PAK/Poverty-Assessment-Update.pdf>

Azad Foundation. 2004. *KABPS Study for Street Children in Karachi*. Karachi: PAVHNA.

Bureau of Democracy, Human Rights and Labor, United States State Department . 2011. *2010 Human Rights Report: Pakistan*. US State Department  
<http://www.state.gov/documents/organization/160472.pdf>

Center for Poverty Reduction and Social Policy Development, Planning Commission. 2010. *Development Amidst Crisis: Pakistan Millennium Development Goals Report 2010*. Islamabad: Government of Pakistan.

Child Rights and Abuse Committee and Save the Children Sweden-Pakistan. 2000. *Confronting Reality: Sexual Exploitation and Abuse of Children in Pakistan. A Situation Analysis*. Pakistan Pediatric Association.

Committee on the Rights of the Child Consideration of Reports Submitted by State Parties Under Article 44 of the Convention Third and Fourth Periodic Reports of State Parties Due in 2007. Pakistan. 4 January 2008.

Department of Agriculture, Fisheries and Food, World Food Program. 2011. *Pakistan - Impacts of shocks on household income and food consumption simulation modeling: Executive Summary*, 11-12. World Food Program.

Din, Najam U. 2010. *Internal Displacement in Pakistan: Contemporary Challenges*. Lahore: Human Rights Commission of Pakistan.

Fafen Education Institution Monitor. <http://www.fafen.org/> [accessed 15/02/12]

Federal Bureau of Statistics (FBS). *Pakistan Integrated Housing Survey 2006-7*. Islamabad: Government of Pakistan.

Federal Bureau of Statistics, (Statistics Division), Ministry of Labor and Manpower and Overseas Pakistanis, International Labor Organization and Internal Program on Elimination of Child Labor (IPEC). 1996. *Summary Results of Child Labor in Pakistan (1996)*. Islamabad: Government of Pakistan.

Flood Affected Nutrition Survey (FANS) Sindh Health Department and UNICEF. 2011. *An Analysis of the Impact of the Floods On MDGs in Pakistan, 2011*.

Gender and Child Cell, National Disaster Management Authority (NDMA). October 2011. *Separated, Unaccompanied and Missing Children in Emergencies: Guidelines and Framework for Action*. Islamabad: NDMA.

Global March Against Child Labor. *Worst Forms of Child Labor Data*. <http://www.globalmarch.org/worstformsreport/world/pakistan.html> [accessed 1/6/2012]

Gohar Ali and Hassan Yousufzai. 2003. Restorative Justice, Jirga and Local Government Institutions in Pakistan. Paper presented at International Seminar on Restorative Justice, Peshawar 16-19<sup>th</sup> December 2003.

Health Department. 2005. *Health Policy for Province of Sindh 2005*. Karachi: Government of Sindh.

Human Rights Commission of Pakistan. 2011. *The State of Human Rights in Pakistan 2010*. Lahore: HRCP. : <http://www.hrcp-web.org/Publications/AR2010.pdf> [accessed 2/15/2012]

Hussain, Faqir. 2011. The Judicial System of Pakistan. [http://www.supremecourt.gov.pk/web/user\\_files/File/thejudicialsystemofPakistan.pdf](http://www.supremecourt.gov.pk/web/user_files/File/thejudicialsystemofPakistan.pdf) [accessed March 12, 2012]

ILO Trafficking Report 2006. Pp34-47

ILO Yearbook of Labor Statistics. 1999. [<http://www.ilo.org/stat/Publications/Yearbook/lang--en/index.htm>]

International Crisis Group. 6 December 2010. *Reforming Pakistan's Criminal Justice System*. Asia Report No. 196. International Crisis Group.

International Crisis Group. 12 October 2011. *Reforming Pakistan's Prison System*. Asia Report No. 212. International Crisis Group.

Jamali et al, "Human Cost of Political Violence", in *Journal of the Pakistan Medical Association*.50:25, 2000.

