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The Non-Implementation of United Nations Convention on the Rights of the Child: Problems and Challenges lying within States Parties**

Abstract:

United Nations Convention on the Rights of child is an end of a beginning and a beginning of an end too. It has revolutionarily changed the jurisprudence and concepts of human rights and has placed the children as a distinct class of society by making them right holders and making them dutiful and accountable on the other hand. In the recent past, many efforts have been made to evolve a child rights-based perspective in the jurisprudence. Although Convention has brought revolution but there exist many a problem which proved always big walls in front of implementation of Convention in the realization of children rights. The challenges and problems are many folds, i.e., internal, external, that of state parties and some that of Convention itself. The paper highlights the problems that exist with state parties with a limited study of Pakistan, France, and United Kingdom.

Keywords: United Nations Convention on the Rights of the Child, National, International, Domestic, problems, challenges, internal, external, Children rights, implementation, Pakistan, France, United Kingdom.

Introduction

CRC is a landmark achievement in the recent history of Human Rights and a significant leap forward to the extent of recognition of the 'Rights and Liberties' of the weaker and neglected segment of mankind. The Convention has almost been globally ratified and the states parties to the Convention are doing their best to harmonize their laws and regulations in accordance with letter and spirit of the Convention for the wellbeing of children. The Convention has a comprehensive, interdependent, and integrated systematic framework of rights for children. Therefore, in this furtherance it demands a dynamic, interdisciplinary and child proactive approach for its implementation and realization of goals set there forth.

On the other hand, where UN Convention has caused regime change in the world of children, but there still exist the grey areas where or due to some plights the actual and real realization of Convention could not be achieved. The paper highlights such problems and challenges which were or are still in the way to implement UN Convention on the Rights of the Child.

The Problems and Challenges Present within States Parties causing non-implementation of the Convention

The United Nations treaty body system is considered to be successful and positive, but at the same time it is confronted by many challenges to its effectiveness¹. There can be the various natures of the challenges, however whatsoever they are; they lead to the "inability of the Convention". Moreover, the major problems for the inability of the Convention and its not-applicability lie in the states parties, for example the reservations and declarations made by the states parties, states' attitude and states' economic, social and cultural political conditions.

i. Reservations by the States Parties

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** I, Dr Mumtaz Ali Khan author of this study, hereby solemnly declare that this article is mainly derived from my PhD dissertation.

¹Office of High Commissioner for Human Rights (OHCHR), *Monitoring implementation of the international human rights instruments: an overview of the current treaty body system*, Background conference document prepared by the Office of the United Nations High Commissioner for Human Rights, 5th session of the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities, 24 January - 4 February 2005, p. 3.

Reservations are the major obstacles in the proper implantation of any human rights treaty or Convention formulated at international level, and there are almost 75 countries that have reservation on the UNCRC². Generally, the reservation provision exists in almost all international human rights treaties³. The Vienna Convention on the Law of Treaties (VCLT) has defined reservation in international law as “a unilateral statement, however phrased or named, made by a State, when signing, ratifying, accepting, approving, or acceding to a treaty, whereby it purports to exclude or to modify the legal effect of certain provisions of the treaty in their application to that State⁴.” Sometimes the states’ reservations are more political rather than legal⁵. The custom of making reservations on human rights documents dates back to 1948 when The Convention on the Prevention and Punishment of the Crime of Genocide 1948 was signed in the United Nations system⁶. Although there was not specific provision of reservations, but some states contested the legality of some provisions, as according to them, some were illegal. The International Court of Justice gave an advisory opinion and said that “an objection to a minor reservation should not have the effect of invalidating the ratification”⁷. Court further held that, “the right to make reservations was not without limits and that the reservations would only be acceptable if they were compatible with the *object and purpose* of the Convention⁸.”

The Islamic states (including Pakistan) and the Western European Countries (including UK and France) have made more reservations to the Convention than any other region⁹. Interestingly all the sub-Saharan countries have made no reservation to the Convention.

As far as the reservations to the Convention and its subsequent protocols are concerned, Pakistan made a general reservation to the Convention that the provisions of the CRC shall be interpreted according to the teachings and principles of the Islamic laws (sharia’h) and Muslim values, on the argument that, if interpretation contradictory to Islamic principles is made, it would be unconstitutional¹⁰ but Pakistan withdrew its reservation on 23 July 1997.

