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# LEGAL AWARENESS WATCH PAKISTAN

**JUVENILE JUSTICE NEWSLETTER**



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## **NEWS FROM RECENT PAST:**

- **LAHORE:** A trial court has declared a boy, who had been apprehended under blasphemy charges, a juvenile. The boy was initially treated as an adult by the police and jailed. His age determination was established following a petition submitted by **human rights lawyer and Director LAW**. The court ruled that the accused was a minor on the date of the alleged offence, highlighting a procedural lapse in the earlier investigation. Consequently, the court amended its charge and indictment order, instructing the prosecution to produce witnesses to expedite the trial conclusion.
- **LAHORE:** Director **LAW** held a meeting with the Commissioner on the Rights of Child (Punjab) **Ms. Tabana Sajjad Nasir** to share his insight on the implementation of Juvenile Justice Act 2018. They spoke on a plethora of issues concerning child justice and the situation of children in general in Punjab. This was the third meeting between the two this **year (2024)**.

The Commissioner appreciated the efforts of **LAW** on the capacity building of the stakeholders through awareness-raising sessions and training workshops. The two agreed upon having frequent meetings to make sure that the government and decision-making quarters do the needful for the implementation of Juvenile Justice Act 2018 which was promulgated after the **Universal Periodic on Pakistan in 2017**.



- **ISLAMABAD: Senior puisne judge of the Supreme Court Justice Syed Mansoor Ali Shah** has emphasised the need for collective efforts to create a compassionate and just system for children. He also emphasised the importance of establishing child courts across the country, stating that child justice should be a significant priority.

**LAW** considers this a significant step from the judge of the apex court of Pakistan that juvenile justice Act 2018 to be implemented across Pakistan in its letter and spirit and child friendly courts must be established giving conducive environment to children in conflict with the law and victims of child abuse under United Nations Convention on the Rights of Child.<sup>1</sup>

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**END DEPRIVATION OF THE LIBERTY OF CHILDREN ON SITUATIONS OF ARMED CONFLICT AND NATIONAL SECURITY:**

**UN TASK FORCE ON CHILDREN DEPRIVED OF LIBERTY ADVOCACY SERIES:**

**LAW** had assisted the **UN Global Study on Children Deprived of Liberty** in 2019 that estimated a minimum of **35,000** children worldwide were deprived of their liberty in the context of armed conflict.<sup>2</sup> And at least 1,500 children were detained in the context of national security in countries without armed conflict on their territory.<sup>3</sup>

**The UN Global Study** also found that the lives of children deprived of liberty in situations of armed conflict and national security are marked by discrimination and violence. For example, while there are more boys than girls deprived of liberty in contexts of armed conflict and national security,<sup>4</sup> girls deprived of their liberty in these situations are at heightened risk of sexual violence.<sup>5</sup> Discrimination for religious beliefs, gender identity, nationality or ethnicity or belonging to a minority group has also led to deprivation of liberty in armed conflict and national security situations.

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<sup>1</sup> [https://epaper.dawn.com/DetailNews.php?StoryText=08\\_12\\_2024\\_001\\_005](https://epaper.dawn.com/DetailNews.php?StoryText=08_12_2024_001_005)

<sup>2</sup> A/74/136, paragraph 68, UN Global Study on children deprived of liberty (2019). The majority of these, an estimated 29,000 children, are deprived of liberty in closed camps and other facilities in the northeast of the Syrian Arab Republic.

<sup>3</sup> A/74/136, paragraph 72, UN Global Study on children deprived of liberty (2019).

<sup>4</sup> A/74/136 paragraph 35.

<sup>5</sup> [Chapter 13 - Children deprived of liberty in the context of armed conflict · ONLINE VERSION - UN Global Study on Children Deprived of Liberty · Omnibook](#)

While conducting advocacy across Pakistan particularly in Punjab and Sindh **LAW** had received numerous recommendations particularly that “*where there is compelling evidence of primary responsibility of a child for offenses, including serious offenses, States should:*”

- *Prioritize diversion, restorative justice and family and community-based alternatives to detention that focus on recovery and reintegration.*<sup>6</sup>
- *Explicitly state that cases involving children, including those involving national security or counter terrorism charges must be dealt with by the child justice system or where there are none, civilian courts where personnel have been trained in child friendly processes with due process and all safeguards described by the UN Task Force in its Advocacy brief on children deprived of liberty in the administration of justice.”*

**Thank you,**



**(Sarmad Ali)**

**Advocate High Court**

**LL.M. (U.K.)**

**Director LAW**

**National Convenor of Juvenile Justice Advocacy  
Network Pakistan (JJANP)**

**Dated: 10<sup>th</sup> December 2024.**

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<sup>6</sup> United Nations General Assembly resolution 69/194 entitled “[United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice](#)”, specifically paragraphs 6, 7 and 31. Similar agreed language is included into General Assembly Resolutions A/Res/75/185 paragraphs 19 and 27; A/Res/76/147 16 paragraph 32; A/Res/77/219 paragraph 27. All General Assembly Resolutions are available here [79th Session \(2024-2025\) - UN General Assembly Resolutions Tables - Research Guides at United Nations Dag Hammarskjöld Library](#). See also General Comment No. 24 (2019), para 112.

**Note:** *This newsletter has not been professionally edited.*