

Implementation of Child Right to Participation under UN Convention: Myth and Reality

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Abstract

The landmark United Nations Convention on the Rights of the Child (UNCRC) introduced 'unique' provision of the right to child participation in its Article 12. This Convention, ratified by most states including Pakistan, gives right of participation to children in making decisions on matters related to them and makes it binding for the states to implement it in letter and spirit. The state is responsible for creating enabling environment which includes creation of necessary institutions, enacting or where necessary amending laws, formulating policies and strategies, allocating sufficient budgets, making congenial environment for NGOs and public consultations. This paper argues that state in Pakistan has not been able to sufficiently develop the enabling environment to fulfill the obligations that resulted in the aftermath of ratification UNCRC.

Keywords: Child Participation, UNCRC, Policy and Institutional role of government, Implementation

Introduction

The 'traditional' societies do not generally consider it necessary and significant for children to speak in matters related to them as compared to the need for continuous welfare and protection of adults for them. They were understood, especially prior to the adoption of UN Convention on the Rights of the Child (UNCRC) in 1989, as passive, powerless and uninfluential objects who were vulnerable and hence required welfare and protection of adults (Parkes, 2013). Therefore, they were marginalized in public discourse and were never expected to play any role in the process that determines policies affecting them because they cannot organize themselves politically (Rayner, 1991).

According to traditional views children are supposed to live under the constant control and supervision of adults and they are not regarded as capable of making independent decisions for themselves and hence are not in a position to consciously participate in decision making process (Harris-Short, 2003; Such & Walker, 2005). Traditional societies also believe that children have responsibilities towards their families and parents which, according to them, are more important than any right to participation (Toope, 1996). Due to historically sub ordinate position of children in society all the child specific laws and policies are typically formulated by adults who think they know what is best for children (Goode, 1986; Mayall, 2000).

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Since Pakistan has ratified the UNCRC – a sort of comprehensive charter of child rights – in 1990, it is committed to fulfill all obligations related to child as enshrined in its four fundamental principles - right to survival, right to development, right to protection, and right to participation – also has indirect implications for child rights (CRC, 2009).

Contrary to these notions the landmark UNCRC, adopted in 1989 and ratified by most of the signatory states, believes that giving voice to children and valuing it in making decisions in their matters is important and that is why giving right of participation to child is one of the four fundamental principles of UNCRC. The UNCRC, as matter of fact, heralded a shift away from the traditional thinking about the right of participation for a child which unequivocally provided the right to the child to be heard and to participate in the matters that concern them. The spirit of this Convention is based on the idea that there is no difference between a child right and an adult right (CRC, 2009). The UNCRC acknowledges that the welfare and protection rights for children are important but at the same time child right to participation is not less important.

This child right to be heard has been epitomized by Articles 12-17 of UNCRC which are interconnected and subscribe to the right of the child to be heard as given under Article 12. All these Articles together define child right to participation. Freeman (1992) has called the provision of this right, which he also calls autonomy right, as a significant change from the traditional beliefs and according to him this is a shift from ‘protection to autonomy, from nurturance to self-determination [and] from welfare to justice’. The special distinction of this Convention, according to many academics, was the provision of participation right and considering child as autonomous in making decisions that concern him or her (Lucker-Babel, 1995; Fottrel, 1999; Thomas, 2007). Before discussing how the issue of child participation is approached and implemented under UNCRC it is important to understand the meaning and context of child participation.

Child participation needs to be contextualized for the purpose of this paper since it can have many manifestations and explanations. The concept of child participation is inferred from Article 12 of UNCRC which describes child right to be heard as follows:

- a. *State Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.*
- b. *For this purpose, the child shall in particular be provided the opportunity to be heard in administrative and judicial proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.*

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In this context child participation means whether a child's opinion is sought by state in all those matters affecting him or her and whether this opinion is considered in making the final decision by the state institutions or discarded. In simple words, the quest of paper is to find out whether a child's opinion is sought and valued in making final decisions by the state institutions, as per the spirit of UNCRC which is expressed under Articles 12-17. These rights are rights to freedom of expression and thought, right to association, privacy and access to information. These are preconditions while hearing a child and making his or her participation meaningful in affairs affecting them.

