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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF GILGIT-BALTISTAN

GILGIT-BALTISTAN SECRETARIAT

(Law and Prosecution Department)

The Gilgit-Baltistan

Gilgit, the 6th March, 2018

CHILD PROTECTION RESPONSE ACT, 2017

(ACT NO. V OF 2017)

To provide a state response for the protection of children in Gilgit-Baltistan from all forms of physical or mental violence, injury, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse and matters incidental to.

WHEREAS it is expedient to establish a Child Protection Commission within the Social Welfare Department for providing vision, policy guidelines, appropriate strategies for child protection, analysis of trends and adjusting policies and measures for the protection of children.

It is hereby enacted as follows:

Price : Rs. 20.50

[5724 (2018)/Ex. Gaz.]

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CHAPTER I

PRELIMINARY

1. **Short title, extent and commencement.**—(1)This Act may be called the Gilgit-Baltistan Child Protection Response Act, No. V of 2017.

(2) It shall extend to the whole of the Gilgit-Baltistan.

(3) It shall come into force at once.

2. **Application.**—This Act shall apply to all children physically present within the territorial limits of Gilgit-Baltistan, whether citizens of Pakistan or otherwise.

3. **Definitions.**—(1) In this Act,

(a) ***"Alternative care"*** includes extended family care, placement with a guardian, or placement in an institution established or regulated by the State, or any other arrangement in the best interests of a child and authorised by the Court in accordance with this Act and considering all views, including those of the child in need of protection;

(b) ***"Best interests of a child"*** with reference to this Act, include the factors as described and enumerated in Section 5 of this Act;

(c) ***"Care giver"*** also comprises state agencies and organisations responsible to provide necessary age- and gender-appropriate care to a child, including concerned law enforcement agencies, judicial institutions and alternative care institutions;

(d) ***"Child"*** means a person, either girl or boy, below the age of eighteen years;

(e) ***"Child abuse"*** includes one, or a combination of more than one, of the following: physical or psychological violence, exploitation, injury, neglect or negligent treatment, maltreatment, including sexual abuse;

(f) ***"Child exploitation"*** includes all types of exploitation prejudicial to the best interests of the child;

(g) ***"Child Protection Officer"*** means a person appointed as Child Protection Officer under section 12 of this Act;

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(h) ***"Child protection plan"*** a document containing details of services to be offered to a child requiring protection in accordance with this Act, based on a comprehensive assessment of the child and family under Section 16 of this Act;

(i) ***"Child Protection Unit"*** means a unit established in the District Social Welfare Office under section 12 of this Act;

(j) ***"Commission"*** means the Child Protection Commission established under section 8 of this Act;

(k) ***"Comprehensive assessment"*** a full analysis undertaken by a Child Protection Officer, under Section 14 of the Act, in support of a determination as to whether a child requires protection in accordance with the provisions of the Act;

(l) ***"Court"*** means the District and Sessions Court, or any other court empowered by the government;

(m) ***"Department"*** means the relevant department as per Gilgit-Baltistan Rules of Business 2009;

(n) ***"Government"*** means the Government of the Gilgit-Baltistan;

(o) ***"Guardian"*** means a person, for the purpose of this Act, other than a biological parent, who has parental responsibility and care of a child, as nominated by the parent(s), or a guardian appointed by the Court;

(p) ***"Initial assessment"*** means a preliminary analysis of whether a child is in need of protection, in accordance with the provisions of this Act;

(q) ***"Maltreatment"*** includes cruel or harmful treatment or abuse of a child by a care giver;

(r) ***"Mental violence"*** includes:

(i) all forms of persistent harmful interactions with the child, for example, conveying to children that they are worthless, unloved, unwanted, endangered or only of value in meeting another's needs;

(ii) scaring, terrorizing and threatening; exploiting and corrupting; spurning and rejecting; isolating, ignoring and favouritism;

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(iii) denying emotional responsiveness; neglecting mental health, medical and educational needs;

(iv) insults, name-calling, humiliation, belittling, ridiculing and hurting a child's feelings;

(v) exposure to domestic violence;

(vi) placement in solitary confinement, isolation or humiliating or degrading conditions of detention; and

(vii) psychological bullying by adults or other children, including *via* information and communication technologies (ICTs) such as mobile phones and the Internet (known as "cyberbullying");

(s) ***"Neglect or negligent treatment"*** includes:

(i) Physical neglect: failure of caregivers to protect a child from harm, including through lack of supervision, or failure to provide the child with basic necessities including adequate food, shelter, clothing and basic medical care;

