



National Commission on the Status of Women (NCSW)

ANNUAL REPORT

March 2010 To March 2012



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NCSW

National Commission on the Status of Women (NCSW)

House #39 , Street#56 , Sector F-6/4, Islamabad, Pakistan 44000.

Phone / Fax+92 51 9224875, +92 51 6209885, +92 51 2873184, +92 51 9224877

Web: www.ncsw.gov.pk, **Email:** info@ncsw.gov.pk

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Vision Statement

A democratic society based on justice for all citizens irrespective of sex, race, religious beliefs, geography and ethnic differences; where diversity is celebrated and peace reigns; where women can participate equally in decisions regarding the family, the state and international affairs; where women are empowered as persons and as citizens; and can lead a life free from violence and exploitation.

Mission Statement

To promote and protect gender equality and women's empowerment; continuously monitor the legal, social and economic rights of women; facilitate and advocate for necessary legal, administrative and institutional measures for ensuring women's rights; ensure full compliance of international agreements and conventions, in particular CEDAW and its general observations.

Brief introduction about the Commission

The National Commission on the Status of Women is a statutory body, mandated for the promotion of social, economic, political and legal rights of women, as provided in the Constitution of the Islamic Republic of Pakistan and in accordance with international declarations, Conventions, Treaties, Covenants and Agreements relating to women, including the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).



Foreword

The National Commission on the Status of Women has come of age. The journey which started with the creation of the Commission through an Ordinance in the year 2000 culminated on 8th March, 2012, with the signing of the Act granting it autonomy by the President of Pakistan.

Sustained and unflagging resistance and struggle by the women of the country since 1981 caused the establishment of the National Commission on the Status of Women in the year 2000. The Beijing Conference in 1995 and signing of CEDAW by the then Prime Minister Mohtrama Benazir Bhutto (Shaheed) had provided the impetus. The NCSW would act as the conscience of the government from the women's perspective, mandated to review and analyze laws and policies and to recommend amendments accordingly. For more than eight years NCSW tried, without an independent secretariat, technical staff or strong political will on the part of the government in power, to make a space for the women of Pakistan – but without much success in this regard.

The commitment of the political leadership that came to power in 2008 to the cause of women manifested itself when more women were inducted in governance structures in key positions. The appointment of Dr. Fehmida Mirza as Speaker, National Assembly, proved to be a watershed in the struggle for women's rights. The new Commission was notified on March 09, 2009. Its strong linkages with CSOs as well as with the Women's Parliamentary Caucus provided the right blend for furthering the women's agenda at highest level. Consequently, in the last three years, the Commission was not only able to play a pivotal role in furthering women-friendly of legislation and policies, but also to bring about changes in its own governing law that grant administrative and financial autonomy along with the right to initiate inquiries in cases of violations of women's rights. In consequence of its performance during its tenure the Commission today enjoys the trust of the Government, international agencies, women's organizations and civil society in general. This level of trust has been achieved by the involvement and commitment of its members and staff beyond the call of duty.

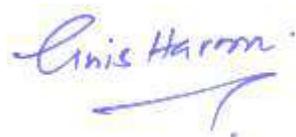
Besides providing technical support for women-friendly legislation through the NCSW Legal Committee, the Commission was constantly engaged in lobbying and advocacy in matters concerning the legal, social and economic rights of women. Throughout its three year tenure support from the Government and, in particular, from the Women's Parliamentary Caucus enabled the Commission to play a meaningful role in furthering the women's agenda and meeting its mandate. 12th February, that marks the lathi charge on peaceful women demonstrators by the military regime of the dictator Ziaul Haq in 1983, was recognized by the Government as 'National Women's Day' and has been commemorated each year since 2009 by the

Commission as a tribute to women's resistance. The Prime Minister also declared 15th October as 'Rural Women's Day', and December 22nd as 'Working Women's Day'.

I joined the Commission in March 2009. The foremost responsibility, as I saw it, was to make the Commission autonomous so that it could function as an effective body. Today we have achieved that goal. The journey was long and difficult, but limitation of resources and obstacles could not hamper our determination. The present report is an attempt to reflect and record the Commission's untiring efforts during its short but eventful tenure.

I feel greatly indebted to my Executive Committee, Law Committee, Research Committee, and the National Implementation Watch Committee for their invaluable contribution and consistent guidance. My special thanks to Justice ® Majida Razvi and Justice ® Kailash Nath Kohli for their untiring voluntary support to the Commission.

My tenure and that of the present Members ends on 25th March, 2012. I hope that the New Commission that is appointed, armed as it will be with autonomy and teeth, will take the mission and vision of the Commission further forward towards our common goal.



Ms. Anis Haroon

Chairperson

Brief profiles of NCSW Members

Anis Haroon, a well-known women's rights activist, is currently serving as Chairperson of NCSW. After completing a Masters in International Relations and LLB from Karachi University, she started her career as teacher at the undergraduate level in 1969-70 after which she joined Akhbar-e-Khawateen in 1970 as Assistant Editor. Thereafter, Ms. Haroon was selected by the United Nations to attend the International Family Planning Conference in Bucharest, Romania in 1974. She also represented Pakistan at the RCD Journalist's Conference in Ankara in 1976.

She continued her career in journalism as Reporter/Feature writer in "The Leader" Karachi (1978-79). Ms Haroon also worked on women awareness programs since 1979 to date. She has been writing articles on Women's Rights, Legal, Social and Political Issues from 1985. Ms Anis Haroon joined the Aurat Foundation as Resident Director, where she played a key role in providing relief to the victims of violence, particularly in cases that involved taking drastic measures to save the lives of women threatened under Karo-Kari, such as Shaista Almani and several others. Her life mission is to end violence against women. Her main areas of interest are peace, women in conflict situations and political empowerment of women.

She is one of the founding members of Women's Action Forum in 1981, Pak- India People's Forum for Peace and Democracy in 1994. She has been the Secretary General of the Pakistan Chapter of Lawyers Association. She has been the President and board member of Aurat Foundation since 1994. Ms Anis Haroon is also a member of Human Rights Commission and PWLA since 1986.