The main role of state in this process, together with other stakeholders, is to report on the implementation of international obligations generated by International covenants such as UNCRC. In order to comply with this the state is required to make necessary institutional, legal, policy and financial arrangements for creating an enabling environment. The paper will first describe necessary concepts and then it will depict the overall socioeconomic context in which the idea of child participation will transpire. Since there is scanty data in both public sector and that sponsored by NGOs therefore actions taken by the government on other issues related to children will be discussed to create a possible nexus with the issue of child participation. The implementation status specific to the child participation will also be discussed to make an overall conclusion.

Child participation

Child participation may be for myriad of issues ranging from making public policies which affect children to the designing of public parks for children by local governments and children are supposed to be direct stakeholders in such initiatives. The conceptualization of child participation, however, needs to be fully understood prior to analyzing the institutional arrangement made to operationalize it.

The child participation, as envisaged by UNCRC, is explained by the Committee on the Rights of the Child (CRC) – the body appointed by UNCRC under Article 43 for monitoring its compliance – mentions that '[the] term [participation] has evolved and is now widely used to describe ongoing processes, which includes information-sharing and dialogue between children and adults based on mutual respect, and in which children can learn how their views and those of adults are taken into account and shape the outcome of such processes' (CRC, 2009). This explanation emanates from Articles 12-17 of the Convention which provide the overall idea of child participation.

This means state is responsible to seek opinion of children in matters relating to them. In order to do that it also needs to provide necessary information to children to assist them in their opinion making. In this process child participation is not to be considered a single event in which child is considered a passive contributor. It is not simply enough that a child expresses or writes down his or her opinion to be branded as child participation. The real issue surrounding child participation will be: whether

someone heard or read the child's opinion and whether that opinion found its way into resulting final decisions. In this process it will also be important whether child has been informed about the fate of his or her opinion.

Types of Participation

Participation may take many forms. An important task in this discourse is to wipe away the intellectual fog surrounding the nature of child participation where consultation often replaces real participation. Many academics and practitioners have attempted to define child participation and almost all definitions and child participation models accentuate the prominence of the power equation between children and adults, which is, for obvious reasons, inherently unbalanced. Academics like Thomas (2012) attempted to draw distinction between consultation and participation. According to him consultation offers opportunities for children to express their views, which may or may not be considered, while making final decision.

Contrary to this, the other point of view is that participation is ensured when children have direct opportunity to take part in final decision making. Hart (1992) defines participation as 'the process of sharing decisions which affect one's life and the life of the community in which one lives.

These definitions are instructive of two important ideas in participation: one, child participation is about transformation of existing relationships between children and adults in which merely listening to what children say does not count as participation though it can be called consultation; second, in this transformation there is an asymmetry of power since the existing repository of power are adults who need to cede it to children in the process to be called participation (Franklin, 1997). If they simply lend an ear to what children have to say and do not utilize their views in making final decisions then it will only be a consultation, not participation (Mason and Bolzan, 2010; Thomas, 2012). Therefore, power is the main issue in the process of participation which has been accepted by many researchers (Hart, 1992; McNeish, 1999; Shier, 2001).

The interesting and important question is to observe that whether a sort of 'consultation' is achieved by the state in Pakistan in the name of child participation or children are actually given power to decide about their programs in terms of topmost level mentioned by Hart in his model.

The purpose of this paper, however, is not to analyze various models of child participation but only to conduct a review of the efforts made to define child participation and its types. The focus of this paper is to observe implementation of child participation through the prism of institutional efforts of the state as per international obligations created by UNCRC.

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Socioeconomic and Development Context

Pakistan's 208 million population is growing at an average annual rate of 2.4 percent and with total dependency ratio of 65.3 as per Census 2017 (Pakistan Bureau of Statistics, 2018). According to this latest Population Census about 39 percent of Pakistan's population is under 18 years with an estimated number of 80.4 million children. In both urban (3.2%) and rural (4.2%) settings, fertility rates are high with the overall fertility rate at 3.8%. These higher than average birth rates have serious implications for health outcomes such as Infant Mortality Rates (IMR), Maternal Mortality Rates (MMR) and skilled Birth Attendance (SBA) as short intervals between births lead to much higher mortality rates (UNICEF, 2017). High fertility rates also have adverse consequences for supply of other services such as education, health, nutrition, water and sanitation, housing and others. More strikingly, these high fertility rates perpetuate vicious cycles of poverty which contribute to intergenerational spiral of poverty. This is further exacerbated by the fact that the poorest wealth quintiles are often found concentrated in poorer districts/areas/rural or peri urban areas which, ironically have twice the fertility rate of 5.2% as compared to richest quintiles at 2.7% (National Institute of Population Studies, 2013).