(ii) Psychological or emotional neglect includes lack of any emotional support and love, chronic inattention to the child, caregivers being psychologically unavailable by overlooking young children's cues and signals, and exposure to intimate partner violence, drug or alcohol abuse;

(iii) Neglect of children's physical or mental health: include ignoring essential medical care;

(iv) Educational neglect includes failure to comply with laws requiring caregivers to secure their children's education through attendance at school or otherwise;

(t) ***"Physical violence"*** includes:

(i) Hitting, kicking, shaking, beating, bites, burns, strangulation, poisoning and suffocation; and

(ii) all other forms of torture, cruel, inhuman or degrading treatment or punishment;

(u) ***"Prescribed"*** means prescribed by rules or regulations made under Section 31 of this Act;

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(v) ***"Secretary"*** means the Secretary to the Government of Gilgit-Baltistan;

(w) ***"Sexual abuse and exploitation includes":***

(i) the inducement or coercion of a child to engage in any unlawful or psychologically harmful sexual activity;

(ii) the use of children in commercial sexual exploitation; and

(iii) the use of children in audio or visual images of child sexual abuse;

(iv) child prostitution, sexual slavery, sexual exploitation in travel and tourism, trafficking (within and between countries) and sale of children for sexual purposes and forced marriage;

(x) ***"Significant harm"*** means the threshold which justifies compulsory state intervention in family life in the best interests of children.

(y) ***"Supervision order"*** means the lawful supervision of a child by a Child Protection Officer for the purpose of ensuring that the child is protected in accordance with the provisions of this Act;

(2) All other words and expressions used but not defined in this Act shall have the same meaning as assigned to them in respective Federal or Gilgit-Baltistan Laws.

CHAPTER II

GENERAL PRINCIPLES OF CHILD PROTECTION

4. **Right to Life.**—Every child has the inherent right to life.

5. **Best interests of a child in need of protection.**— (1) All state bodies, agencies and organisations, public and private social welfare institutions and civil society organisations shall safeguard and promote the best interests of the child in need of protection.

(2) All actions taken in relation to a child under this Act, or under any Rules or Regulations made under this Act, whether by the Courts, or Child Protection Officers, or any other administrative authority, public or private social welfare institution, civil society organisations, or any other body, shall be subject to the over-riding principle that the best interests of the child in need of protection shall be the primary consideration.

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(3) All state bodies, agencies and organisations, public and private social institutions and civil society organisations shall safeguard and promote the right of the child to be heard and every child capable of forming his own views shall be entitled to express those views.

(4) For the full and harmonious development of a child's personality, a child should preferably grow up in a family social structure and environment. Where special protection of a child or assistance to the parent(s) or caregiver(s) is required from the state, including out-of-home care, the participation of the child in the related decision-making process must be ensured to the maximum extent possible.

(5) No child shall be removed from its family home and environment by state intervention unless the removal is deemed by the Court to be in the best interests of the child in order to protect him/her from threat of/or significant harm, after considering all views, including those of the child.

(6) Where there is a reference in this Act to the best interests of the child in need of protection, the factors to be taken into account in determining the child's best interests shall include:

(i) the child's right to protection from violence, neglect and exploitation;

(ii) the welfare, well-being and safety of the child in need of protection;

(iii) the child's physical, mental, psychological and emotional needs and level of development;

(iv) the responsibility for the protection of the child rests primarily with the parent(s);

(v) the quality of the relationship the child has with a parent or any other person and the effect of maintaining that relationship;

(vi) the capacity of the parent(s) to provide a safe home and adequate food, clothing and medical care;

(vii) the child's religious, cultural and spiritual views;

(viii) the child's level of education and educational requirements;

(ix) the effect on the child of a delay in making a decision; and

(x) the preferences of the child.

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6. **Restriction on parental custody.**—The Court may restrict the exercise of parental custody and control of a child when the child is the subject of an interim or final Custody and Placement Order pursuant of the provisions of Section 18 of this Act.

7. **Child in need of protection.**—A child in need of protection shall include any child who has been subjected to, is subject to, or is under serious threat of being subjected to:

(i) physical violence or injury;

(ii) mental violence;

(iii) neglect or negligent treatment;

(iv) maltreatment;

(v) exploitation;

(vi) sexuel abuse or sexuel exploitation while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

CHAPTER III

CHILD PROTECTION ADMINISTRATION

8. **Child Protection Commission.**—(1) The Government shall establish a Child Protection Commission under the Social Welfare Department.