Jami Chandio, member NCSW, is a respected writer, scholar, and activist. He is Executive Director of the Center for Peace and Civil Society (CPCS), a think tank based in Sindh. He edits CPCS' quarterly journal *Freedom* and oversees policy dialogues and research programs that target civil society, especially young writers, journalists and academia. Mr. Chandio is the former editor in-charge of *Ibrat*, Pakistan's largest Sindh-language daily newspaper, a former anchor on Sindh TV and KTN, and former chair of the Liberal Forum of Pakistan. A two-time winner of the All Pakistan Newspapers Society Award (in 2000 and 2001), he has authored more than a dozen books in Sindhi, Urdu, and English on literature, and political dynamics of Sindh province.

He represented South Asia as a political expert in an international CALD-ALDE conference in European Parliament-Brussels in 2004. He is an alumni of various regional and international policy think tanks, like 'Regional Center for Strategic Studies-Colombo' (RCSS), 'Wilton Park-UK', and 'International Academy for Leadership-Germany' (IAF) 'United States Institute of Peace' (USIP) Washington DC and 'International forum for Democratic Studies', 'National Endowment for Democracy' (NED). He is member of 'Network of Democracy Research Institutes' (NDRI), the world's largest network of democracy research institutes. His interests include Politics, Pure Literature and Philosophy.

Khawar Mumtaz, member NCSW, is currently the CEO of social service organization Shirkat Gah. Khawar Mumtaz is a feminist social activist. After completion of Masters in International Relations from the University of Karachi, she started her career in the Political Science Department of the Punjab University and then worked as Senior Research Fellow in the Centre for South Asian Studies of the University until 1983.

After a short stint as a journalist, she joined Shirkat Gah, a leading women's rights organization, initially as a Coordinator (1988-2006). Currently she is its CEO (2009 onwards). Khawar Mumtaz has a number of research-based publications to her name, including the co-authored book, *Women of Pakistan: Two Steps*

Forward, One Step Back. that received the Prime Minister's Award in 1989; *Internal Conflicts in South Asia* (co-edited), *Women in Pakistan's Legislatures* (based on primary research), *ICPD Ten Years on* that assesses, the implementation of the Cairo Conference recommendations in Pakistan among many others .

Misbah Momin is currently the Editor of Good Times (GT) magazine, a leading social magazine and heads the Zindagi Trust, Lahore region (an NGO educating underprivileged children). Her expertise is in the area of **women's empowerment**, supporting education for the underprivileged, organizing fund raising. More recently, she has started working on poverty alleviation by addressing the problems faced by rural women and working for the welfare of women prisoners.

Guided by the belief that women are the pillars of strength for a more progressive society, Misbah has been working for women's empowerment through her magazine which highlights the women of Pakistan involved in various professional fields and how they have helped in evolving a brighter future for women. Ms. Momin brings to her work valuable experience of communication and creative skills related to her affiliation with Bonds Travel Bureau, Flying Tissues, CARE Foundation and free-lance writing on social issues.

Nasreen Azhar is a widely known women's rights and human rights activist. She completed her Bachelors in Sociology in 1958 and has been associated with the women's movement since 1981. She is a founder member of Women's Action Forum and a member of the Human Rights Commission of Pakistan since its inception. She has wide-ranging work experience in journalism, adult literacy, research and rights-based social development. She has worked with several rights-based non-governmental organizations and served in a managerial capacity with an international NGO. In addition to her responsibilities as Member NCSW, Ms Azhar works as a consultant.

Noor-ul-Ain-Jan Baigal, member NCSW, has done Masters of Arts, Peace, Conflict and Justice & Masters in Arts and Sociology. She started her professional career as women coordinator in Agha Khan Rural Support Program (1985-1990). She joined UNDP as Social Organizer (1994-1995). After that, she joined Agha Khan Rural Support Program and worked as Regional Coordinator and Community Mobilizer (2000-2003), Senior Social Organizer (2004-2005). Gender Development Coordinator (2005- 2006) and Acting GM NA Legislative Council (2006).

Romana Tanvir, member NCSW, is Director Maqbool Textile Mills Ltd. and Mehmooda Maqbool Mills Ltd. She has done F. A (Board of Intermediate & Secondary Education Multan) 1982. She is Convener of Multan Chamber of Commerce & Industry, Standing Committee on Social welfare and a member of ECO-Chamber of Commerce & Industry, Committee of Women Entrepreneurs, SOS children village Multan, Behbood Foundation Multan , All Pakistan Women Association Multan and Friends of Children Society, Lahore.

Bushra Zulqarnain, member NCSW, has done a Masters in Mass Communications and has been working for poverty alleviation in Azad and Jammu Kashmir. Her efforts have primarily been in the domain of women empowerment so that women from AJK may receive adequate representation on the national level, with an emphasis on education, technical skills and political participation.

Charmaine Hidayatullah, member NCSW, practiced law after completing her LLM from Karachi University. She has held a number of important positions: Executive Vice President of First Women's Bank; Honorary Vice President; All Pakistan Women's association of United Nations affairs; Member of Board of Director; National Institutional Facilitation Technology; Vice President, Media Women Organization; Member, Board of Trustees, Health Education and Literacy Project; and Member Board of Governors on Finance and Planning Committee of Jinnah University for Women. Professionally, Ms. Hidayatullah has

been a practicing lawyer since 1983. Furthermore, she has been awarded Certificate of Excellence by the President FWBL, Best Executive Award 2003, Certificate of Excellence as Star Women in 1994 and Star Women Award 1996 in the field of law by South Asian Publications.

Rukhsana Ahmed Ali, member NCSW, has worked as a social/ political worker in Balochistan for over thirty years. Ms. Ali's focus has been on spreading education among the general masses, particularly women. She has singularly strived against the Girl Child taboo in her region. She has served as General Secretary, PPP, has participated in the 'Nai Roshni Project' and has been elected to the Union Council twice.