France too had made reservation to the article 30 of the CRC and two declarations relating to article 6 and 40¹¹. The France’s reservation on article 30 of the Convention, concerns the rights of the children from minorities to enjoy their own cultures, profess their own religions and practice their own language. The French declaration on article 6 was about the termination of pregnancy, as the domestic laws of France make the abortion legal. And the other declaration about the article 40(b) (v) was not to give rights of appeal to juvenile offenders in certain non-appealable

² Anbreeb Ajaib, Understanding Pakistan: Early Marriages-An invisible sword of patriarchy, A Comparative Study of the Issue in Pakistan, Bangladesh, and India in relation to National and International Laws, *Strengthening Participatory Organization Paper Discussion Series*, Islamabad, September 2013, p. 23.

³ In case of UNCRC, the Article 51 of the Convention gives leave to states to have declaration or reservation.

⁴ The Vienna Convention on the Law of Treaties, 1969, Art. 2(1) (d).

⁵ William A. Schabas, Reservations to the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child, *William and Mary Journal of Women and the Law*, 1997, vol. 3(1), p. 79.

⁶ The Convention on the Prevention and Punishment of the Crime of Genocide, 9 December 1948, entry into force 12 January 1951.

⁷ Reservations to The Convention on the Prevention and Punishment of the Crime of Genocide, 1948, I.C.J. Advisory opinion of 28 May 1951.

⁸ *Id.*

⁹ UNICEF, *Law Reform and Implementation of the Convention on the Rights of the Child*, Florence Italy, 2007, p. 9.

¹⁰ The Constitution of Islamic Republic of Pakistan 1973, Art. 2, “Islam shall be the state religion”.

¹¹ Declarations and reservations made upon signature and confirmed upon ratification by the France were: (1) The Government of the French Republic declares that this Convention, particularly article 6, cannot be interpreted as constituting any obstacle to the implementation of the provisions of French legislation relating to the voluntary interruption of pregnancy. (2) The Government of the Republic declares that, in the light of article 2 of the Constitution of the French Republic, article 30 is not applicable so far as the Republic is concerned. (3) The Government of the Republic construes article 40, paragraph 2 (b) (v), as establishing a general principle to which limited exceptions may be made under law. This is particularly the case for certain non-appealable offences tried by the Police Court and for offences of a criminal nature. None the less, the decisions handed down by the final court of jurisdiction may be appealed before the Court of Cassation, which shall rule on the legality of the decision taken.

offences. France has the argument almost similar to the Pakistan that, if these rights under article 30 are recognised it would contravene the constitutional guarantees of equal treatment and article 2 of the Convention as well.

The United Kingdom made three general declarations on the applicability of the Convention on live birth, parents as recognised in national law, the extension of applicability of the Convention at a later date to any other territory for whose UK is responsible for the international relations and any dependent territories¹². UK made three reservations as well to the CRC on article 22, 32 and 37(c) regarding the entry, stay, detention, departure and determination of status of asylum seeking accompanied or unaccompanied children from its overseas territories o/a 22, minimum age of employment etc. on article (o/a) 32, and detention of minors with adults o/a 37(c)¹³. United Kingdom withdrew its reservation on article 22 and 37(c) on the immigration and nationality of the overseas children on 18 November 2008, believing that all the children are equal and deserve the rights and protection equally, but in its overseas territories the reservations are still applicable.

So now only the Pakistan have neither any declaration nor reservation to the Convention, but both the UK and France have to a less or more extent reservations to the Convention. Earlier the Pakistan's reservation was too fatal, too general in nature, with unlimited scope and undefined character that it could supersede anything contained in Convention in the name of culture and Islamic law by misinterpreting both of them. The Muslim countries as a general are criticised that they are not much confident with the western standards of human rights and take plea of Islamic cultural particularism as grounds for non-acceptance¹⁴. But now it's time for UK and France to review their reservations or declarations whatsoever they are.

