

CHILD LABOUR



SC's help sought for enforcing child labour laws

Rights activists express concerns over minor Tayyaba's torture case, urge apex court to pressure government for implementation of child labour ban

Expressing their concerns over the recent case of Tayyaba, a 10-year-old girl who was tortured allegedly by a judge's family at the house where she worked, rights and labour activists urged the apex court on Friday to direct the government to enforce child labour laws so that this present-day form of slavery could be ended.

Karamat Ali, the secretary of the National Labour Council, and other activists at a press conference at the Karachi Press Club condemned the torture of the child and welcomed the Supreme Court's move to take suo-moto notice of the issue when media reports emerged that the girl's father, who had reportedly sold her to the judge two years ago, had reached a settlement over the matter.

The speakers said child abuse in the form of making children work as domestic aides and the torture they suffered in many of these cases was alarming and shameful.

"Over nine million children are currently estimated to be engaged in child labour in Pakistan," said Ali, citing reports. "And they work under oppressive and hazardous conditions, and are often subjected to long-working hours and torture."

Mentioning the National Policy and Plan of Action to end child labour in Pakistan, a policy created in 2000, the veteran labour rights activist said the government did not take any action to implement it.

"The policy is still valid and conforms to global standard on children's rights. The Supreme Court should take notice of it and pressure the government to implement it," Ali said. He also offered the top court to provide assistance in this connection. "We are also thinking of become party in the Tayyaba case," he added.

Reading out various clauses of the law and policy, Ali said governments had to ensure that all children up to the age of 16 years must be in the schools. "After the inclusion of Article 25-A as a result of the 18th Amendment in the Constitution, it is the responsibility of the State to provide free and compulsory education to all children up to the age of 16 years," he said.

"The employment of children in households is totally against the spirit of Article 25-A. We may still have a chance to stop this practice, but only if we ensure that the judge and his wife who employed and beat up Tayyaba are punished."

Pakistan has also ratified the UN's Child Right Convention and under which it is obligatory for Pakistan to protect all fundamental rights of all children.

Admitting that poverty was a huge factor in people sending children out to work, the speakers said the federal and provincial governments should take measures to ensure implementation of the minimum wage law.

Habibuddin Junaidi, the convener of the Sindh Labour Solidarity Committee, Shafeeq Ghauri from the Sindh Labour Federation, Mir Zulfiqar Ali of the Workers Education and Research Organization, Farhat Parveen from the NOW Communities and Shaikh Majeed, a prominent trade unionist, were among the other speakers.

(By Zia Ur Rehman The News 13, 07/01/2017)

Sindh passes law to prohibit child labour

Any child under the age of 14 years will not be allowed to work as the Sindh Assembly passed a law prohibiting child labour on Wednesday.

The 'Sindh Prohibition of Employment of Children Bill, 2017' was moved by parliamentary affairs minister Nisar Ahmed Khuhro during the session presided over by deputy speaker Shehla Raza. "Due to appalling socio-economic conditions, children under the age of 14 are forced to work in factories, industries, fields and other hazardous areas," said Khuhro. "This act is meant to discourage this practice of exploitation."

After the 18th Constitutional Amendment, the labour department was devolved to the provinces, making it necessary for provincial governments to make this law.

Writ petition: Court moved against child labour laws

Once the law gets the acting governor's approval, the government will constitute a committee, called 'Sindh Coordination Committee on Child Labour' to advise the government on appropriate legislation, administrative and other measures to eradicate child labour practices as per international standards. The committee will comprise a chairperson and nine other members representing government, employers, workers and civil society.

The act defines a child as someone who is younger than 14 years. As for boys and girls older than 14 and younger than 18, the act allows them to work with their parents for up to three hours a day. However, adolescents will not be permitted to work between 7pm and 8am. "No adolescent shall work for more than three hours," clarified Khuhro.

For employers violating this law, the punishment includes imprisonment for up to six months or a fine of up to Rs50,000, or both. "If a child is employed in hazardous work, such as stone crushing or carpet weaving, the fine will be extended to Rs100,000 and three-year imprisonment," stated Clause 13 of the law.