Dr. Fauzia Saeed, member NCSW, has over twenty years of experience as Senior Manager, NGO Leader and Technical Expert on women and human rights. She pioneered the first country gender strategy for UNDP and has created numerous NGOs focused on human rights, gender and youth issues. She is recognized as one of the prominent social leaders in Pakistan. Whilst serving as Country Director for Action Aid Pakistan, she was also the South Asia leader on gender, setting the AA regional strategy and linking with other regional networks and organizations. She has also conducted gender sensitivity and mainstreaming trainings for a wide range of audiences in USA, Afghanistan, Pakistan, Philippines, Cambodia, Bahamas and Pacific Islands. Ms. Saeed's Oxford Press book has been translated into English, Urdu, Hindi and Marathi.

Justice (R) Kailash Nath Kohli, member NCSW, completed his LLB and has vast experience of over 20 years in law. After serving as advocate in High and Supreme Courts, he was appointed Deputy Attorney General for Pakistan from 2000- 2004. Thereafter, he was elevated to Judge of the High Court of Balochistan in 2004. Justice (R) Kohli retired in 2009 and joined the Bar as advocate. He has also served as Chairman Environment Tribunal for Pakistan from 2000-2004.

Roshan Kursheed Barucha, member NCSW, has extensive experience and expertise in development of social strategies, provision of basic health and hygiene education, literacy and empowering women and youth through training and networking. She has also held public office in a number of positions: Caretaker Minister Balochistan; Member Senate; Member Standing Committee on Health, Sports, Culture, Tourism and Youth Affairs, Education Science and Technology; and Member Senate Functional Committee on Government Assurance. Ms. Barucha's portfolio includes Social Welfare; Information Dissemination and Education; Human Rights; Youth; Population; Information Technology; Manpower; Sports; and Culture.

Mohammadi Khalid Khan Umarzai: Member from Khyber Pakhtunkhwa, is a graduate in Education, which she completed in 1984. She has been an active political and social worker as a member of the Pakistan Peoples party, and a volunteer with welfare organizations, such as the Lion's Club, providing relief to those in need. Her work in the field has enabled her to gain knowledge and awareness of issues confronting women in her area.

Rashda Anwar is a civil rights activist. She has done Masters in English Literature & Linguistics. She has taught literature & linguistics at graduate level. Her 2nd degree is in design and graphics. By profession she is an Interior Designer. Ms. Anwar runs a company under the name of 'The Design Group'. She has been raising her voice against the injustices and anomalies prevailing in society & has demonstrated a strong commitment to resolve the burning issues faced by our society and the common man e.g. education at grassroot level, health, protection of environment and overhauling of our judicial system.

Overview of 2010-2012

Critical Issues

Generally speaking, the past three years have not been all smooth sailing. During the entire three year tenure that the present members have held office there has been political instability in the country, and the economy has been under stress. To add to the difficulties, the limitations imposed by the 2000 Ordinance that had established the National Commission on the Status of Women, and bureaucratic hurdles combined to make the institution quite powerless. A constant battle had to be fought to accomplish the smallest task. Under the circumstances, we can look back with considerable satisfaction with what was accomplished in this period.

In March 2009, when the present Chairperson and members assumed charge, women in Swat were undergoing the worst kind of oppression. All manner of restrictions on how they conducted themselves and lived their lives were being imposed on them. They were stopped from working and forcibly confined to the house on pain of death; pulled out of public transport and threatened with whipping if they were not wearing the prescribed blue *burqa*; and publicly executed for daring to sing or dance. Children too were traumatized by the public slaughter and bloodshed that they witnessed daily, and by the loss of fathers and brothers. As the entire population of Swat and adjoining areas was terrorized into silence, the rest of the country was being rocked by daily bomb blasts and suicide attacks.

The new members of the Commission had just joined when the images of a young woman being flogged as she was held to the ground by four men, were flashed across the country by TV channels. Public conscience was shocked and horrified. Chairperson NCSW Anis Haroon immediately called a press conference and strongly condemned the atrocity, demanding that the perpetrators must be punished without further delay.

In May that year the democratic government decided to take firm action against the militants, a decision that had been delayed for much too long. Three years later, after many soldiers and civilians have lost their lives and thousands of local people displaced, life in Swat is returning to normal. But though militancy has abated, it still remains a serious threat, particularly in Khyber Pakhtunkhwa. A matter of grave concern, particularly for women, is the coercive and aggressive religious extremism that has come to permeate different layers of society as a consequence of a systematic and well-funded political agenda.

In response, the first major activity that the Commission undertook was to organize a national conference of women academics, legislators and activists to raise awareness on causes of religious extremism and its implications for women. And throughout its tenure religious extremism and the consequent violations of the rights of women and religious minorities have remained an area of concern for the Commission.

Other important issues that guided programs and strategies also claimed attention during these three years. The summers of 2010 and 2011 witnessed massive floods in the country, causing millions of poor people to lose whatever little they had. As was to be expected, the worst affected were the women and children. The Commission organized consultations with government and non-government service providers to focus on needs of women, coordinate relief and rehabilitation work and offer recommendations.

In April 2010 the 18th Constitutional Amendment was passed. It ruled that the Federal Government would retain only a few subjects while the rest would be devolved to the provinces. The Commission took upon itself the task to study the implications for women under the new dispensation; and to reformulate its

strategies in the light of the new arrangement. In the national conference that was organized representatives of the Implementation Committee explained the process of devolution and the changes that were being made in governance structures. Since the Ministry of Women's Development, which had been mandated to provide secretarial support to the NCSW under the 2000 Ordinance was also devolved, the responsibility for secretarial support was transferred to the Ministry of Human Rights.

Shocking cases of violence against women continued to be reported throughout this period. NCSW responded to several incidents by undertaking fact-finding visits, arranging for legal aid, and lobbying policy makers and law enforcing agencies to provide redress and ensure that the perpetrators were punished. Social practices and institutional mechanisms that directly relate to violence against women were examined in at least three research studies, i.e. the researches on parallel legal systems, women's crisis centers, and gaps and weaknesses in police response to violence.