Although the reservations play a role for greater acceptance of a treaty but, these allow the states to ratify it but without obliging themselves to abide by the provisions, the states do not wish to undertake. The reservations made to the human rights treaties make them ineffective and create barriers to achieve the goals and aims to promote the recognition and protection of human rights. The countries ratify the treaties to avoid the international criticism/condemnation but use the back/black doors of reservation to justify the violations of the rights provided in

¹² Upon signature: "The United Kingdom reserves the right to formulate, upon ratifying the Convention, any reservations or interpretative declarations which it might consider necessary." Upon ratification: Declarations: "(a) The United Kingdom interprets the Convention as applicable only following a live birth."(b) The United Kingdom interprets the references in the Convention to 'parents' to mean only those persons who, as a matter of national law, are treated as parents. This includes cases where the law regards a child as having only one parent, for example where a child has been adopted by one person only and in certain cases where a child is conceived other than as a result of sexual intercourse by the woman who gives birth to it and she is treated as the only parent. Reservations: "[.....]" Declaration: "The United Kingdom reserves the right to extend the Convention at a later date to any territory for whose international relations the Government of the United Kingdom is responsible." 7 September 1994 Declarations: "The United Kingdom refers to the reservation and declarations (a), (b) and (c) which accompanied its instrument of ratification and makes a similar reservation and declarations in respect to each of its dependent territories.

¹³ The United Kingdom, in respect of each of its dependent territories except Hong Kong and Pitcairn, reserves the right to apply article 32 subject to the laws of those territories which treat certain persons under 18 not as children but as 'young people'. In respect of Hong Kong, the United Kingdom reserves the right not to apply article 32 (b) in so far as it might require regulation of the hours of employment of young persons who have attained the age of fifteen years in respect of work in non-industrial establishments. Where at any time there is a lack of suitable detention facilities or where the mixing of adults and children is deemed to be mutually beneficial, the United Kingdom, in respect of each of its dependent territories, reserves the right not to apply article 37 (c) in so far as those provisions require children who are detained to be accommodated separately from adults. The United Kingdom, in respect of Hong Kong and the Cayman Islands, will seek to apply the Convention to the fullest extent to children seeking asylum in those territories except in so far as conditions and resources make full implementation impracticable. In particular, in relation to article 22, the United Kingdom reserves the right to continue to apply any legislation in those territories governing the detention of children seeking refugee status, the determination of their status and their entry into, stay in and departure from those territories. The Government of the United Kingdom reserves the right to extend the Convention at a later date to any other territories for whose international relations the Government of the United Kingdom is responsible."

¹⁴ Ann Elizabeth Mayer, Islamic Reservations to the Human Rights Convention: A critical Assessment, *Recht van de Islam*, 1998, vol. 15, pp. 25-45.

the treaties. Being the “*unilateral statement of a state*” the state can easily exclude itself or modify the legal effects of any or more provisions of the treaty in its domestic law. The declaration or reservation to a provision of human rights treaty not only reduce the impact of the provision but makes weak the overall impact of the UNCRC. Is it almost 25 years of the Convention and we are unable to achieve the goal of the Convention. Although some reservations were withdrawn, but the full application of the Convention requires that the reservations made by the states should be withdrawn completely, otherwise the same will be obstructing as always.

ii. Lack of Economic Resources and Poverty

Lack of economic resources and poverty are also the major obstacle, always standing in the front of CRC. As the Convention is widely ratified throughout the world, but even if the states are sincere in the implementation of Convention, but their economic conditions do not let them to do so.

Poverty is the mother of all evils. The debate of rights and humanity becomes purposeless and inutile if the children can't be feed properly two times a day. What to say, when the parents kill their own children due to poverty. Can anybody even imagine that a mother can kill his sons? The children seek shelter and refuge from the entire world's dangers in the lap of mother. But, if the lap of the mother becomes the murder place for the child, where he/she should go for protection? But the unfortunate incidents happen in the poor countries, and Pakistan is not an exception to it. Reference can be made to many incidents, but it was very shocking, when a young lady killed her 8 months son and 2-year-old daughter on 6th March 2014, as she had nothing to feed them and was fed up with starvation, hunger and poverty¹⁵. In the same month, 121 children died within few days due to starvation in Tharparkar a district of Sind¹⁶ and it continues till date.

It is understandable that Pakistan has financial constraints, but the economic problems are not so intensive so that the children let them die due to hunger and starvation. It shows the disinterests, unwillingness, heartlessness and senselessness of the government officials and Government itself too.

iii. Outdated and Parallel Various Schools/Education Systems

In Pakistan, there are multiple school systems i.e., public, private, English medium, Urdu medium, the schools of formal educational and *Madrassas* of religious education. These divergent and distinct systems on the one hand create a sense of discrimination among the classes of lower-upper castes, poor-rich sections of the society. On the other hand, most of the religious schools in Pakistan are nursery of terrorism. The poor people send their children to the religious schools (madrassas) because in madrassas they have not to pay anything. While in other public and private schools, imparting formal education, the parents have to bear some expenses. The madrassas of a special sect are operated by a special sect, which have terrorists in it and have relations with international terrorist organizations too. They believe that the formal education is unislamic and is a weapon of West to betray the Muslims. This is the reason, the public schools run by the government, are under terrorist attacks by these organizations. Thousands of the public schools have been destroyed by the terrorists and thousands of the children have been killed too by the terrorist attacks on the schools.