(2) The Department shall provide secretariat services to the Commission.

(3) The Government shall allocate adequate budget for effective functioning of the Commission.

9. **Composition of the Commission.**—(1) The Commission shall consist of:

(a) Minister Social Welfare Department, Government of Gilgit-Baltistan, being the Chairperson of the Commission;

(b) Co-members of the Commission shall select a member as Vice-Chairperson.

(c) The Secretary Social Welfare Department being the *ex-officio* Secretary of the Commission;

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(d) The Secretaries to the Government of Gilgit-Baltistan Home and Prisons Department; Education, Social Welfare and Women Development Department; Labour and Industries Department; Local Government Department; Health and Population Welfare Department; Finance Department; Law and Prosecution Department; DIG Headquarter; Advocate General and one female Local Bodies' member being an *ex-officio* member of the Commission.

(e) The Speaker Gilgit-Baltistan Legislative Assembly shall nominate not more than two members of the Gilgit-Baltistan Legislative Assembly, of whom one shall be a woman.

(f) The Commission may co-opt no more than two non-official members, preferably from among civil society, having at least three years' work experience in the field of child protection and/or social welfare.

(2) The Commission shall meet at least once every three months and at such a place and as may be prescribed by rules or regulations made under section 31 of this Act.

(3) All decisions shall be taken by a simple majority, with one-half members forming the quorum, of whom at least two shall be *ex-officio* members.

(4) The Chairperson shall exercise the powers as may be prescribed by the rules or regulations made under section 31 of this Act.

(5) The term of the Vice-Chairperson and government-nominated members shall be two years.

10. **Functions of the Child Protection Commission.**—(1) Advise on policy, legislation, and regulatory matters relating to child protection;

(2) Monitor implementation of Article 19 of the Convention of the Rights of the Child in Gilgit-Baltistan;

(3) Ensure effective coordination/implementation of this Act;

11. **Child protection functions of the Department.**—(1) Maintain and update data on child abusers and persons convicted of offences against children;

(2) Establish and maintain a helpline for direct complaints;

(3) Appoint, train, supervise, control, monitor and review the performance and duties of Child Protection Officers in each District Child Protection Unit;

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(4) Regulate all providers of child protection services in the province, including alternative care providers, to ensure compliance with applicable minimum standards; and

(5) Act as custodian of the Child Protection Referral Management Information System (MIS) in support of processes referenced in Section 10(3), ensuring its confidentiality and security.

12. **District Child Protection Units.**—(1) The Government shall establish within the District Social Welfare Office a District Child Protection Unit, headed by a qualified Child Protection Officer, holding full and comprehensive responsibility for case management and referral of all reported cases of child abuse in the district.

(2) Child Protection Officers shall receive training in social work and child protection, as provided for in minimum standards set by the Government.

(3) The functions of the District Child Protection Units hall include:

(i) Receive and register report(s) of alleged child abuse in the Child Protection Referral MIS;

(ii) Based on a report of alleged child abuse, assess whether the child requires protection under the provisions of this Act;

(iii) Pursuant to a formal determination that a child requires protection under this Act, develop and maintain a child protection plan;

(iv) In accordance with the child protection plan, refer the child to relevant departments/agencies at the district level (obligation to comply with requests shall be mandatory and failure to comply shall be subject to review of the Commission) for provision of applicable child protective services;

(v) Manage reported cases of child abuse, including maintaining a record of reports, monitoring cases and follow-up until case closure;

(vi) Collect, maintain and update child protection case management data;

(vii) Monitor the application of child protection regulations at the district level.

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CHAPTER IV

CHILD PROTECTION PROCEDURE

13. **Initial Assessment.**—(1) Whenever a Child Protection Officer receives a report of alleged child abuse, he or she shall carry out an initial assessment to determine whether the child requires protection in accordance with the provisions of this Act.

(2) The Child Protection Officer shall ensure:

(a) that, in the case of sub-section (1), the information provided is acknowledged within 24 hours; and

(b) that an initial assessment of the report of alleged child abuse is commenced by the Child Protection Officer within 72 hours of receipt of the report and completed within 10 days.

(3) No initial assessment shall be regarded as complete unless a Child Protection Officer has:

(a) met with the child;

(b) heard the views of the child in accordance with its age and level of maturity; and

(c) provided a written report of the findings in the prescribed format, including next steps, as appropriate.