The past three years also witnessed a major transformation in the attitude of legislators towards women's rights. The cross-party Women's Parliamentary Caucus, supported by NCSW and women's rights activists, succeeded in pushing through no less than six pro-women Bills. In fact, the coalition government led by the Pakistan Peoples Party proved to be the most progressive government in Pakistan's history, as even Private Members Bills were passed unanimously with the full support of the Federal Government. It is hard to imagine that only a decade earlier senators had refused to condemn the murder of a young woman, shot in her lawyer's office by her uncle because she sought to free herself from an unhappy marriage, claiming that she had violated family 'honour' and tribal custom.

In spite of all the difficulties no less than six laws are passed: The Anti Sexual Harassment Act, Anti Women Practices Act, Acid Crimes and Control Act, Women in Distress and Detention Fund, National Commission on Status of Women Act and the Domestic Violence Bill passed by the Senate.

NCSW was closely involved in the legislative process. Its Law Committee volunteered its expertise to review drafts of proposed laws referred by the Women's Parliamentary Caucus or civil society organizations, and drafted new laws where needed, such as marriage and divorce laws for Christian and Hindu women. And members interacted with lawmakers and supported efforts by human rights activists in lobbying legislators.

The NCSW Implementation Watch Committee formed in accordance with instructions from the Prime Minister to ensure full support in getting the Protection Against Harassment of Women at The Workplace Act 2010 implemented, also proved to be a great success. In two years it managed to get 2000 Government and private organizations to comply with the Law.

For the Commission as an institution, perhaps the most critical issue, and one that demanded determined efforts throughout the three year period, was the struggle to achieve a financially and administratively autonomous status for NSCW so that it could effectively fulfill its mandate of monitoring government policies and laws. Ever since it came into being in 2000 the Commission had been hamstrung by bureaucratic delays and hurdles in day to day administration and program activities. The MoWD insisted on looking upon the Commission as one of its projects. If it did not agree with some recommendation or report, it withheld or opposed it when submitting it for further action. Although NCSW's efforts to attain autonomy were expressly supported by the Government and the Women's Parliamentary Caucus, and Prime Minister Syed Yusuf Raza Gilani had directed that the Commission should be made administratively and financially independent, efforts to prepare a Bill, get it approved by various Ministries and present it before parliament were delayed and thwarted at every step. Happily the political will demonstrated by the

Government and women members of parliament, and tireless efforts of NCSW members won the day, and the National Commission on the Status of Women Bill 2012 was finally signed into law by the President of Pakistan on 8th March 2012.

Contribution of Legislation to Improving the Status of Women

Though much skepticism is expressed concerning the recently passed pro-women laws, and the importance of laws in general, with some saying that offences against women were already adequately covered in the Criminal Procedure Code, and that there was no need for separate laws, and that the emphasis should be on implementation and not on more laws. But women have always been quite clear in their minds that separate women focused laws are essential if women are to get justice. The PPC and CrPC have been around from the beginning, but the special needs of women have not been addressed, and violence against them has continued unabated. Hence, special laws that focus on women and the forms of violence that they are subjected to are necessary. Even at the international level, the UN Declaration on Human Rights was adopted in 1948 but UN conventions, covenants and treaties remained largely gender blind until the Convention on All Forms of Discrimination against Women (CEDAW) was launched in 1979.

Women focused laws draw the attention of police, lawyers, judges and society to the violence and transgressions that women have to face, they empower women to take legal action; and assert that violence against women will not be tolerated by the State.

It is undeniable that implementation is poor. The inefficiency and lack of training of the police, patriarchal attitudes of some members of the judiciary and interference from influential persons in the judicial process are major problems that still need to be addressed. Nevertheless, positive legislation and the standards it lays down for society is perhaps the most important element in establishing a just society.

Women's Empowerment

There are several indicators that suggest that women today are relatively more empowered than they were some years ago. At the national level, the Women's Parliamentary Caucus exerts considerable influence in raising human rights issues and pushing for pro-women legislation. And locally, the local government elections clearly demonstrated that women, even in remote rural areas, were capable of entering decision making forums and organizing and working for the welfare of their communities. In fact, at every level women have become more aware of their rights and are asserting their right to live as autonomous and empowered citizens.

But major impediments still remain – the greatest of them being a deep rooted patriarchy as manifested in the feudal and/or tribal mindset of people in positions of authority that women have endured for many centuries; and the more recent phenomenon of religious extremism, which is also, in the end, an extreme reflection of patriarchy, as witnessed in the attitude of the *taliban* towards women and girls. The contradiction is that while feudal and tribal norms are now being increasingly challenged by women and their families, they continue to re-emerge in succeeding generations. The reason being, of course, that those benefiting from the system are reluctant to let go of their power and privileges. Thus, you have the phenomenon of sons educated in the best universities abroad returning home to adopt the same feudal practices followed by their fathers and grandfathers. Thus *jirgas* and *panchayats*, though declared illegal by law, are still held and continue to dispense injustice to women and the poor, and archaic customary practices continue to inflict violence on women. The State, which is increasingly pressured by market forces to privatize public services, such as health and education, has been unable to deliver social justice to its citizens and provide an alternative viable justice system that is accessible to women and the poor.

Religious extremism, which, as has been well documented, was generated by cold war politics and the flawed policies of military dictators, has led to the spread of an overt religiosity in society, especially in the middle class, and an absence of rationality, and intolerance towards non-Muslim citizens and those who might have a different world view.

On the positive side, affirmative action by the State in response to a robust women's movement has been crucial in advancing women's empowerment, in spite of the formidable odds. The political will of the present Government and support from parliamentarians, especially the WPC, backed by persistent lobbying and advocacy by human rights activists over three decades have taken the nation to a stage where no political party can afford to ignore women's rights – barring the religion based parties whose electoral strength remains negligible.

The substantial gains that have been made should be followed up by firm action by the Government and representative political parties against those of their members who allow and support anti-women practices and protect perpetrators in their local fiefdoms. There must be no tolerance for politicians, feudals and tribals who permit or condone crimes against women in their constituencies and areas of influence. Women's participation in politics should be strengthened by giving them adequate representation on decision making bodies and when allocating tickets for elections so that more women can be elected directly.

At the level of governance, the criminal justice system must be strengthened, personnel trained and mechanisms be put in place to ensure efficient implementation of laws. And, perhaps most importantly, an alternate religious discourse that promotes tolerance for diversity and is in harmony with international human rights standards must be encouraged. It is time to put an end to intimidation in the name of religion and appeasement of religious extremists at the cost of women.