In case of slavery, such as trafficking of children, or offering a child for prostitution or pornography, the punishment will be extended to 10 years and a fine of Rs1 million, said Khuhro.

Crackdown: Action against child labour initiated in Multan

During the debate on the law, Sindh Chief Minister Murad Ali Shah pointed out that the same law was passed by the federal government in 1991. He proposed an amendment to allow children under the age of 12 to work with their parents for two to three hours but his proposal was not considered.

Muttahida Qaumi Movement (MQM) parliamentary leader Syed Sardar Ahmed asked for the inclusion of minor children working as domestic help in the list of hazardous work but Khuhro told him that the law can be amended for this later. An amendment proposed by Pakistan Tehreek-e-Insaf's (PTI) Dr Seema Zia to include beggary in the list of hazardous work was also turned down.

Traffic congestion and other issues

PTI MPA Khurram Sher Zaman demanded the government explain why there is severe traffic congestion in the city. Khuhro responded that there are more than 22 development schemes going on which has caused problem.

MQM's Kamran Akhtar diverted the attention of the house towards one-wheeling and motorcycle racing in Clifton. "Despite the ban, this practice continues to make many children disabled," he said.

Earlier, health minister Dr Sikandar Mandhro said the health department has nine medico-legal centres in Sindh. "Four of them are in Karachi and are perfectly functional with proper facilities of post-mortem examination for rape survivors," he said, adding that the remaining ones lack post-mortem facilities as mortuaries have yet to be established.

Pakistan Muslim League-Nawaz MPA Sorath Thebo mentioned the security threats facing women's rights activist and classical dancer Sheema Kermani. The chief minister assured her that he will ensure security for Kermani but also encouraged Thebo to ask 'her government' to take action against militant groups that the Sindh government pointed out.

The session was adjourned till today.
(By Hafeez Tunio The Express Tribune 13, 26/01/2017)

Sindh passes law to ban corporal punishment for children

Corporal punishment or any other humiliating or degrading treatment to children by any person in all its forms has been prohibited in Sindh by a law passed by the provincial assembly on Tuesday.

Under the bill, which was tabled by Mehtab Akbar Rashdi of the Pakistan Muslim League-Functional, protection has been given to children against punishments to cause pain or discomfort by hitting, smacking, slapping, spanking, kicking, shaking or throwing child, scratching, pinching, biting, pulling hair or boxing ears or forcing child to stay in uncomfortable positions, burning, scalding or forced ingestion by any person in the family and workplace, in schools and other educational institutions including formal, non-formal, religious, both public and private, child care institutions including foster care, rehabilitation centres and other alternative care settings and in the juvenile justice system.

The disciplinary measures concerning the child can only be taken in accordance with the child's dignity and under no circumstances corporal punishments that relate to the child's physical and mental development or that may affect the child's emotional status are allowed. Whoever violates the provisions of the act shall be liable to punishments prescribed for the said offences in the Pakistan Penal Code, 1860, and other respective laws.

Tabling the bill, Ms Rashdi said that no civilised society could allow that children went to school and got punished physically by a teacher. At the time of tabling the bill, PPP lawmaker Sharmila Farooqi said she had submitted a similar bill in 2014 but she was not invited for consultation by the standing committee while considering this bill. Mr Khuhro being the minister for parliamentary affairs clarified that it had been submitted some days back and was laid in the house on Tuesday. He added her name was mentioned along with Ms Rashdi's in the report.

The other business that dominated the proceedings on the private members' day included demand for withdrawal of latest increase in prices of petroleum products, and the need to launch awareness drive against polio and dengue fever, initiate model projects of solar energy to avoid load-shedding and formulate policies on education for youth.

There were two bills, five resolutions, private motions and amendment in the rules of procedure of the assembly in addition to the Question Hour on food department. However, on a motion from Senior Minister for Parliamentary Affairs Nisar Khuhro, the house allowed under Rule 256 of the rules of business of the Sindh Assembly to withdraw the government bill (18 of 2016) pertaining to amendment to the Zakat and Ushr law that was referred to the standing committee concerned.

Earlier, the private bill titled "The Ittehad University Bill, 2017", which was introduced by PPP lawmaker Ghazala Sial, was taken up for consideration along with minor amendments to a few clauses and was passed.