JICA. 2002. Country Profile on Disability, Pakistan. Islamabad: Japan International Cooperation Agency. [http://siteresources.worldbank.org/DISABILITY/Resources/Regions/South%20Asia/JICA\\_Pakistan.pdf](http://siteresources.worldbank.org/DISABILITY/Resources/Regions/South%20Asia/JICA_Pakistan.pdf) (Accessed 4/11/11)

Just Peace International. 2012. Access to Informal Justice System. Islamabad: European Union, Government of Pakistan and Unicef.

Keshavjee, Mohamed M. 2009. Family Mediation in the Shia Imami/Isma'ili Muslim Community – Institutional Structures, Training and Practice. The Institute of Ismaili Studies.

*Presented at the Seventh European Conference on Family Law – International Family Mediation, Council of Europe, Strasbourg, France on 16 March 2009.*

Khan, Ayesha and Sarah Zaman. 2012. The Criminal Justice System and Rape: An Attitudinal Study of the Public Sector's Response to Rape in Karachi. Karachi: WAR and Collective for Social Science Research.

Khan, Ilyas M. 2003. *Laws Relating to Children and Juvenile Justice System Ordinance*. Lahore: Book Mart.

Lari, Maliha Zia. 2011. *A Pilot Study on 'Honor Killings' in Pakistan and Compliance of Law*. Karachi: Aurat Foundation.

Lari, Maliha Zia. 2012. *Sexual Violence and the Law in Pakistan*. Karachi: War Against Rape.

Madadgaar Helpline Monthly Data Sheet, 2010-June 2012. Lawyers for Human Rights and Legal Aid (LHRLA). Karachi. [unpublished].

Mahmud, Mahenaz and Lila Ram. 2003. Childrearing Practices in Karachi. A Study in Two Urban Slums December 2002-April 2003. Karachi: Teachers' Resource Centre.

Moazzam, Farah Zahidi. "The Dark Side of Custom" in *Newsline*, 30 August 2011.

Ministry of Disaster Management. National Disaster Management Authority Damages Monsoon 2011 (Sindh & Balochistan). Government of Pakistan, [http://www.ndma.gov.pk/Documents/monsoon/Sindh/Damages\\_Relief\\_in\\_Sindh\\_Bal\\_23Dec2011.pdf](http://www.ndma.gov.pk/Documents/monsoon/Sindh/Damages_Relief_in_Sindh_Bal_23Dec2011.pdf)

Ministry of Education. 2009. *National Education Policy 2009*. Islamabad: Government of Pakistan.

Ministry of Education. 2008. Country Report. 2008. Education for All Mid-Decade Assessment Country Report, Islamabad: Government of Pakistan

Ministry of Finance. 2011. *Pakistan Economic Survey 2010-11*. Islamabad: Government of Pakistan.

Murtaza, Amir and Rana Asif Habib. Nd. *Silent Shrieks: A Situation Analysis of Violence Against Street Children in Karachi*. Karachi: Initiator Human Development Foundation.

National AIDS Control Program. *The National HIV and AIDS Strategic Framework 2007–2012*. <http://www.nacp.gov.pk/introduction/NSF-NACP.pdf> [accessed March 22, 2012].

National AIDS Control Program. 2012. HIV Second Generation Surveillance in Pakistan – National Report Round IV, 2011. Islamabad: National AIDS Control Program.

National AIDS Control Program. 2010. *UNGASS Pakistan Report: Progress Report on the Declaration of Commitment on HIV/AIDS for the United Nations General Assembly Special Session on HIV/AIDS*. Islamabad: Ministry of Health, Government of Pakistan.

National Disaster Management Authority. Government of Pakistan [http://www.ndma.gov.pk/Documents/monsoon/Sindh/Damages\\_Relief\\_in\\_Sindh\\_Bal\\_23Dec2011.pdf](http://www.ndma.gov.pk/Documents/monsoon/Sindh/Damages_Relief_in_Sindh_Bal_23Dec2011.pdf)



National Institute of Population Studies and Macro International Inc. 2008. *Pakistan Demographic and Health Survey 2006-7*. Islamabad: Government of Pakistan.