As regards the NCSW, the Criminal Laws (Honour Killings) Amendment Act 2004, the Hudood Ordinance, the Qisas and Diyat Law, the Child Marriage Restraint Act, the Law of Evidence, the Blasphemy Law and several other laws are in need of immediate review. Also, after the passage of the 18th Constitutional Amendment members will need to work more closely with Provincial Governments and members of civil society based in the provinces. All legislation, other than criminal law, which remains the responsibility of the Federal Government, will now be initiated at the provincial level. NCSW will have to ensure that common standards are maintained and international commitments are met.

Key Activities

Three Year Strategic Plan

Based on recommendations emerging in review of laws and research studies, the NCSW designed a three years strategic plan. Several researches were commissioned and campaigns launched at the national as well as provincial level keeping in view the needs and concerns of stakeholders. It was envisaged that after the passage of 18th Constitutional Amendment more focus would have to be given to provision of technical guidance to provincial governments with concerning legislation and policies for women.

The Strategic Plan builds on work that was done over the past two years. It identifies priority areas that need to be resolved on an immediate basis and highlights issues identified through research and consultations.

The Three Year Strategic Plan focuses on the following components:

- Programmatic and Operational Capacity
- Research Efforts
- Advocacy and Campaigns, especially for social protection in the context of flood relief and to curb religious extremism
- Advisory and Monitoring role for the separation of powers and legislative watch 2010-2012
- Assessment of shelters/crisis centers and Gender Crimes Cell
- Assessment of police reporting, investigation mechanisms, political interference and security of victims from police and victim's perspective
- Assessment of capacities of Women Development Departments in the provinces
- Assessment of disaster management institutions and development of gender responsive preparedness plans

NCSW Meetings

As per clause 12 (1) of the NCSW Act 2011, meetings were held on a quarterly basis.

40th Meeting of NCSW: 28th and 29th April, 2010

The Meeting was held at the NCSW office, Islamabad, under the chairpersonship of Ms Anis Haroon. The Chairperson and members discussed the recently held meeting of international Commissions on the Status of Women in New York, which was attended by the Chairperson and three members of the Commission. The Executive Committee updated participants regarding new developments and events, and views were shared about the current situation regarding women's rights. It was decided that a Regional Conference would be organized on the subject of Peace. The Chairperson suggested that in order to move forward in a systematic manner, members should sit together and draw up a



comprehensive strategic plan for the next two years.

Decisions:- The NCSW will endeavor that the women's perspective is included in any negotiations that may be held with the Taliban in Afghanistan; The Commission will celebrate National Women's Day on 12th February, which will be celebrated for the first time on an official level, jointly with the MoWD and the Women's Parliamentary Caucus; Recommendations presented by Ms Chairmaine Hidayatullah on the Qisas and Dyat laws were to be forwarded to Dr.Nasira Javed Iqbal; Mr Jami Chandio will follow-up the case of Shazia Abro.

As regards the strengthening of NCSW, it was decided that a Drawing and Disbursement Officer should be provided by MoWD; and the proposed amendments to the NCSW Ordinance 2000 would be vigorously pursued. Also, the Commission will request the Ministry of Interior and the Police Protection Bureau to establish anti *karo kari* cells in all provinces, AJK and Gilgit-Baltistan. It was resolved that participation in international events should be decided well before time to allow for travel arrangements and proper briefing of delegates by the Foreign Office should be ensured.

Ms Khawar Mumtaz stressed that the mandate of the Commission should be kept in mind when acting on individual cases of violence against women, as the Commission is an advisory body and not an implementing agency.

Justice (Retd.) Kailash Nath Kohli proposed legislation for Hindu women on marriage, divorce and inheritance, as presently these issues are not covered under any existing law. The Chairperson further proposed sharing a document on the Child Marriage Restraint Act with members before finalizing and forwarding to the Women's Parliamentary Caucus. Other suggestions were that the NCSW should propose that one woman member should be nominated from Islamabad; and US funding could only be accepted if no conditions are attached, and after approval by the Economic Affairs Division.

Members agreed to hold a roundtable consultation on the 18th Amendment immediately, and unanimously condemned the incidents of target killing in Balochistan, especially that of a woman educationist, and decided to issue a press release on the issue. Finally, it was decided that the Commission will request the AGPR to appoint an auditor to audit the Commission's accounts for the past year.

41st Meeting of NCSW: 15th and 16th October, 2010

Following main decisions were made in the meeting.

- A letter may be sent to the Prime Minister for a meeting with Commission members.
- The Commission should look into the possibility of opening an account in the name of National Commission on the Status of Women.
- A meeting will be arranged with the Secretary Finance to discuss the issue of amendments to the NCSW Ordinance and administrative and financial autonomy for the Commission.
- A committee of Commission members may be formed to suggest amendments in the Criminal Procedure Code (CrPC) and Pakistan Penal Code (PPC)



regarding acid burning crimes and incest. Representatives of ministries of Interior and Law and Justice may be invited to the meetings.

- Law and Justice Commission to be reminded that the Citizenship Act is pending in court since long. Ask that the stay order be vacated.
- Comparative review of Inheritance laws and Blasphemy law should be undertaken.
- Local Government Ordinance to be studied, improvements to be suggested, and loopholes identified
- Consider campaign/ other actions to repeal Qisas and Diyat Laws.
- Continue to focus on rights of women in 18th Amendment

42nd Meeting of NCSW: 21st December, 2010

Regarding follow up on decisions made in previous meeting, the Chairperson said that, the Prime Minister had announced administrative and financial autonomy for the Commission on March 8, 2010, but there was no tangible progress so far. Amendments to the NCSW Ordinance were moved in June, 2009, but were still shuttling between MoWD, Ministry of Finance, and Law and Justice Division. A letter was sent to the MoWD, suggesting that in Article 3 of the Ordinance, a clause may be added that “Commission shall be a body corporate”.