Child Specific domestic and International Legal Framework

The Federal and Provincial governments have introduced many laws to achieve the goal of child protection and welfare, though there is no legislation which directly deals with child participation. These include, inter alia, many amendments for the child protection in The Pakistan Penal Code (PPC) through second Criminal Law Amendment Act 2016, special provisions in the Criminal Procedure Code (CrPC) and other child specific legislations. The most recent one is National Commission on the Rights of the Child Act 2017 which was passed after a long hiatus and is expected to fill the longstanding institutional gap to deal with child issues in an overarching manner through improving much awaited coordination amongst provinces and with the Federal Government. However, there are some inbuilt rigidities in the law which make it less progressive. For instance, it is dependent upon respective provincial legislations to create their respective provincial commissions which are yet to be enacted. This is, therefore, a limiting factor.

Moreover, this Law mentions other aspects such as '... [examination of factors which] inhibit enjoyment of rights of child, such as violence, abuse and exploitation, trafficking, torture, pornography and prostitution and recommend appropriate remedial measures' (Ministry of Law & Justice, 2017). The Act defines child rights as rights mentioned by UNCRC and any other domestic law and it could be a starting point to given due importance to child right to participation but it seems a long way to go since after 18th Constitutional Amendment child right is a provincial subject and Provincial Act is yet to be promulgated to institute a Provincial Commission on the Rights of Child.

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The content of this much trumpeted Law reflects that although there is commitment on the part of the government to legislate on important issues related to children yet the overall legal and legislative landscape is devoid of any legislation which specifically deals with child participation. Despite being one of the important principles making UNCRC child participation has not been even mentioned.

International and Regional Commitments

Pakistan, being signatory to various international Covenants, have ratified them in due course. Ratification carries legal consequences because with this the State becomes obligated to comply with the provisions as per agreed time lines. Amongst these international commitments, the UNCRC is most significant for children issues as it presents a coherent agenda to shape the national policies and legal architecture on children's issues. It is because ratification on the commitments of UNCRC bring not only international legal and moral pressure but it also leverages local and international financial support; a non-compliance may result in withdrawal of such financial support (SPARC, 2002). The intriguingly interesting point is these ratified instruments are not applicable unless enabling legislation is enacted and Pakistan has yet to legislate with reference to the UNCRC and further specifically on child participation (SPARC, 2009).

Child Specific Policy Framework

Legal framework alone cannot translate the commitment of the government into action without an enabling wide ranging policy framework, oriented on respecting fundamental human rights and upholding equitable human development, and equally well functioning fair, just, transparent and merit based institutions (Ministry of Planning Development and Reform [MPDR], 2017). Policies are a reflection of the overall vision and goals of any government and provide the framework within which defined goals are pursued. Pakistan has developed its own overall policy framework at the federal level which guides other policies and strategies at the provincial level. The issue has not been of absence of any policy framework at a given time rather the issue is of continuity of policies which, under different governments, exhibited different political parties' tags. Each government attempts to formulate its own policy, despite the fact that their approach is not very different from other and given the fact that international commitments stay same.

Since the 2000 Ministry of Finance led in producing and overarching document in the shape of Poverty Reduction Strategy Papers (PRSP) which was followed by Ministry of Planning Development and Reform in providing necessary policy guidance in the form of Vision 2025, prepared by the Planning Commission in 2014. It determines a common direction for all future developmental pursuits at the provincial and federal levels and depicts the country's key priorities and goals. It outlines the vision of a state "based on justice, dignity, security, and prosperity, without prejudice and discrimination" (MPDR, 2017).

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Notwithstanding the above fact the real issue has not been absence of any policy at the Federal level, though at provincial it remains so, rather the real issue has been the implementation of policy and secondly the mention of children specific provisions in the policy and more specifically the provisions related to child participation in consonance with UNCRC. At the provincial level a bigger gap exists since the ratification of the document because no conscious effort has been made by any government to implement provisions related to child participation as no child related policy existed so far at the provincial level.

Improving Governance and child rights – the 18th Constitutional Amendment

The fundamental action to bolster the whole governance - policy and legislative framework - taken by the Government was to remove old roadblock between the Federal and Provincial mandates. It was heralded by the enactment of 18th Constitutional Amendment which marked shift from that of centralized governance to a predominantly decentralized paradigm. It did so by making an agreed arrangement and dividing mandates between Federal and Provincial Governments by assigning responsibility for 53 subjects to the Federal Government, 18 subjects to the Council of Common Interests (CCI) and 17 remaining subjects to Provincial Governments. The issues that were assigned to provinces include education and special education; health; labour and manpower; local governance; rural development; women's development; population welfare; and social welfare.