Mr Khuhro said the assembly gave approval to two private bills as the assembly was not a personal institution but a forum where government and private bills were discussed without any discrimination.

Taking up a resolution, which was tabled by Muttahida Qaumi Movement lawmakers Kamran Akhtar, Dr Zafar Kamali, Rana Ansar and Deewan Chand Chawla, the assembly recommended the Sindh government to approach the federal government to withdraw the recent increase in prices of petroleum products. It was adopted by the house when put to vote by the chair.

In her resolution, MQM lawmaker Naila Munir called for initiating model projects of solar energy to end load-shedding in the province. MQM lawmaker Rana Ansar said the government had claimed that there would be no more power outages after 2017 but so far no major electricity project had been completed. Endorsing the resolution, Chief Minister Syed Murad Ali Shah said work on a number of solar projects was under way. Former chief minister Syed Qaim Ali Shah said there was a major wind corridor from Jhampir to Jatti that could produce 50,000MW electricity. PPP lawmaker Kulsoom Chandio and PTI legislator Samar Ali Khan also supported the resolution presented by Ms Munir.

Speaking on a resolution regarding formulation of policies on education for youths, Ms Rashdi said the chief minister had announced 'education emergency' in Sindh but its official notification was yet to be issued. The former chief minister said the Sindh government had formulated a youth policy in 2012 and it was still being implemented. In this regard, he referred to Shaheed Benazir Bhutto Youth Development, rural income support and poverty reduction programmes.

In her resolution, PTI lawmaker Dr Seema Zia called for making polio vaccination obligatory for school admissions. However, leader of the opposition Khwaja Izharul Hassan said polio vaccination card had been made mandatory for admissions by the compulsory education bill, which was passed in 2010. For this reason, he added, there was no need to bring another resolution on this.

Another resolution approved by the house was about creating awareness against dengue fever. It was tabled by MQM lawmaker Waqar Hussain Shah. Likewise, resolution of PML-N lawmaker Syed Ameer Haider Shirazi to approach Pakistan Cricket Board to select cricketers on merit from across the country, including Sindh, was endorsed by the lawmakers.

Earlier, the house was called to order at 10.30am by acting speaker Syeda Shehla Raza and after over four-hour-long deliberations called it a day at 2.45pm to reassemble on Wednesday at 10am.

Later, talking to the media, Khawaja Izharul Hassan said that the newly nominated governor did not represent urban Sindh nor had the MQM been consulted before his nomination. However, he added, it was the prerogative of the federal government to appoint anyone as the governor and that was why he had congratulated Mohammad Zubair on his nomination.

In reply to another question, he said the Sindh government had not provided security to the mayor, Dr Farooq Sattar and the party office in PIB Colony.

(By Habib Khan Ghori Dawn 17, 01/02/2017)

Street children speak out against abuses, hostility

Around 200 children living on the streets broke their silence on Wednesday and shared their experiences with the media, authorities and civil society representatives at an interactive session held at the auditorium of Sindh Boy Scouts Association.

Hailing from various parts of the country and living on the streets and roundabouts of Karachi, the children highlighted their vulnerabilities, threats and other issues they faced on the streets and wanted the state to adopt measures to protect them. Most of them said they did not understand why the people (society) were hostile towards them.

"Whenever I step out of home to the street for begging, it seems everybody is hostile and hungry. Some offer Rs500 for ... and others offer to have lunch with [us]. It is too hard to move in fear all day long," disclosed a 14-year-old at the programme.

The event was organised by DevCon Secretariat of Destination Unknown (DU) — Children on the Move Campaign in Pakistan, in collaboration with Foundation for Research and Human Development (FRHD) with support from Terre des Hommes to create a sense of protection among street children and use their potential to bring about a positive change in society.

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The 14-year-old girl said: “We are poor and move out for help but in return we face abuse and insults. Everybody seems hungry as if they would eat us up.”

A nine-year-old boy said he lived in Korangi and belonged to a low-income family. His father was a rickshaw driver and his mother worked as a maid to earn a living. He said he loved spending time with friends, playing kanchay (marbles), patti and dabbu, but he was doomed to live a life of a street child. But, he added, he still dreamed of becoming a doctor one day.