(4) During an initial assessment, the Child Protection Officer may request that the child and his/her parent(s), legal guardian or any other person responsible for the care of the child, attend at such premises as may be specified by the Child Protection Officer.

(5) Where the parent(s), legal guardian(s) or caregiver(s) fail to comply with the directions of the Child Protection Officer provided under Section 13(4) of this Act, an application shall be made to the Court as soon as is practicable for a notice/summons/order to produce the child at such place as is to be determined by the Court for the purpose of completing the initial assessment.

(6) Where, following the initial assessment, the child is found not to require protection in accordance with the provisions of this Act, the Child Protection Officer shall inform in writing the child's parent(s), legal guardian or other person responsible for the care of the child of this fact, and any other person who provided information to the Unit in accordance with Section 13(1).

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14. **Comprehensive assessment.**—(1) Where an initial assessment conducted in accordance with Sections 13 or 20(1) of the Act indicates that the child requires protection in accordance with the provisions of this Act, the Child Protection Officer shall:

(a) provide in writing and in person to the child's parent(s), legal guardian or other person responsible for the care of the child, the findings of the initial assessment; and

(b) undertake a comprehensive assessment of the child and his or her family environment;

(c) inform in writing any person who provided information to the Child Protection Officer under the provisions of Section 13(1) of the fact that the initial assessment has found the child to require protection in accordance with the provisions of this Act.

(2) The comprehensive assessment shall be completed within 15 days of the completion of the initial assessment, or from the date of the Court order made under the provisions of Section 20(5) of the Act, as appropriate.

(3) No comprehensive assessment shall be regarded as complete unless the Child Protection Officer has met with the child, has heard his or her views, according to age and maturity levels, and produced a written report of the assessment in the prescribed format.

(4) Where the parent(s), legal guardian(s) or caregiver(s) fail to comply with the directions of the Child Protection Officer to provide access to the child for the purpose of conducting a comprehensive assessment in accordance with the provisions of Section 14 of the Act, an application shall be made to the Court as soon as is practicable for a notice/summons/order to produce the child at such place as is to be determined by the Court for the purpose of completing the comprehensive assessment.

(5) On completion of the comprehensive assessment, the Child protection Officer shall develop a comprehensive child protection plan.

15. **Child Protection Plan.**—(1) Where the child is found to require protection in accordance with the provisions of Sections 13 and 14 of this Act, the Child Protection Officer shall develop a child protection plan.

(2) The child protection plan shall include a formal referral to appropriate protective services.

16. **Child Protection Services.**—(1) Where the child protection plan concludes that the child's needs are to be met through the provision of protective

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services in accordance with Section 15(2) of this Act, the Child Protection Officer shall, in accordance with the child protection plan, formally refer the child to such services as appropriate to protect the child.

(2) The Child Protection Officer shall seek the agreement of the parent(s), legal guardian or current caregiver(s) of the child on the action to be taken and the services to be offered to the child. Such agreement shall be recorded in writing and signed by the parent(s), legal guardian or current caregiver(s) of the child. The text of the agreement shall be read out before all the parties, including the child, depending upon his or her age and level of maturity.

(3) Where a parent or caregiver refuses to accept the decision to refer the child formally to appropriate services, the Child Protection Officer shall make an application to the Court under Section 17 of this Act for a Supervision Order to ensure implementation of the child protection plan.

(4) Upon such application, the Court may make such order as it deems necessary to ensure that the child accesses appropriate services recommended by the Child Protection Officer, having regard to the child protection plan and the best interests of the child.

CHAPTER V

Powers of the Court in Child Protection

17. **Supervision Order.**—(1) Where the child protection plan indicates that the child(s), parent(s), legal guardian or current caregiver(s) either refuses to abide by the directions of the said plan, or requires support to ensure the protection of the child, the Child Protection Officer may apply to the Court for the issuance of a Supervision Order, in accordance with the provisions of Section 15.

(2) Any application to the Court for a Supervision Order shall be made in the name of the Secretary to the Government as defined in Section 2(v).

(3) A Supervision Order shall specify the length of time for which the Order shall apply; and

(a) shall be implemented by the Child Protection Officer as a protective service;

(b) shall require the child and his or her parent(s), legal guardian or other caregiver to comply with the reasonable and appropriate directions of the Court to ensure the child's protection, including directions to attend at a specified service.

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(4) The directions contained in a Supervision Order shall not require the child to live away from home.

