The lack of awareness breeds aloofness in our social behaviours and we turn a blind eye to victim’s plight

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Approval of the much-awaited Islamabad Capital Territory (ICT) Child Protection Bill 2017 by the National Assembly Standing Committee on Human Rights is a step forward in delivering on the constitutional promise that the state shall protect the child. It is a comprehensive bill that will safeguard minors from violence, abuse, exploitation and neglect in compliance with constitutional provisions and international obligations. It is an inclusive policy to shelter the most vulnerable from mental violence, injury, neglect and maltreatment. It is definitely a celebratory moment for human rights activists because from this point onwards we can ensure better care, protection and rehabilitation of children.

This win is worthy of being honoured because it did not come easy. A redistributive policy that takes the authority of childcare away from some and gives it to others is a highly sensitive issue, particularly when the prevalent social imagination upholds parents or the family to be in charge of all the affairs of a child. Intrusion by an external actor, be it the state or human rights activists, is typically unwelcome. These boundaries are well defined, vigorously guarded, and give leeway to those who abuse the basic rights of women and children.

In Pakistan, whenever the state has moved to deploy safeguards to ensure protection of these social minorities, radical elements have made such initiatives controversial and contentious. High levels of conflict intended to manipulate the allocation of civil rights has been an effective tool in obstructing change in policies. Successfully overcoming these challenges to enact the bill into law will be marked as a major stepping-stone for human rights activists all over the country.

Policy students are typically more interested in investigating policy failure for the simple reason that it offers more to learn than to just revel in government’s successes. The more important task then becomes identifying areas where policy fails during the implementation phase and addressing these concerns. The Child Protection Bill is undoubtedly going to contribute a great deal for human rights protection, but it is still susceptible to failure despite being a comprehensive and well-documented legislation. It will fail not because it does not intend to deliver what it promises, that it does well, but due to the vagaries of implementation.

The bill proposes the establishment of a Child Protection Advisory Board, Child Protection Institutions and Child Protection and Care Fund. By doing this, it lays a strong institutional foundation to employ child protection officers who will work directly with children that are unattended, victims of violence, found begging, imprisoned with their mothers or living in an immoral environment. This bill grants powers to the child protection officer to investigate a case, develop a childcare plan, take an unattended child into care and remove the child from the custody of his parents, legal guardian or other current caretaker.
All of these actions hinge on one factor, reporting of the issue to the child protection officer. Within this lies the failure of an overhauling policy designed to protect children. The reason is that many of us are equally unaware of both our social responsibilities and constitutionally provisioned rights. This lack of awareness breeds aloofness in our social behaviours and we turn a blind eye to victim’s plight. We let the oppressors carry on with their blatant injustices. In the case of children, even social norms guide us to let those who are responsible for them decide what is best. A well-fought legislative decree might seem like a win, but our children will only be protected when a social transformation takes place in response to awareness campaigns that highlight everything the state has offered for the protection of children.

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