A boy, who rummaged through refuse in bins, told the audience that he had a pushcart to collect papers and recyclable items daily from different places. “People dealing with us at a collection point, where we go to sell the recyclable items, sometimes abuse us sexually,” he disclosed, adding that he was not the only scavenger being treated like that. “It is not just me; all the children who work on the streets face similar situation and get abused. But they cannot narrate their plight out of fear. These humiliations cannot be explained in words,” he said.

Children from Azam Basti, Cantt Station, Green Town, Lyari and other parts of the city participated in the programme. Some of them also presented a tableau and exhibited other art skills to highlight the importance of education.

Rehana Leghari, special assistant to the chief minister on human rights, retired justice Aslam Jaferi and other government officials and representatives of civil society who attended the event appreciated the organisers for working with the marginalised segment of society.

Ms Leghari suggested that such programmes be held in Azam Basti and Lyari as well so that maximum children could benefit.

Mr Jaferi said education was an important factor that could give a sense of confidence to those children and make them useful members of society.

Nisar Ahmed Nizamani of DevCon said the state should play its due role to reduce hardships of poor children. He called for implementation of relevant laws including the act passed in 2011 that provided a child protection authority.

Nazra Jehan, head of FRHD, said hundreds of children in Pakistan were on the move. They had lost their homes, friends and native places and also were exposed to those who use such children for illegal activities and nefarious trades.

The audience was informed that a non-governmental organisation had conducted a study on street children, according to which a large number of youngsters in Karachi, Hyderabad and Sukkur were forced to move to the streets after the floods of 2010 and 2011.

Many of the children were trapped by mafias for criminal activities, with the result that they had to spend the rest of their lives in fear.

(By Hasan Mansoor Dawn 18, 09/02/2017)

Child sexual abuse

The sexual abuse of children is universal. There is no country or culture anywhere that is free of this curse. All of the developed states have a suite of laws in place to outlaw it, and the penalties are severe in all cases. It will never be eradicated, and the best that can be hoped for is a heightened sense of awareness and the development everywhere of a climate of disclosure — a climate wherein children are able to report what has happened to them. Pakistan is no different and like many other countries the incidence of child sexual abuse is on the rise.

A new report entitled 'Cruel numbers 2016' says that 4,139 children were sexually abused last year, 2,410 girls and 1,729 boys. The figures are derived from open sources and are without a shadow of doubt an under-reporting of the true numbers. Most incidents were in rural areas; with Punjab having the greatest number which considering it is the most populous province is hardly surprising.

The proliferation of CSA is in part driven by the internet where images of children being sexually abused number in the many millions and are not difficult to find if one knows where — and how — to look. Nor is it difficult to find shops that sell CD's of child sexual abuse and pornography is available everywhere in the country — in homes and workplaces as well, anywhere that has an internet connection.

The challenge for Pakistan is to bring its child protection services on a par with developed nations. There is a slowly-growing cadre of trained social workers that have an expanding body of expertise relating to helping those that have been abused. Unfortunately only Punjab has a fledgling child protection service that is linked to law enforcement and the courts, everywhere else lags far behind. Beyond the institutional challenges there is the wider challenge of learning to accept what children say, and not doubling their pain by refusing to believe them or act on what they tell adults. Numerous reports worldwide are consistent in saying that children invariably tell the truth when they report being sexually abused. It is for all of us to listen when they do — and then act.

(The Express Tribune 06, 24/03/2017)

Annual State of Children Report 2016 launched

Over 22 million out-of-school children in country; number reduced marginally



Islamabad: Annual State of the Children Report 2016 launched on Thursday highlighted the increasing need to collaborate and coordinate with multiple stakeholders to bring the issue of children to the forefront of policy making.

Presenting a bleak picture of the state of children in Pakistan, the report points out the absence of necessary measures that can help protect children despite the growing incidences of violence and abuse against children in the country.

Launched by the Society for the Protection of the Rights of the Child (SPARC), the report says that there are over 22 million out of school children in the country and over the years, the number of children out of school has only reduced marginally. It says that the track record of provincial governments in efficiently utilising allocated funds is not very encouraging. Evidence of that are

The report questions the poor implementation of Article 25-A of the Constitution which gives each child a right to education. It says that the employment of children, particularly in sectors like agriculture, factories, brick kilns, street vending and car workshops, remains unaddressed.