Concerning Amendments in Citizenship Act 1951, the Chairperson informed members that Ministry of Interior has got a stay order from Supreme Court against the decision of the Federal Shariat Court, regarding grant of citizenship to foreign husbands of Pakistani women.

Members were informed that three of the five research reports commissioned by NCSW, on Women Protection Act, Local Government and Political Participation were under print, while the remaining two are yet to be approved by the research advisory committee.

Dr. Fouzia Saeed, head of the NCSW National Implementation Watch Committee, briefed participants on progress made in implementing the Protection against Harassment of Women at Work Place Act. She said that a 20 member committee representing government and private sector institutions had been constituted, and so far 38 government ministries had formed inquiry committees to deal with complaints of sexual harassment.



The Chairperson gave an update on the Law Committee. The Law Committee in its meeting had decided that the Acid Control and Prevention of Crimes Bill will be divided into two separate bills, namely: Acid Control Bill and Acid Crimes Prevention Bill. The Committee had reviewed a draft of Acid Crimes Prevention Bill and proposed certain changes.

Members congratulated Ms. Nasreen Azhar for receiving a Human Rights Defender Award from the President.

43rd Meeting of NCSW Members: 14th May, 2011

The main agenda was to discuss the changing role of NCSW after devolution of the Ministry of Women's Development and the 18th Constitutional Amendment.

Members agreed that the Commission would need to strengthen itself as a watchdog body in order to play an effective role. NCSW planned to establish Regional/Provincial offices. Commission members in the provinces would liaise closely with provincial offices and with Provincial Commissions. NCSW would maintain coordination between the provinces, monitor adherence to international human rights standards and application of constitutional rights provided for women.



Ms. Khawar Mumtaz pointed out that government delegations are sent abroad on the invitation of international organizations to attend various meetings, but the attitude of Foreign Office people working in the Pakistani Missions was very negative. She suggested that delegates should be properly briefed by the Foreign Office before leaving.

Misbah Momin, a member from Punjab, shared that she along with Federal Minister for Information visited women in Kot Lakhpat Jail, Lahore. They noticed that the food provided to the prisoners was quite good but the health facilities were insufficient. Prisoners who had been sentenced to life imprisonment were living with their small children in jail, and the children have become psychologically disturbed.

Ms. Roshan Khursheed Barucha, member from Balochistan informed the meeting that a Parsi businesswoman, Ms. Nilofar Abadan, who was kidnapped in Quetta on 8th March 2011 in broad daylight, had still not been recovered. Roshan had met the Governor, the Chief Minister and the Corp Commander for recovery of the kidnapped women, but there was no progress. Due to the grave law and order situation in Balochistan the lives and security of people, especially the minorities, was under constant threat. It was decided that the Commission would write to the President of Pakistan and Chief Minister Balochistan for recovery of the woman. A strong resolution was drafted and sent to the press and others concerned.

The case of three women teachers who were severely injured when acid was thrown on them in Quetta recently was also discussed. The Commission unanimously felt that the ready availability of acid across the country and non conviction of culprits in violence against women cases was the major hurdle in improving the situation. Efforts should be made to make stringent laws to ban free selling and buying of acid and changes be brought in the procedural law to bring the culprits to justice. Laws, such as Marvi Memon's Bill tabled and passed in the National Assembly still awaited to be adopted by the Senate. It was



feared that if this is not done within 90 days the bill would lapse like the Domestic Violence Bill.

44th Meeting of NCSW: 17th September, 2011

Discussing the Amendments to the NCSW Ordinance, the Chairperson informed members that the revised bill was sent to the Cabinet by Ministry of Women's Development in April which was sent back to MoWD for forwarding to the Inter-Provincial Committee (IPC), as MoWD itself was about to be devolved.

The Chairperson also highlighted the issue of women's crisis centers not being owned by Government of Punjab. She said that twelve out of the 26 centres were in Punjab, but the Punjab Government was not ready to take responsibility for them. To resolve this issue, NCSW Executive Committee had met with Advisor to Prime Minister on Human Rights and the Chairperson had spoken to the Prime Minister. The PM had proposed the crisis centers should either be managed by NCSW or Ministry of Human Rights. Justice Kohli said that after the 18th Amendment according to the Constitution the Federal Government cannot retain these centers. Retention of trained staff was also highlighted as an important issue by Ms. Nasreen Azhar. ***Finally it was decided that a letter would be written to the Chief Minister, Punjab, with reference to the Constitution.***

Commission members were also informed that selected teams for four researches have submitted their first draft reports. It was proposed by Ms. Khawar Mumtaz that findings of the researches should be shared with provincial stakeholders before finalizing. 'Advocacy for Women Friendly Laws and Policies' was presented by Program Manager Operations. Members were informed that under this project advocacy could be initiated on policy recommendations that emerged from research studies undertaken by the Commission last year, once the Letter of Agreement is signed between NCSW and UNWOMEN. Seminars, TV and newspaper forums will be planned in consultation with members. The Chairperson informed members that the Domestic Violence Bill passed by the National Assembly had lapsed because it had not been taken up by the Senate. The IPC had suggested that provincial assemblies should be facilitated to legislate on this issue. Punjab has already suggested changes in the DVB and sent it to the Punjab Law Ministry. Balochistan is also working on its own Bill and will be sending it to their Law Ministry. The Commission is holding a dialogue with legislators in KPK on 21st September, 2011, in collaboration with Aurat Foundation and a draft Bill will be developed jointly with Aurat Foundation before this meeting.

Members were briefed about the progress made by the NCSW Law Committee in the past three months with regard to family laws of Hindu citizens; drafting of a petition addressed to the Supreme Court regarding the *jirgas* that continue to be held in spite of court rulings, and are meting out barbaric 'punishments' to women; and discussions with legislators about the amendment in the Criminal Procedure Code that has withdrawn relief given to women when seeking bail.

The Commission expressed appreciation for members of the Law Committee for their voluntary contribution in reviewing and drafting legislation and advising the Commission in legal matters.

Commemoration of National Women's Days

National Women's Day in 2011

National Women Day is commemorated by the women of Pakistan on February 12, in remembrance of the state brutality against women's rights activists in Lahore in 1983 protesting against the Law of Evidence, which reduced the status of a women witness to half that of a male.



