

INTRODUCED ON 20.02.2023.
[AS INTRODUCED IN SENATE]

A
Bill

further to amend the National Commission on the Rights of Child Act, 2017

WHEREAS it is expedient further to amend the National Commission on the Rights of Child Act 2017 (XXXII of 2017), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement. - (1) This Act may be called the National Commission on the Rights of Child (Amendment) Act, 2023.

(2) It shall come into force at once.

2. Amendment of section 15, Act XXXII of 2017.-In the National Commission on the Rights of Child Act, 2017 (XXXII of 2017), in section 15,-

(i) in clause (k), the word "and" occurring at the end shall be omitted;

(ii) in clause (l), for the full stop occurring at the end a semi-colon shall be substituted and thereafter, the following new clauses shall be added, namely:-

"(m) periodically inspect or cause to be inspected any juvenile custodial home, seminary, Madrasa, orphanage, shelter home, charity home, Trust or any other place of residence or institution meant for children, under the control of the Federal Government or any Provincial Government or any other authority, including any institution run by a social organization; where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action if found necessary;

(n) inquire into complaints and take *suo moto* notice of matters relating to, -

- i. deprivation and violation of child rights especially incidence of child abuse of any kind;
- ii. non-implementation of laws providing for protection and development of children; and
- iii. non-compliance of policy decisions, guidelines or instructions aimed at, mitigating hardships to and ensuring welfare of the children and to provide relief to such children or take up the issues arising out of such matters with appropriate authorities:

Provided that the Commission shall not inquire into any matter which is pending before any other Commission duly constituted under any law for the time being in force;

- (o) promote the incorporation of child rights into the school curriculum and training of teachers or personnel dealing with children; and
- (p) prepare and publish annual data base or statistics about cases of children affected by bonded labour, abductions, terrorism, communal violence, riots, natural disaster, domestic violence, HIV/AIDS, maltreatment, torture and exploitation, pornography and prostitution, early marriages, honor killings and recommend appropriate remedial measures based upon the said data:

Provided that the data shall also include the number of cases of child rights violations filed in police stations all over the country and the detail of action taken upon the same.”.

STATEMENT OF OBJECTS AND REASONS

The evil of child abuse haunts Pakistani society in an increasing occurrence. Time and again we see the incidences of child abuse not only in individual cases but also in different organizations (private or public) which are mandated to cater for basic needs of children in the form of imparting education, rehabilitation, protection or otherwise. In order to ensure the maximum protection of their rights and to save them from any kind of abuse government has formulated different laws and established different departments in order to fulfill her constitutional responsibility at all levels. But at the same time in order to stop the menace of child abuse we need to adopt a holistic approach. In other words, we have to involve all stakeholders in curbing this evil and maximize the role and enforcement mechanism of authorities and departments specifically mandated to protect the rights of children. In this regard the establishment of the National Commission on the Rights of a Child is an exemplary initiative of the government. As its scope is not limited to any province or capital only. The commission can perform the best role in curbing the evil of child abuse at all levels, all over the country. In this way the already overburdened courts and police departments would find it easier/greatly assisted to perform their duties in dealing with cases of child abuse in an efficient and speedy manner. In addition to that, the monitoring function of the Commission would also serve the purpose of ensuring the protection and safety of our children living or studying in/or being rehabilitated by different private or public organizations/ institutes. The purpose of the proposed amendments is to enlarge the scope of the commission so that it may not only monitor the implementation of the rights of children all over the country but may also take *suo moto* notices wherever applicable, collect annual data related to child rights abuses in all its manifestations and to impart awareness about children rights in educational institutions also.

2. The Bill has been designed to achieve the aforementioned purpose.

**SENATOR DR. ZARQA SUHARWARDY TAIMUR
MEMBER-IN-CHARGE**