In fact, these madrassas are operated without any check and balance. The Government has nothing to do with their affairs. The last Government of General (R) President Pervez Musharaf took some steps to keep an eye on these madrassas¹⁷. These madrassas were required to be registered under the Madressah Registration Ordinance (MRO)

¹⁵ The News, Mother fed up with continued starvation kills her 2 children, <http://www.thenews.com.pk/article-140008-Mother-fed-up-by-continued-starvation-kills-her-2-children>, site retrieved on 6/03/2014.

¹⁶ Dunya TV News, Tharparkar Famine, 121 Children starved to death, Video footage available at: http://www.leela.tv/dunya-news-tharparker-famine-121-children-starved-to-death-video_8c343ba2a.html, site visited on 07/03/2014.

¹⁷ In 2001, Government established “Pakistan Madrassa Education Board” (PMEB) in view to regulate and create a network of model madrassas. The Board could not come up to the expectations, and then the “Voluntary Registration and Regulation Ordinance 2002” was adopted. By the Ordinance of 2002 Government promised the madrassa to provide funding however the madrassas were required to show their other incomes and sources of revenue as well. The Government also demanded that the madrassas should expel all foreigner students by the December 31, 2005.

2002¹⁸. However, the strong religious lobbies stood against the independence, autonomy and state interference into the affairs of madrassas¹⁹. All the efforts taken by the President Musharaf and then President Asif Ali Zardari to regulate these institutions failed²⁰, because there are other main stream political parties, such as the present Government of Prime Minister Nawaz Shareef, where there are elements that support these organizations, and these organizations support them in elections. They too have similarity in religious and political views.

In short, these madrassas are the sources of sectarianism, extremism and terrorism. Due to their extreme views, the civil war like situation in the country, the Convention on the Rights of the Child is very difficult to be implemented in the country.

iv. Absence of a Whole-of-Sector View and Weak Institutions

In the end, it is the state machinery and the institutions that play their roles on the ground for the implementation of the children rights. The stronger the institutions are, more the respect they get from the masses. The most powerful enforcers of the children rights act horizontally and vertically²¹ in domestication the Convention. Unlike to the UK and France, the institutions of Pakistan are not developed to the satisfactory level. What to talk about the lower level, the tensions exist among Government, Parliament and Judiciary regarding who is supreme. The immature attitudes by the supreme institutions of the country discourage the overall effect of the human rights and human rights treaties.

v. Lack of Policy Coherence

The coherent and comprehensive policies are the fundamental to achieve any task, future agenda which can be done through broad political constituency. The development in any domain can be witnessed through the consistency of the policies. The immature behaviour by the state intuitions and abrupt changes in the Government lead to the incoherence of policies and programs. For example, in Pakistan the governments have been changing before they complete their tenure. The new coming government overrides the programs and policies initiated by the earlier government.

vi. Lack of Responsibility, Absence of Genuine Political Will and Limited Efforts by the Governments for the Implementation of the Convention

The irresponsible behaviour and non-genuine political will of the states parties and states authorities put oil on fire for the non-implementation of the Convention. Many states have ratified the Convention, but their behaviour towards for the proper implementation has been excusing. They make multiple excuses such as non-availability of financial resources, however in fact; they don't consider themselves in real responsible for the promotion and protection of the rights of children.

vii. Weak Planning and Management

Strategic planning and management is the process of defining objectives and purposes of any state, quest of that state and methods to achieve them all. The strategy development is the establishment and creation of overall vision and mission and the ways to achieve them. The strategy development and strategy deployment are the two major phases of overall strategic management. The overall strategic planning and management includes actual comprehension of the mission, internal and external assessment, establishment of broad vision, identification of goals and objectives and the formulation of the strategy. However the bad luck with the Convention is that the states parties adhered to the Convention have failed to devise the proper implementation strategies. After having a view of the states reports, it looks like that everything is going well and there is nothing wrong. However in reality, there are

¹⁸ Before the MRO, such kinds of societies were supposed to be regulated under, Registration of Liberty, Scientific and Charitable Societies Act 1860. But most of the madrassas have been working without any registration. After the MRO, the provinces adopted too the provincial instrument for such kind of organizations. For example, Sindh adopted the Societies Registration (Sindh Amendment) Ordinance 2005, and Blochistan adopted the Societies Registration (Balochistan Amendment) Ordinance 2005.