Despite this fundamental development all these devolved subjects continue to face challenges due to capacity and funding issues of the provincial government. However, the salutary effect of this has resulted in cessation of duplication of efforts both at the federal and provincial levels and hence saving resources and efforts. The negative impact of this appeared in the form of near absence of necessary coordination between Federal and Provincial Government which it used to have prior to this Amendment. Due to this the Federal Government does not keep regular liaison with the Provincial Government on an ongoing basis and there is no systematic data collection from the provinces as it used to be done in the past. Ironically, despite this devolution of powers and streamlining of federal and provincial mandates the child right issues could not receive necessary boost and specifically child right to participation did not find a place in the form of a separate child policy.

Above the issue of coordination and appropriate legislation is the longstanding concern that the jurisdiction of laws enacted by the Federal government are not applicable to FATA and GB (though situation will change after merger of FATA with KPK) and ironically no law covering the rights of the child exists for these areas. This puts the children of these regions at a unique disadvantage because this leads to non-observance to their fundamental rights.

Fiscal framework and Children Specific Public Expenditure

Any new initiative cannot take off without adequate provision of resources and it is all the more necessary when international obligations are to be met under a ratified Convention such as UNCRC. Financial allocations also exhibit the level of commitment of the government on such obligations.

Pakistan is resource starved and its resource position mainly stems from its low tax to GDP ratio which is one of the lowest (OECD, 2016). Its limited domestic resource mobilization has serious implications for the country’s ability to finance social spending which includes spending on issues related to children. Historically the outlay on social sectors remains unenviable and much short of the expectations which results in low allocations and expenditures in both current and development domains. In 2017-18 total expenditure had been estimated at PKRs 5,103.8 billion, out of which the share of current expenditure was PKRs 3,763.7 billion and that of development expenditure was Rs. 1,340.1 billion. Current expenditure in revised estimates 2017-18 showed an increase of Rs. 534.6 billion from budget estimates, while development expenditure showed a decline of PKRs 277.3 billion (Ministry of Finance and Economic Affairs, [MFEA] 2018). This is typical pattern where current expenditure – which takes up salaries and other running expenses – is much higher than the development expenditure and each year development expenditures has to be slashed for one or the other reasons. Before discussing the specific allocations for children specific issues a review of allocations on education and health will be instructive as given in the following table:

Table 1
Consolidated Budgetary Allocations for Education and Health (Federal and Provincial)

Years	Expenditure on Education				Expenditure on Health & Nutrition			
	Current	Development	Total	percent of GDP	Current	Development	Total	percent of GDP
2010-11	276,239	46,572	322,811	1.8	23.00	19.00	42.00	0.23
2011-12	330,228	63,295	393,523	2.0	29.00	26.00	55.00	0.27
2012-13	428,944	50,909	479,853	2.1	92.00	33.00	126.00	0.56
2013-14	453,735	83,863	537,598	2.1	115.00	59.00	173.00	0.69
2014-15	499,982	98,333	598,315	2.2	130.19	69.13	199.30	0.73
2015-16	561,386	101,970	663,356	2.3	147.37	78.50	225.80	0.77
2016-17*	596,891	102,331	699,222	2.2	190.17	101.73	291.90	0.91
2017-18#	293,296	37,980	331,276	-	254.38	130.19	384.50	1.12

*Expenditure on Education for 2016 - 2017 (Provisional); # estimates for July-December

#Expenditure for Health are budget estimates for 2017-18

Source: (Ministry of Finance and Economic Affairs, 2018)

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It shows that expenditure in education actually decreased in 2016-17 which defeats the Government's oft repeated resolve to raise it to the 4 percent of the GDP to meet all the national and international obligations including SDGs. Similarly, in health sector although allocations are rising in recent years yet historically these have been less than 1 percent of GDP. The rising trend in allocations for health and education should have been seen in the wake of 18th Amendment when these sectors have been devolved and now constitute the sole responsibility of provinces. The picture of expenditure on health and education has been described to show case the fact that these two important sectors do not receive necessary funding then how can government make a leeway to allocate funding for issues such as child participation.