Network of Organizations Working for Persons with Disabilities, Pakistan (NOWPDP). 2008. *Journey of Hope*.

<https://mail.google.com/mail/?ui=2&view=bsp&ver=ohhl4rw8mbn4> (Accessed 10/11/11).

Office to Monitor and Combat Trafficking in Persons. US State Department. 2011. *Trafficking in Persons Report 2011*. [www.state.gov/j/tip/rls](http://www.state.gov/j/tip/rls)

Peoples Accountability Commission on Floods (PACF). 2012. *Civil Society Floods Situation Report*. Karachi.

Perveen, Rakhshinda. 2011. *Annual Report 2010: Violence Against Women in Pakistan – A Qualitative Review of Statistics 2010*. Islamabad: Aurat Foundation.

Planning and Development Department and United Nations Children’s Fund (UNICEF). 2010. *Khyber Pakhtoonkhwa Social Protection and Socio-Economic Indicators. Monitoring the Situation of Children and Women*. Peshawar: Government of Khyber Pakhtoonkhwa.

Planning and Development Department. 2004. *Sindh District-Based Multiple Indicators Cluster Survey (MICS) 2003-4 Final Report*. Karachi: Government of Sindh.

Population Census 1998 [www.census.gov.pk/data/census.php](http://www.census.gov.pk/data/census.php)

Provincial Assembly Briefing Dec 21, 2011. [[www.dawn.com/2011/12/21/pa-wants-karokari](http://www.dawn.com/2011/12/21/pa-wants-karokari)]

Provincial Commission for Child Welfare and Development. 2011. *Presentation on CPMIS Unit*. Quetta.

Rasheed, Sanaa and Sarah Zaman. 2012. *With an End in Sight: Incest in Pakistan: A Legal and Sociocultural Analysis*. Karachi: War Against Rape.

Sahil’s Annual Report, 2010:

<http://www.sahil.org/images/Annual%20report%202010.pdf> (accessed 15/11/11)

Sahil. *Cruel Numbers 2009; A Compilation of Statistics on Child Sexual Abuse Cases in Pakistan*: <http://www.sahil.org/images/CR2009.pdf> (Accessed 15/11/11)

Saleem Akhtar et al. nd. *Sindh Judicial Academy. Study on Informal Justice System in Pakistan. Evaluation Report*. Karachi: Sindh Judicial Academy.

ShirkatGah. 2011. *Age of Marriage: A position Paper (Committee for Standardization of Female Age of Marriage)*. Lahore. [http://www.shirkatgah.org/uploads/files/f\\_24-Age-of-Marriage.pdf](http://www.shirkatgah.org/uploads/files/f_24-Age-of-Marriage.pdf) (accessed 14/11/11)

Sindh AIDS Control Programme. *ART Center Progress Report, NACP 2009*. <http://sacp.org.pk/sindh.php>

Sindh Health Department. 2010. *Flood Affected Nutrition Survey in Sindh Province*. Karachi: Government of Sindh, UNICEF and ACF.

Sindh Health Department. 2005. *Health Policy for the Province of Sindh 2005. Paving The Way For Health Sector Reform*. Karachi: Government of Sindh.

Social Policy Development Center (SPDC). 2004. *Combating Poverty: Is Growth Sufficient? Annual Report, 2004*. Islamabad: SPDC.

Social Welfare Department. *Social Welfare Department Manual*. Karachi: Government of Sindh.

Social Welfare Department. *Social Welfare Department Annual Report*. Karachi: Government of Sindh.

Statistics Division, Federal Bureau of Statistics. 2011. *Pakistan Labor Force Survey 2010-11*. Islamabad: Government of Pakistan. <http://www.pbs.gov.pk/content/labor-force-survey-2010-11> [accessed 2/21/2012]

Statistics Division, Federal Bureau of Statistics. 2011. *Pakistan Social and Living Standards Measurement Survey 2010-2011. National / Provincial / District*. Islamabad: Government of Pakistan.