¹⁹ Irm Haleem, Pakistan, Afghanistan and Central Asia: Recruiting Grounds for Terrorism? in William J. Crotty (ed.), *Democratic Development and Political Terrorism: the Global Perspective*, North-eastern University Press, USA, 2005, p. 133.

²⁰ Syed Farooq Hasnat, *Global Security Watch: Pakistan*, California, USA, 2011, p. 123.

²¹ Hannah Moscrop, *Enforcing International Human Rights Law: Problems and Prospects*, Cardiff University Assignment, April 2011.

many things, which exist only in the papers and the children have nothing to do with them. The states parties must adopt the well defined strategies and pursue them by a proper management.

viii. Deteriorated Family Role in Industrialised Societies

In fact, the UN Convention's original policy design was the creation of "parent-child-state" triangle. This framework of UNCRC envisaged that the primary responsibility of upbringing, looking after and development of the children rests with the parents, whereas the supplementary assistance for child rearing rests with the state. Both the responsibilities i.e., parental and state's were to be exercised under the auspices of UNCRC's basic principle of the best interest of the child under article 3.1.

However, the policy design of the Convention was really shaken due to deteriorated family system in developed countries and in present context, the UK and France. The busy parents started to remain mostly outside from homes at their works, resulting there by the children are neglected. So the role of the parents is not played as the Convention envisaged. The market globalization caused the rapid changes in economical and societal changes. Secondly the states under neoliberal market-oriented reforms, have increased their reliance on private sector, for profit actors in providing the childcare services²². The changes in the interests of the states and disturbing the triangle of the UN Conventions policy caused the non-realization of children's rights and implementation of UN Convention.

ix. Law and Order Situation

Although, the law-and-order situation does not concern internally very much to UK and France, but their engagement in international disputes and insurgencies played a good role for the economic expenditures, which if could be used for the betterment of children, it would have changed the scenario of the children all over the world. However, internally the law-and-order situation in Pakistan is not good. The law-and-order situation in Pakistan is very alarming since a long, especially after the 9/11 attacks in USA. On becoming the ally of NATO and other world's power against terrorism, the terrorism saw the doors of Pakistan, existing there with its best and it seems that it will take a long yet to be eradicated form the country. Along with the terrorists, the other criminal elements in the society seek opportunities for their dirty plans. For example, Karachi, the largest city of Pakistan with population of more than 20 million, is at the mercy of these elements, where dozens of innocent citizens, doctors, engineers, lawyers, the members of shia and Ahmedi minorities and other professionals are being targeted to the death. I think, in the circumstances like this, it is not more than an illusion to implement the UN Convention on the Rights of the Child in Pakistan.

x. Scatteredness of Society: The Division of Society in Secular and Religious Segments both Being at Their Extremes and the sectarianism

The Constitution of Pakistan holds that the Islam is the state religion and 97 % population there too, is Muslim. However, there is great drift among conservative and liberal Muslims. There exist number of sects some very radical even they have same religious thoughts like Taliban and Alqaida. On the other hand, there are also westernised Muslims who demand the complete liberty. Then among each sect, there are sub-sects. Along with the religious diversity, all the constituents (provinces) of Pakistan have been divided on the basis of language and culture. In short, there does not seem the harmony and coherence throughout the country. Then the caste system is another cancer of the society. This division of the society on the basis of religion, language, caste and even economic conditions are destroying the country, where the situation of human rights is also deteriorating, and the children here too are the first who suffer more than anyone else. The children are being made orphans by the fighting segments of the society mostly the children of minorities. The civil war like situation between ethnic and religious groups for example the Sunnis funded by Saudi Arab, UAE, Qatar etc. and Shias supported by Iran, is dragging Pakistan backward²³. The current persecution of Shia community throughout the country is unprecedented in the terms of

²² Ota Ikuko, Privatization of Childcare as a Way of Implementing Young Children's Rights: The Recommendations of the Committee on the Rights of the Child and their Implication for Japan, in Teruo Komori AND Karel Wellens (eds.), *Public Interest Rules of International Law: Towards Effective Implementation*, Ashgate Publishers UK, 2009, p. 428