18. **Custody and Placement of the Child.**—(1) Where a Child Protection Officer determines, under Section 20 of this Act, that the child is either at immediate risk of, or already suffering significant harm in the custody of his or her parent(s), legal guardian or other current caregiver, application shall be made as soon as is practicable, but no longer than 24 hours following completion of the report of the findings of the initial assessment, to the Court under Section 12 of the Guardian and Wards Act, 1890 and Sections 6 and 22 of this Act to restrict, on an interim basis, the exercise of parental custody and to seek the temporary placement of the child in an appropriate form of alternative care, pending a final order of the Court.

19. **Procedure for applying to the Court.**—Notwithstanding the provisions of Sections10 and 11 of the Guardian and Wards Act, 1890;

(1) Any application to the Court for an interim or final Custody and Placement Order shall be made in the name of the Secretary of the Department, in accordance with the provisions of Section 4(2) of the Guardian and Wards Act, 1890 .

(2) Before making any order the Court shall:

(a) allow the parent(s), legal guardian or current carer of the child to make representations to the Court;

(b) consider the reports of, and hear evidence from, the Child Protection Officer and any other relevant parties to the proceedings;

(c) consider the interim Child Protection Plan, developed in accordance with the provisions of Section 20(4), which must be filed as part of the application ;

(d) where the child is of sufficient age and level of maturity, seek the views of the child.

(3) If the Court decides to make a Custody and Placement Order, the Court shall give reasons for its decision.

(4) A Custody and Placement Order shall only be made where the Court is satisfied that the child has suffered, is suffering, or is likely to suffer significant harm in accordance with the definition contained in Section 3(y) of this Act and that the best interests of the child require that he or she be placed in alternative care for

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a period of time to be determined by the Court, which period is to be subject to regular review by the Court.

20. **Initial assessment of significant harm.**—(1) Where a complaint of child abuse received by a Child Protection Officer informs a reasonable belief that the child is at immediate risk of, or already suffering significant harm, the Child Protection Officer shall conduct an initial assessment as soon as is practicable, but no later than 24 hours following receipt of the said report of child abuse.

(2) The Child Protection Officer shall ensure:

(a) that, in the case of sub-section (1), the information provided is acknowledged as soon as is practicable, but no later than 12 hours following receipt of the said complaint; and

(b) that a report of the findings of the initial assessment is completed by the Child Protection Officer within 24 hours of the conclusion of the said assessment.

(3) No initial assessment shall be regarded as complete unless a Child Protection Officer has:

(a) made appropriate efforts to meet with the child;

(b) heard, where possible, the views of the child in accordance with its age and level of maturity; and

(c) provided a written report of the findings in the prescribed format, including next steps, as appropriate.

(4) Where the parent(s), legal guardian(s) or caregiver(s) fail to comply with the directions of the Child Protection Officer to provide access to the child for the purpose of conducting an initial assessment of significant harm in accordance with the provisions of Section 20(1) of the Act, an application shall be made to the Court as soon as is practicable for a notice/summons/order to produce the child at such place as is to be determined by the Court for the purpose of completing the initial assessment of significant harm.

(5) Following completion of an initial assessment in accordance with sub-section (1) and in circumstances where the Child Protection Officer determines that the child is either at immediate risk of, or already suffering significant harm, the Child Protection Officer shall draft an interim Child Protection Plan, including an application to the Court for relief under Sections 6 and 18 of the Act.

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(6) Following application to the Court under Section 18 of this Act, and in circumstances where the Court determines that the child requires protection in accordance with the Act, the Court shall:

(a) make an order to restrict the exercise of parental custody and control of the child, including placement of the child in an appropriate form of alternative care, in accordance with the provisions of Section 7 of the Guardians and Wards Act, 1890;

(b) where, based on the findings of the Child Protection Officer's initial and/or comprehensive assessment, the Court determines that the child does not require protection in accordance with the Act, the child shall be returned to his family as soon as practicable.

21. **Seek and Find Order.**—Where a child is the subject of a Custody and Placement application or order under Section 20 of this Act, and the child cannot be found at any stage of the proceedings, the Child Protection Officer may make an application to the Court for the production of the child before the Court.

22. **Interim Orders.**—(1) In any proceedings to be determined by the Court under this Act, the Court may make an interim order with respect to the child concerned. An interim order made under this Section shall have effect for such period as and until a final order is made.

(2) Where the Court makes an interim order, it may give such directions (if any) as to the services or placement that the child shall receive pending the final disposal of the application.

23. **Appeal.**—Where an order has been made, including an interim order, any party to the order may appeal same within 30 days before the Gilgit-Baltistan Chief Court.