In recognition of the women's struggle the Prime Minister of Pakistan, Syed Yousuf Raza Gillani, officially recognized 12th February as Women's Day of Pakistan. For the first time, it was celebrated officially by the Women Parliamentary Caucus, National Commission on the Status of Women and women from different walks of life in 2010.

In 2011 the theme chosen was ***Chalay Chalo Ki Manzil Abhi Naheen Aye***. The day was celebrated in collaboration with Potohar Organization for Development Advocacy, Aurat Foundation and Pakistan Television. Ms.Shahnaz Wazir Ali, Ms.Samina Khan, Ms.Zahida Hina, Mr.Salman Raja, Ms.Nasreen Azhar and Ms.Anis Haroon were the main speakers, and Ms.Shabnum Shakil and Ms.Rehana Taufiq read their poems. The well known singer Fareeha Pervez sang two poems by Faiz Ahmed Faiz.

The event provided an opportunity for some courageous women from across the country to share success stories of their struggle. Speakers criticized the judgment by Federal Shariat Court that declared that parts of the Women's Protection Act should be suspended and vowed to challenge it. Five women were awarded with shields for their valuable services in the field of legislation, education, resisting patriarchal practices, and sports. The ceremony was attended by women and men from different walks of life.



National Women's Day in 2012

NCSW together with the Government and CSOs commemorated the day by presenting the history of the women's movement; and acknowledging the role of women parliamentarians in taking forward the women's rights agenda proactively. Poems were recited and Arieab Azhar presented a musical rendition of Habib Jalib's poem written on the historic occasion of the women's protest in 1983 in Lahore.

The Secretary, Ministry of Human Rights, appreciated the role of NCSW and the civil society for their long struggle for women's rights that had gained recognition from the Prime Minister and Government.

Mr. Mustafa Nawaz Khokar, Advisor to the Prime Minister on Human Rights, shared his own thoughts, stating that Pakistan was based on the ideology and vision of Quaid-e-Azam and Allama Iqbal for a

progressive and liberal Pakistan. He regretted that freedom of religion, freedom of expression, and equal civil and political rights for women and men had been opposed and disallowed in the past, and said that it was fortunate that today there was a liberal and progressive Government which resonated with Quaid-i-Azam's vision of Pakistan. "We will protect our country from the clutches of religious extremists," he said.



Ms. Farida Shaheed from Shirkatgah, a founder member of Women's Action Forum, narrated the background and history of WAF, the struggle that started when 9 women in 1981 working in Shirkatgah were extremely disturbed by a news item of stoning to death of a man and lashing of a woman for adultery.

They could not believe that this could be Pakistan, but a military dictator, to gain popularity in the name of Islam, usurped women's rights, enforcing a dress code and banning art, debates, music, theatre and other cultural activities especially in girls' schools. Trade unions and minorities were subjected to brutality, student unions were banned, judicial murder was carried out against a democratically elected Prime Minister and martial law was enforced. Women's rights were trampled with the most unethical and discriminatory laws, such as the Law of Evidence and the Hudood Ordinance. A meeting of women's organizations and concerned women was called in Karachi and WAF came into being. WAF chapters were opened in Lahore and Islamabad and the women's was launched. Fareeda pointed out that though amendments had been made in the Hudood Ordinance it still existed and should be repealed.

The Chief Guest, Ms Fiza Batool Gilani, Goodwill Ambassador on Women's Empowerment, said that it was a great privilege to commemorate the 12th February event with NCSW and CSOs. She paid tribute to the struggle of women in Pakistan against a dictator's unprecedented brutality that could not subdue their spirits. She said that the elimination of all forms discrimination is a priority of the Government, and the current Government had brought in a number of women friendly laws, and the Prime Minister had granted autonomy to NCSW

Ms. Sameena Nazir of PODA spoke about the key challenges to women, stating that patriarchy and patriarchal thought and increase in religious extremism were key challenges. She also highlighted how women's issues were politicized by using the women's agenda as a bargaining chip. The fourth challenge she pointed out were internal; women themselves had to reject the patriarchal values and free themselves.

Ms Anis Haroon, Chairperson NCSW acknowledged the support of women parliamentarians and senators in passing the laws related to women. She presented a bouquet of flowers to women parliamentarians from each political party. The recipients were: Ms. Shahnaz Wazir Ali (PPP), Ms Nilofar Bakhtiar (PML-Q), Ms Kishwar Zehra (MQM), and others. She thanked CSOs for their support in organizing the event and welcomed participants. At the end she



presented the joint declaration for National Women's Day which reflected on women's social, economic and political empowerment, and the need to end all forms of discrimination against them as outlined in CEDAW.

In her concluding remarks Ms. Shahnaz Wazir Ali paid tribute to the women of Pakistan, saying that women workers in agriculture, mothers nurturing their children, women managing livestock, working in factories and offices are symbols of the struggle. At every step women were playing a constructive role, she said. She spoke about Prime Minister Zulfiqar Ali Bhutto, who spoke about the rights of laborers and peasants and sacrificed his life for a cause. Similarly, Benazir too upheld the philosophy of humanity and equality in society, and sacrificed her life for the cause of democracy. She said that WAF's struggle was historic in raising a voice for women's rights, and today there were many young women and men in the movement. Today's young woman faced had to decide whether she wanted to stand with imperialists, dictators or democracy. She said that there was strong women's representation in parliament, and many issues mentioned in the Declaration would be taken up by Government. The Prime Minister and President were fully committed to the women's agenda and had shown their commitment by taking concrete steps.

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National and Provincial Consultations

Roundtable Consultation on Compliance with Sexual Harassment Act

The National Commission on the Status of Women organized a round table consultation with key stakeholders on “*Protection against Harassment of Women at Workplace Act 2010*” on 22nd April.

The objective was to assess the current implementation status of this law; to obtain information from representatives of public and private sector organizations regarding the initiatives taken by them to implement this law within their respective departments and organizations; and to learn about difficulties and constraints that stand in the way of full compliance. Decision makers in the media were also invited to help promote awareness in the public about the new law and its dynamics. The Code of Conduct prepared by the NGO network



AASHA was shared and questions regarding its application answered. Representatives from Ministry of Information undertook to translate the Code, which is available in Urdu and English, into the different provincial languages.

