

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON HUMAN RIGHTS ON THE ZAINAB ALERT, RESPONSE AND RECOVERY BILL, 2019

I, the Chairman of Standing Committee on Human Rights have the honour to present this report to make provisions for raising alert, response and recovery of missing and abducted children ["The Zainab Alert, Response and Recovery Bill, 2019"] (Government Bill) referred to the Committee on 24th April, 2019.

2. The Committee comprises of the following:-

1)	Mr. Bilawal Bhutto Zardari	Chairman
2)	Ms. Ghulam Bibi	Member
3)	Mr. Saif-ur-Rehman	Member
4)	Mr. Attaullah	Member
5)	Ms. Kishwer Zehra	Member
6)	Ms. Ghazala Saifi	Member
7)	Ms. Rukhsana Naveed	Member
8)	Ms. Zille Huma	Member
9)	Ms. Fouzia Behram	Member
10)	Ms. Tashfeen Safdar	Member
11)	Ms. Shunila Ruth	Member
12)	Agha Hassan Baloch	Member
13)	Ms. Shaista Pervaiz	Member
14)	Mr. Mohsin Dawar	Member
15)	Mr. Abdul Rehman Khan Kanju	Member
16)	Ms. Zaib Jaffar	Member
17)	Ms. Shaza Fatima Khawaja	Member
18)	Shazia Marri	Member
19)	Dr. Mahreen Razzaq Bhutto	Member
20)	Mr. James Iqbal	Member
21)	Dr. Shireen M. Mazari Minister for Human Rights	<i>Ex-Officio</i> Member

3. The Committee considered the Bill as introduced in the Assembly placed at **Annexure-A**, in its meetings held 20th and 29th May, 2019, 12th, 13th, 18th and 19th June, 2019, 8th August, 2019, 7th October, 2019 and 20th December, 2019. The Committee made the following amendments therein:-

(1)

Preamble

In preamble, paragraph (4), shall be substituted with the following, namely:-

“ AND WHEREAS it is a matter of national concern that children under the age of eighteen years, who are abducted, are at high risk of violence, exploitation, abuse, trafficking, rape or death. It is thus essential to legislate providing for an institutional response at the level of such areas in the Federation as are not included in any Province, complementing the functions of the Islamabad Capital Territory Child Protection Act, 2018(XXI of 2018);”

(2)

Clause 2

Clause 2, shall be substituted with the following, namely:-

“2. **Definitions.** - In this Act, unless there is anything repugnant in the subject or context,-

- (a) “**Act**” means the Zainab Alert, Response and Recovery Act 2019;
- (b) “**alert**” means any notification raised by ZARRA after receiving any information or complaint about missing children on any media;
- (c) “**alert system**” means an alert system established under this Act;
- (d) “**abduction**” means,-
 - (i) whoever by will or force, threat, violence, coercion or by any deceitful means induces any child under eighteen years of age to move from one place to another and includes kidnapping as defined in the Pakistan Penal Code 1860 (Act XLV of 1860); or
 - (ii) whoever has un-lawful custody of a minor or removing a child from the custody of his parents or lawful guardianship;
- (e) “**abductor**” means a person, a group of persons or an organization who kidnaps, traffics or abducts a child;
- (f) “**Board**” means the ICT Child Protection Advisory Board established under the Islamabad Capital Territory Child Protection Act, 2018 (XXI of 2018);
- (g) “**child**” means anyone who has not attained the age of eighteen years at the time of commission of an offence or when reported to be missing or abducted;
- (h) “**Code**” means the Code of Criminal Procedure, 1898 (Act V of 1898);
- (i) “**Government**” means the Federal Government of the Islamic Republic of Pakistan
- (j) “**missing child**” means any child for whom a complaint is lodged with the police or in respect of whom information is given to any ZARRA office or any other relevant authority assigned under this Act as missing because his whereabouts are not known to his parents or legal guardians or is a runaway child regardless of circumstances and causes of disappearance or time elapsed since the child went missing;
- (k) “**organization**” means any group, combination or body of persons acting under a distinctive name;
- (l) “**rape**” means any forcible and non-forcible sexual conduct with a child by another person;
- (m) “**recovery**” means all those required actions that may include, but not limited to search, investigation, forensics, coordination and dispatch of specially trained teams to rescue, recover, to provide psycho-social support and bring the missing or abducted child to safety;

- (n) “**response**” means all those actions that must be taken by the ZARRA office, police, local government, telecommunication companies, state and privately-owned media channels, airports, railway stations, highway authorities, missing child response and recovery teams or any other organization or individual that is assigned a task under this Act; and
- (o) “**ZARRA**” means Zainab Alert, Response and Recovery Agency established under this Act of Missing and Abducted Children;

3)

Clause 3

In clause 3,-

- i) Sub-clause (2), shall be substituted with the following, namely:-

“(2) The ZARRA shall consist of a Director General who shall be appointed by the Prime Minister in such manner and in such terms and conditions as may be prescribed by rules and such other officers and employees who shall be appointed by such authorities in such manner and on such terms and conditions as may be prescribed by rules.”

- ii) Sub-clause (3), shall be substituted with the following, namely:-

“(3) The management staff of ZARRA shall be suitably equipped with skills of managing databases, conducting planning and monitoring of programs, analyzing data, preparing reports and coordinating with all other offices. The qualifications and experience of staff for their appointment shall be prescribed by rules.”

- iii) Sub-clause (5), shall be substituted with the following, namely:-

“(5) The ZARRA shall work closely with the helpline 1099 or such other helpline operating under the mandate of the Division concerned. In this regard, the helpline shall forward complaints relevant to the mandate of ZARRA, which shall be acted upon in partnership between the ZARRA and the National Commission on the Rights of the Child (NCRC) established under the National Commission on the Rights of Child Act, 2017 (XXX II of 2017).”

4)

Clause 4

In clause 4,-

- i) Sub-clause (1), shall be substituted with following, namely:-

“(1) The superintendence of the ZARRA shall vest with the ICT Child Protection Advisory Board.”

- ii) Sub-clause (2), shall be substituted with following, namely:-

“(2) The administration of the ZARRA shall vest in the Director General.”

5)

Clause 5

In clause 5,-

- i) After the word “ZARRA” the expression, “that shall be performed under the administration of the Director General”, shall be inserted:-

- ii) Paragraph (b), shall be substituted with the following namely:-