24. **Review, discharge, variation.**—(1) Where an order is in force, any party to the order may seek to apply to the same Court for review, discharge or variation of the order at any time.

(2) Where an application is made by a parent for review of a Custody and Placement Order:

(a) a parent shall first seek the leave of the Court to make such an application;

(b) leave shall be granted on the basis of a material change in family or other relevant circumstances.

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25. **Review of Protective Services and Placements.**—(1) Where on an application to the Court, a Supervision Order is made to ensure the child's access to protective services under Section 17(1) of this Act, or the child is removed from his/her parent(s), legal guardian or current caregiver under Section 20 of this Act and Section 7of the Guardian and Wards Act, 1890, the Court shall undertake a review of its order at least every six months, or subject to a material change in circumstances, whichever applies sooner.

26. **Reports to be treated as confidential.**—Any report of the Child Protection Officer shall be treated as confidential, but the substance of that report shall be open to the child, his or her parents, legal guardian or other caregiver.

27. **Prohibition of publication of names, etc., of children involved in any proceeding under this Act.**—(1) No report in any newspaper, magazine or news sheet of any assessment regarding a child made under the provisions of this Act shall disclose the name, address or any other particulars, which may lead to the identification of the child, nor shall any picture of any such child be published.

(2) The Court shall permit such disclosure for reasons to be recorded in writing, if in its opinion such disclosure is in the best interests of the child.

(3) Any person contravening the provisions of sub-section (1) shall be punishable with imprisonment for a period of six months or a fine which may extend to one hundred thousand rupees or both.

28. **Absconding of Child under protection from their placement.**—(1) If any child absconds from an alternative care placement made under the provisions of Section 20 of this Act, the person delegated to provide such care shall immediately report the matter to the local police and the Child Protection Officer and the child shall be deemed to be at risk of significant harm.

(2) A police officer may take charge, without warrant, of a child who has absconded from an alternative care placement made under the provisions of this Act.

(3) No child shall be returned to an alternative care placement without:

(a) an investigation by the Child Protection Officer to determine why the child absconded;

(b) the Child Protection Officer interviewing the child in the absence of any caregiver or staff from the said alternative care institution/residential care home;

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(c) the Court being satisfied that it is in the child's best interests to be returned to the alternative care placement or to another suitable alternative care placement.

CHAPTER VI

MISCELLANEOUS

29. **Officers appointed under the Act to be public servants.**—Child Protection Officers and other officers appointed in accordance with the relevant provisions of this Act shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860).

30. **Delegation of powers.**—Government may, by general or special order, direct that any power exercisable by it under this Act shall, in such circumstances and under such conditions, if any, as may be specified in the order, be exercisable also by an officer authorized by Government.

31. **Power and Process to Make Rules and Regulations.**—(1) The Secretary may, with approval of the Commission, make rules and regulations for effective and efficient implementation of this Act.

(2) Any rule or regulation under this Section shall be notified in the Official Gazette of the Government of Gilgit-Baltistan.

32. **Monitoring and Evaluation of Implementation.**—(1) The Commission shall evaluate the effectiveness and efficiency of this law every two years post the date of enforcement of this Law.

(2) The Secretary shall send an annual report to the Commission and same shall report to the Speaker Gilgit-Baltistan Legislative Assembly on the progress of this Law.

33. **Repeal.**—The Gilgit-Baltistan Child Protection and Welfare Act 2013 (Act No. II of 2013) is hereby repealed.

STATEMENT OF OBJECTS AND REASONS

The Gilgit-Baltistan Child Protection Response Bill 2017, prepared in compliance with Constitutional provisions and international commitments, envisages state responses for the protection of children from violence, neglect, exploitation, collectively known as child abuse.

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Ensuring the protection of children on the territory is the responsibility of the State. Section 35 of the Constitution of Islamic Republic of Pakistan 1973, states "*The state shall protect the marriage, the family, the mother and the child*". In support of this commitment, Pakistan has also ratified, *inter alia*, the UN Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Pursuant to the 18th Constitutional amendment, the subject of child protection has been devolved to the provinces/territories.

It is expedient to provide for the protection of children from all forms of physical or mental violence, injury, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse while in the care of parent(s), legal guardian(s) or any other person who has the care of the child or where the child has no person providing care.

FIDA MUHAMMAD NASHAD,
Speaker
Gilgit-Baltistan Legislative Assembly.

MIR GHAZANFAR ALI KHAN,
Governor
Gilgit-Baltistan .

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