The report terms domestic child labour as another pressing issue, for which meaningful legislation is yet to see light of day. Many bills, associated to informal sector and prohibition of child labour, are still stuck in paperwork.

It highlights the fact that nearly half of all children in Pakistan are chronically malnourished, undermining their mental and physical growth. Among other health related challenges, it mentions polio where Pakistan remains one of the only two countries left among polio-endemic nations list and shares more than half of the global polio burden.

It says that the condition of healthcare can be assessed by the fact that Pakistani policymakers prefer foreign healthcare facilities rather than opting for public or even private sector hospitals in Pakistan for their own treatment.

“Be it child sexual abuse, corporal punishment, early child marriages continue unabated as there seems to be a dearth of moral vocabulary to adequately condemn these issues. Rights of minorities and of the disabled seem even harder to come by as both vulnerable groups face discrimination in the social, economic and political realms,” say the report regarding violence against children.

Speaking at the event, Executive Director SPARC Sadia Hussain said that children's rights have long been a neglected issue.

"While there has been progress in legislation related to child rights, Pakistan still lags behind international standards due to the poor implementation of existing child protection laws as well as a general lack of awareness on key issues".

Explaining the report's findings lead researcher Farshad Iqbal said that the year 2016 came with the stark revelation that Pakistan has failed to achieve its targets under the UN's Millennium Development Goals (MDGs). The reasons for this failure aren't hard to identify, considering nearly 22 million children are still out of school, whereas nearly 50 per cent of children in Pakistan are chronically malnourished.

"Furthermore, the Human Capital Development Report, 2016 has also ranked Pakistan at a dismal 118. The situation calls for immediate and effective policy measures with a strong adherence to and implementation of existing legislation, and a future course of action that can help Pakistan achieve Sustainable Development Goals (SDGs) by the year 2030," said Farshad.

Comprising of a multi-faceted overview of the state of Pakistan's children, the report has for the last two decades been systematically documenting the evolution of child protection laws, social attitudes and key developments, with an annual overview of the state of child rights in Pakistan. This includes detailed figures on the state of education, health, juvenile justice, violence against children and child labor across Pakistan.

The launch was attended by representatives from various walks of life including social activists, government officials and journalists all of whom shared their views on the dismal state of Pakistan's children.

Speaking at the occasion, Minister of State for Education Engineer Balighur Rehman commended SPARC for its continued efforts and highlighted the importance of the report in the current socio-economic environment. He pointed out that over the last three years, the government has made a concerted effort in improving lives of its children which is evident for instance in the increase in HEC's allocated budget of Rs40 billion to Rs90 billion for tertiary education.

Also present at the occasion was Director General Ministry of human Rights Hassan Mangi who explained how the government was working tirelessly on certain child specific laws which are very close to being passed.

Chairman of the National Commission for Human Rights (NCHR) Justice (r) Ali Nawaz Chohan criticised government for making too many laws without due focus on implementation mechanisms.

The launch also presented an opportunity for SPARC to distribute its Child Award for Excellence, to recognise the contribution of Eiza Abid to the cause of children's rights. Awards for child sensitive reporting were also presented to journalists for their contributions to the cause.

(By Myra Imran The News 03, 28/04/2017)

Supreme Court moved for protection of street children's rights

A petition was filed in the Supreme Court on Thursday for protection of the rights of missing, trafficked and street children.

The petitioner, Madadgar, a non-government organisation, has submitted that the government departments should reveal their strategies for rescue, recovery and reunification with families of missing, kidnapped and street children.

The petitioning counsel, Zia Awan, submitted that the constitution of Pakistan addresses child protection measures in a number of articles and the United Nations Convention on the Rights of the Child also outlines the fundamental requirements of children protection measures.

He submitted that the state functionaries have failed to fulfill their responsibilities towards missing, kidnapped and trafficked children. He mentioned that there were approximately 1.5 million street children throughout Pakistan and child trafficking also remained a persistent issue.

Awan requested the court to take cognisance of the dire situation and issue appropriate directions to state functionaries for efforts to sincerely protect the due rights of Pakistan's children.