Child specific funding

The Federal and Provincial financial and budgetary system of Pakistan does not recognize children as a separate 'unit of allocation'. Therefore, children do not represent an independent sector for funding purposes and there is no child specific budgeting as it happens in case of education, health and so on. Even in accounting and auditing sense these are treated as separate 'unit of expenditure'. Due to this absence of child related funding it is a difficult task to sift child-specific investments in the budgets and expenditure statements since these are scattered under different sectors such as primary education, tertiary health care, special education, social protection, social welfare, funding for NGOs and so on.

This makes it is hard to get precise data on expenditure and to track it for monitoring purposes. For instance, there is no specific budget allocation for activities to be performed for compliance of UNCRC such as budget allocation to create awareness – an international obligation under Article 12 – about child participation and its requirements under the UNCRC. Similarly, despite rhetoric, no budget is allocated to safeguard children's legal rights (UNICEF, 2016). Allocations are made through ad hoc policies, based on the priorities of the ruling Government which change with the change in government as there is hardly any consistency and continuity of policies and hence spending.

In the above context, it is important to mention that already meagre child-specific funding, as a proportion of Pakistan's total budget, depicted a declining trend at the federal level between 2010 and 2014, which had already dropped from a low allocation of 0.8 percent to 0.7 percent, though the share of child-specific budgets in Sindh and KP increased significantly in the same period; child specific share remained low in Punjab, the country's largest province, at 6.3% (CRM, 2013).

An equally important and critical aspect of child specific funding is that not only there is meagre funding but there is no data available at the governmental which could inform about the outlay on children issues and owing to this paucity of data this dissertation has to rely on sources from NGOs, working on child specific issues such as depicted in the table below:

Table 2

Budgetary Allocations for Children Specific Programs (PKR in billions)

		2013-14 (Est.)	2012-13	2011-12	2010-11
Federal	Total Budget	3,985.0	3,478.3	3,109.7	2,620.3
	Children Budget	26.9	31.9	13.8	19.9
	Percentage	0.7	0.9	0.5	0.8
Punjab	Total Budget	1,210.2	831.5	854.8	797.7
	Children Budget	76.1	30.9	38.1	33.8
	Percentage	6.3	3.72	4.46	4.24
Sindh	Total Budget	703.5	591.2	568.6	394.9
	Children Budget	101.6	83.9	48.0	6.8
	Percentage	14.5	14.2	8.5	1.7
KP	Total Budget	344.0	297.0	260.1	143.8
	Children Budget	86.6	9.3	11.8	9.4
	Percentage	25.2	3.1	4.6	6.5
Balochistan	Total Budget	179.0	167.7	175.0	115.7
	Children Budget	14.4	15.2	16.0	13.0
	Percentage	8.1	9.1	9.2	11.3
Total Children Budget		305.8	173.4	115.6	71.7
Education	Total Budget	72.7	48.2	55.2	41.4
	Children budget	16.9	14.8	12.9	13.9
	Percentage	23.3	30.7	23.6	33.6
Health	Total Budget	67.6	54.3	45.1	35.2
	Children budget	8.3	4.7	0.7	5.9
	Percentage	12.3	8.7	1.7	16.9
Social Welfare	Total Budget	2.9	8.9	31.1	1.9
	Children budget	0.5	0.5	0.1	0.1
	Percentage	18.6	5.3	0.4	7.5

Source: (Child Rights Movement Pakistan, 2013)

This table reflects an overall lack of focus and interest in child specific expenditure by the government which is part of overall social sector funding. It is also reflected in meager pro poor funding of 17 priority sectors identified by the government where funds to the tune of only 9.3 percent of GDP were spend in 2016 juxtaposed to 9.7 percent in 2012 (UNICEF, 2017). This shows overall squeezing fiscal space for pro poor sectors, which includes the social sectors and child specific budgeting. Therefore, perhaps to augment the budgetary resources the government has also imitated various social safety net programs as social protection measure which also includes children.

UNCRC and Compliance on Child Participation

After the ratification of the Convention in 1990 each country is required to submit regular compliance reports to the Committee on the the Rights of the Child (CRC) which conducts periodic monitoring of the actions taken by each country based on

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such reports. The CRC offers its observations and recommendations to the submitted report and then in the light of these observations the final reports is accepted. Pakistan has so far submitted five such reports. The analysis of these reports exhibit that the consolidated 3rd and the 4th periodic report¹ by erstwhile Ministry of Social Welfare and Special Education² was the most meaningful wherein certain actions taken by the government on child participation were mentioned. It is instructive to analyze these actions in the context of above discussion which will determine the commitment of the government to child participation.