²³ See for example a detailed account in, Ashok K. Behuria, Sunni-Shia Relations in Pakistan: the Widening divide, *Strategic Analysis*, 2004, vol. 28(1), 157-176; Frédéric Grare, The Evolution of Sectarian Conflicts in Pakistan and the Ever-Changing Face of Islamic Violence, *Journal of South Asian Studies*, 2007, vol. 30(1), pp. 127-143; Irm Haleem, Ethnic and sectarian violence and the propensity towards praetorianism in Pakistan, *Third World Quarterly*,

scale, organization, and visibility²⁴. They are target of all Tehreek-e- Taliban Pakistan (TTP), Sepah-e-Sahaba Pakistan (SSP), Lashkar-e-Jhnagvi (LeJ) and Ahle Sunnat Wal Jamat (ASWJ) etc.

xi. Lack of Education, Ignorance and Unawareness

Along with general literacy, the masses need to be educated about their own rights and duties in society and the rights of the children as well. The rights of the children should be made public to realise the public about the rights-bearers and duty-bearers. The ignorance from rights and responsibilities makes the people irresponsible to perform their duties and claim their rights. The literacy rate in France and UK is almost 100% but the situation in Pakistan is very discouraging here too. As discussed earlier, without educating the people, it can be a fantasy or an illusion to achieve the goals of the UN Convention on the Rights of the Child.

xii. Adherence to the Historical and Cultural Values

The difficulties of France to implement the UN Convention on the Rights of the Child are rooted in its commitments to the familism and Roman law. The familism gives the priority to the family rather than the individuals. Similarly, the Islamic Law in Pakistan provides the complete obedience of parents; leading thereby the violation of children rights under UN Convention especially the right to be heard are violated, if interpreted in western pattern. The old traditional values²⁵ such as not to oppose the parents' decisions even in the marriages, schooling and having relations with someone hinder the many of the article of the UN Convention to be implemented, especially the article 12 of child's right of participation.

xiii. Failure of Democracy

Failure of the democracy is another cause of non-implementation of the many laws in general as well as UNCRC in Pakistan. Pakistan has seen many *coup d'état*²⁶ by the military, which caused the discontinuity of the state policies. The democracy remained always in the dreams of the peoples of Pakistan. Even when there were civilian governments, they were even severe than military dictators and violated the human rights. The Nation is confused in the Islamization initiated by General Zia-ul Haq in 80s and then undoing it by the General Pervez Musharraf in the name of liberalization and modernity.

Conclusion

UNCRC has brought revolution at first stage recognition and then protection of interests and rights of the children and bringing them into the list of 'rights holders' which they have been waiting since centuries. At the same time, there exist many lacunas and challenges which are proving hurdles for proper implementation of the Convention. Although these challenges are manifold, but some challenges exist within states parties, such as reservations by the states parties; lack of economic resources and poverty; outdated and parallel various schools/education systems; absence of a whole-of-sector view and weak institutions; lack of policy coherence; lack of responsibility, absence of genuine political will and limited efforts by the governments for the implementation of the convention; weak planning and management; deteriorated family role in industrialised societies; law and order situation; scatteredness of society; the division of society in secular and religious segments both being at their extremes and the sectarianism; lack of education, ignorance and unawareness; adherence to the historical and cultural values and failure of democracy. If these challenges are worked upon, the implementation of the Convention may be realized in its full swings and children of the world may have fortune ahead.

2003, vol. 24(3), pp. 463-477; Mehtab Ali Shah, Sectarianism- A threat to human security: A case study of Pakistan, *The Round Table: The Commonwealth Journal of International Affairs*, 2005, vol. 94(382), pp. 613-628.

²⁴ *Shia Genocide: A Crisis in Pakistan*, Report Commissioned by: Lord Avebury - Vice-Chair, Parliamentary Human Rights Group; Patron: International Imam Hussain Council; Lord Avebury - Vice-Chair, All Party Parliamentary Human Rights Group, 2014, p. 6.

²⁵ Ole Bruun and Michael Jacobson have drawn a very good picture that how the cultural and religious values play role in Pakistan and India along with other South Asian countries. See for detail, Ole Bruun and Michael Jacobson, *Human Rights and Asian Values: Contesting National Identities and Cultural Representations in Asia*, Psychology Press USA, 2000.

²⁶ Pakistan has been ruled mostly by the military since its inception. The first military regime was from 1958 to 1971, second from 1977 to 1988 and third 1999 to 2008.