Statistics Division, Federal Bureau of Statistics. 2011. *Household Integrated Economic Survey 2010-11*. Islamabad: Government of Pakistan. [www.statpak.gov.pk](http://www.statpak.gov.pk) [accessed 20/02/2012]

Statistics Division, Federal Bureau of Statistics (FBS), 1996. *Summary results of Child Labor Survey in Pakistan (1996)*. Islamabad: Ministry of Labor, Manpower and Overseas Pakistanis, International Labor Organization (ILO) and International Programme on the Elimination of Child Labor (IPEC).

SPARC. 2010. *The State of Pakistan's Children*. Islamabad: Society for the Protection of the Rights of the Child.

Sylla, Ben. 2010. *Paper commissioned for the EFA Global Monitoring Report 2011, the hidden crisis: Armed conflict and education*. Education Policy and Data Center.

UNDP. March 2011 [draft] *Report on the Status of Millennium Development Goals in Sindh*. Islamabad.

UNHCR. 2010. *Statistical analysis of camp profiling monitoring survey in Sindh province, 2010*. Pakistan: UNHCR.

United Nations and Convention on the Rights of the Child. 2009. *Third and Fourth Periodic Reports of State Parties (Pakistan) in Consideration of Reports Submitted by State Parties Under Article 44 of Convention on the Rights of the Children*. Submitted 4 January 2008. 137

UNICEF Pakistan Update 2011 *Floods: Needs and Response in Sindh and Balochistan*. 2012. Islamabad: UNICEF.

UNICEF. 2012a. *Situation Analysis of Children and Women in Pakistan: Sindh Provincial Report*. Islamabad: UNICEF Pakistan Country Office.

UNICEF. 2012b. *Pakistan Update 2011 Floods: Needs and Response in Sindh and Balochistan*. Islamabad: UNICEF.

UNICEF. 2011. *Pakistan: An Analysis of the Impact of the Floods on MDGs in Pakistan*. Islamabad: UNICEF.

UNICEF. 2011. *Children in Pakistan – Six Months After the Floods*. Islamabad: UNICEF Pakistan Country Office.

UNICEF. 2011. *One Year After the Floods – Turning Towards a Brighter Future*. Islamabad: UNICEF Pakistan Country Office.

UNICEF. 2011. *Pakistan Annual Report 2010: Unite for Children*. Islamabad: UNICEF.

UNICEF. 2011. *State of World's Children, 2011: Unicef, State of World's Children, 2011*: [http://www.unicef.org/sowc2011/pdfs/SOWC-2011-Main-Report\\_EN\\_02092011.pdf](http://www.unicef.org/sowc2011/pdfs/SOWC-2011-Main-Report_EN_02092011.pdf) (accessed 12/11/11).

UNICEF and Nielson. 2010 [draft]. *Child Exploitative Labor in Cotton Growing Districts of Pakistan*. Islamabad: UNICEF.

UNICEF.Nd. *Child Protection Systems Mapping and Assessment Toolkit: User's Guide*. New York: UNICEF Child Protection Section.

UNICEF. 2008. *Monitoring Child Disability in Developing Countries; Results from MICS*. [http://www.childinfo.org/files/Monitoring\\_Child\\_Disability\\_in\\_Developing\\_Countries.pdf](http://www.childinfo.org/files/Monitoring_Child_Disability_in_Developing_Countries.pdf) (Accessed 4/11/11)

UNICEF. 2006. *Behind Closed Doors; the Impact of Domestic Violence on Children*. <http://www.unicef.org/protection/files/BehindClosedDoors.pdf> (Accessed 19/11/11)

World Bank. 2006. *Sindh Economic Report*. Washington DC: World Bank

WAR Factsheet 2010-11. Karachi: War Against Rape.