The CRC showed its reservations that despite clarity provided by Article 12 the views of the child are not given due priority by Pakistan and that legislations have not been enacted in line with the provisions of Article 12; nor this Article has been integrated into administrative and judicial decisions and relevant policies. The CRC recommended that children views should be mainstreamed in all spheres of society, particularly in the family, in school and in local communities. It further recommended that teaching and awareness for teachers, parents, government officials, the judiciary, local opinion leaders and society at large on children's right to participate and to have their views counted besides amending laws to incorporate principle of respect for the views of the child in custody disputes and other legal matters affecting children.

In response to these observations the government in its 3rd & 4th consolidated report outlined several actions taken such creation of children 'Action Forums', 'Youth Forums' and 'Provincial Adolescents' Forums'. These forums, however, were mostly short lived and have collaboration of NGOs and development partners and did not fulfill the purpose of Article 12 which required changes of fundamental nature. These were not arranged in all provinces and had a very limited visibility under the project mode which ended with the funding.

A 'Youth Parliament' under the aegis of an NGO was created on the pattern of National Assembly at the Federal Capital but that was too for a short period and does not exist anymore. This innovative project had more of an awareness, training and education content for children as well for associated adults rather than bringing a fundamental change in which children's voice could be counted in legislations which

¹This was Pakistan's third and fourth consolidated report; the initial report was submitted in 1992 and the second periodic report was done in 2002. The consolidated 3rd & 4th report covered the period since the consideration of the second periodic report (2003) by the National Commission for Child Welfare and Development, Ministry of Social Welfare and Special Education under supervision of a high level multi-sectoral National Steering Committee comprising of relevant ministries, provincial departments, NGOs and UN Agencies.

²The Ministry was devolved in the wake of 18th Constitutional Amendment in 2011.

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affect them. No step was taken to systematize the opinion of children to be counted in the legislative process.

Similarly, the report emphatically mentioned that to ensure children participation in policy formulation their participation was ensured in national workshops which led to formulation of National Plan of Action for Children at national and provincial levels; children participation was also ensured while developing National Plan of Action against child sexual abuse and its child friendly version was given to children. The (National Commission for Child Welfare and Development (NCCWD) reported that it held consultations at the national and provincial levels with the children during the process of preparation of the country report.

It is clear that these steps are of perfunctory and transitory nature in which children were mostly informed about the ongoing process. It is not mentioned whether children were drawn from wide cross section of society or were selected from few places just to fulfill the requirement of the Convention. There is no mention of different provinces and their far flung areas where backwardness disenfranchises every other consideration except family economics. Clearly, the steps mentioned are far from those ideals mentioned in Hart's (1992) ladder of participation in which the most desirable type of participation was that where children were allowed to steer the process and have their views included in the final outcome. It is also clear that no legislation was promulgated in order to make child participation mandatory by the public institutions. No instances were mentioned where, child's opinion was incorporated during the judicial proceedings as per requirements of the Article 12.

Surprisingly, the 5th report only mentions Article 12 cursorily and specific observations were made by the CRC, although, even those amorphous actions mentioned in the 3rd and the 4th report were missing in the 5th report. In overall assessment no serious attention was paid to streamline child participation in policies, legislations and judicial proceedings and no new institutional mechanisms have been brought in place. Even the more convenient action, such as creating awareness about the child participation, has not been orchestrated by the government which exhibits low or least priority of the government since some attention has been paid to other child issues such as protection, education, health, shelter etc.

Conclusion

The conspicuous absence of mandatory space for child participation as per international commitments of UNCRC is big vacuum which needs to be filled through institutional, legal and policy and fiscal framework by the state in Pakistan. Although the right of children to participate in matters affecting them has been accepted by all the ratifying states but in practice they do not translate this into reality by taking conscious decisions to implement the idea. Pakistan has not even been able to create adequate awareness about the issue of child participation, which is mandatory action under the Convention (CRC, 2009) what to mention other more serious actions such

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as amending and instituting new legislation, creating new institutions, allocating budgets and making focused policies. In order to implement the provisions specific to child participation a systematic and concerted and coordinated effort needs to be made under the leadership of Federal Government which needs to take lead in the form of creation of the Child rights Commission at the Federal level followed by similar institutions at the provincial level with focus on child participation. A strong monitoring, training and education focus of these Commissions will be of significance in order to institutionalize child participation.

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