The decision to approach the apex court was announced by Awan at a press conference in April this year.

Speaking to the media at a press conference at his office on the day, Awan said, "We will approach the Supreme Court of Pakistan within a few days and are going to file a public interest litigation under Article 184, Section 3, of the constitution to take cognisance of the situation of missing and kidnapped children and formulation of the process of their recovery."

Awan, who is also the founder of the Madadgaar National Helpline, and National Child Commissioner, lamented that the state had failed the children of the nation by not providing them protection against kidnapping or trafficking.

He said that there was no coordination or assistance mechanism among provinces for rescuing or recovering these unfortunate children and then reuniting them with their families. Police, he said, took ages to locate them.

"We have decided to make 37 organisations respondents to the case among which are: Police, Nadra, provincial Inspectors General of Police, FIA, Pemra and the Inter-Provincial Coordination Council," Awan stated.

Police, he said, were useless in the endeavour to locate missing children. At Karachi's Clifton locality, he said that Madadgaar had stalls and parents came looking for their children. At the Quaid's Mazaar, he said, 600 children had been lost.

He suggested that festival sites should have sound systems for the location of lost children. Awan added that according to the MNH's statistics (gathered from police control), a total of 2,135 cases of missing children were reported in Karachi alone.

Nation-wide, he said, the helpline helped 2,251 parents reunite with their lost children. Explaining the modus operandi of the kidnapers, he said that children and sometimes even women, kidnapped from Sindh, are whisked off to Balochistan which was close by and then often to Afghanistan.

He said that according to police statistics, over 2,000 children were missing in Karachi. He provided the media folk with the data of missing, kidnapped, and trafficked children for the whole year (2016).

According to the data 115 children went missing, 472 were kidnapped, and 52 trafficked; the total coming to 639, just for 2016. He lamented the absence of shelter homes for children for their interim lodging while the formalities for reuniting them with their parents were on.

He said that according to the United Nations Convention on the Rights of The Child (UNCRC) - to which Pakistan was a signatory - according to Articles 11 (kidnapping) and 35 (abduction, sale, and trafficking), it was the sole responsibility of the government to take all measures, administrative, legislative, or operational to make sure that children were not kidnapped, abandoned, or trafficked.

“Yet”, he said, “The state has failed to protect our children as the number of missing, trafficked, and street children is on the rise.”

A certain Iftikhar Butt, whose 12 years old son, Shamsheer Butt, went missing on April 15, was also at the press conference to narrate his tale of woe. He said that his son said that he was just going for a spin on his motor bike and would be back soon but had not returned to date.

He said that after a long wait, he went over to the police to report the matter but thus far there was no help forthcoming. He showed photographs of his son and seemed to be pretty distraught.
(The News 19, 02/06/2017)

Child labour survey

AN NGO has demanded a ‘comprehensive’ survey of child labour in the country, adding its voice to the growing calls for urgent intervention in a neglected area. Pakistani children have to perpetually wait for attention as their elders vie with each other for notice. There is, sadly, far too much evidence of how this country is neglecting its young ones to the point that it sometimes appears that we as a nation no longer have the sympathy we once possessed for our vulnerable segments. Many of those who feel this way have long been frustrated with a system that offers no quick remedies and that shows only a slow improvement in the most sensitive area of child labour. The progress that is visible lies most notably in greater awareness, even if sympathy is often lacking, of the issue as compared to the past. This is something of a feat given that there are many other issues on the state’s priority list that take precedence over the objective of eliminating child labour.

The concerned NGO reminds us that there has been no child labour survey for two decades — the last one was conducted in 1996.

To think that a whole generation has come of age in the interlude — the less privileged of its members having to toil in the workshops and in factories and in hidden places that are allowed to exist in the name of cheap labour — is shocking. However,

there will be some who are not concerned about the delay in amassing newer details on the state of child labour. Such an exercise could have placed greater demands on our leaders who are otherwise happy to issue a statement or two on child rights or conduct a raid and free a few young souls from bonded labour. They would like to avoid bad publicity for the country. They want to continue pretending that child labour does not exist in the country.’
(Dawn 08, 14/06/2017)