Dr Fouzia Saeed gave a technical presentation on the law. “About 60-70 per cent of people are in practice of unintentional harassment as they have no awareness about it. . . . and here is a need to bring change in their professional behaviour,” she said. The instructions on how to comply with the law, she said, has been prepared in a simple language to ensure easy understanding and “100 per cent compliance to the law”.

The management should appoint a three-member Inquiry Committee to handle complaints of sexual harassment. At least one member should be a woman. All employees should be notified about the Code of Conduct (CoC) in HR policies. The management should post this notification and full text of the Code of Conduct on a notice board or in any common area in a language understandable by the employees.

The roundtable consultation was largely attended by representatives of the Government, different ministries, departments, autonomous and semi autonomous bodies, chambers of commerce and industry, major public sector organizations, media and members of civil society.

Roundtable Consultation on Discriminatory Policies

The NCSW initiated a study on women and policy in Pakistan at the beginning of 2010. The purpose was: to track discriminatory trends in current policies on women and highlight concerns; to find out the underpinnings of gender discriminatory policy approaches; and, through a consultative process, to recommend alternative approaches for fair and just policy making. It is hoped that the study will serve as a policy guideline for policy-makers and other stakeholders.

A consultative meeting was held in Islamabad on May 2010 with several experienced activists, development experts and senior government officials. The thematic concerns of gender policy in Pakistan were presented by experts and challenges were discussed. The policies studied included: Social Protection Policy (with focus on the Benazir Income Support Program); Democratization, especially women's participation; Land Rights and Cultural Obstacles; Procedures and Policies on Legal Rights;

Violence against Women; and Conflict and Security Policies. Around each theme the discussions included some interlinked broader concerns, like health, education, faith-based politics, family laws, media and labour.

Each thematic presentation pointed out flawed approaches or weaknesses in the policies examined. While the vertical structure of all social protection policies, their flaws, exclusion and the lack of connection with broader economic policies were discussed, the Benazir Income Support Program, as the more recently instituted measure for social protection, invited much interest. Regarding Democratisation, the



Presentation and discussion focused on quotas for political participation in governance. Inter-party culture, the essentialist approach to affirmative action for women, and a serious need to re-examine the qualitative results of reserved seats for women in Parliament were supported for policy scrutiny.

On the presentation of Right to Resources/Assets, the discussions revolved around the allocation of land to women and the gap between policy and implementation of this fundamental right of women. The presentation highlighted that it is “political will” that stops women's access to land. The theme of Procedural Policies on Family Laws and Violence against Women included a solid listing of obstacles for women's access to justice from police stations and registration of violations, right up to court procedures.

Finally, the presentation on Conflict and Security Policies, particularly in the tribal belt and in Khyber-Pakhtunkhwa, pinpointed the central flaw in policy approach that did not make a distinction between humanitarian and developmental assistance. The lack of an adequate number of crisis centers to provide basic facilities for women Internally Displaced Persons (IDPs) was also discussed.

The study provided policy makers with the opportunity to examine and discuss the obstacles that stand in the way of policies being as effective as planned. It is hoped that it will consequently contribute to stronger policy frameworks for women in the light of recommendations made.

Consultation on Home Based Workers

A large number of women in Pakistan are engaged in home-based work. According to various estimates over 20 million women are working in value addition sectors, like the garment industry, the match industry, bangle making, stitching shoes, gloves, mobile covers, embroidering different items, carpet weaving, preparation of dry fruit, jewelry making, leather products, shelling prawns, and so on. Though their contribution to the national economy comes to 60 percent, they are the most unprivileged and invisible work force in society. Their daily income ranges between Rs.10 to Rs.50 (less than one dollar);



while their working hours total up to between 12 to 16 hours a day. There is little social and legal recognition of their work. Working in the isolation of their homes, they have no rights as workers by law. Long working hours, poor working conditions and family pressure badly affect their health.

Like in many other under developed countries, Pakistan's women workers' rights, particularly in the informal sector, have long been neglected and remain almost invisible, with zero labor rights and no access to social security schemes. Thus, it is imperative to put in place legal/constitutional measures that can protect the labor and social rights of home-based women workers. The National Commission on the Status of Women organized a consultation on "Social Protection of Home Based Workers" on June 7th at the office of the Commission. The key objectives were to analyze the existing circumstances of home-based women workers and to formulate a framework for legislation for the protection of this most vulnerable, and ever increasing, segment of society.

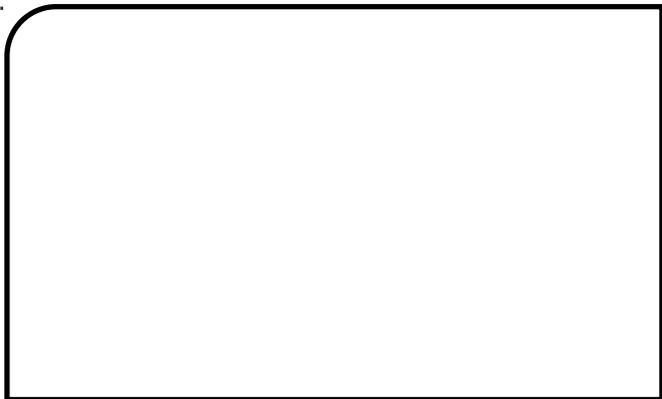
The consultation was chaired by Ms Shehnaz Wazir Ali, Special Assistant to the Prime Minister for the Social Sector, and was concluded by Ms Yasmeen Rehman, Advisor to the PM on Ministry of Women's Development. Representatives of civil society organizations and networks, such as HomeNet, that have been working for the rights of home-based women workers, attended the meeting. The provincial governments were represented by Ms Ghazala Gola, Minister from Women's Development, Balochistan, and Ms Tauqeer Fatima Bhutto, Minister for Women's Development, Sindh. Senior officials from Punjab and AJK also participated. Ms Nafisa Shah, Secretary of the Women's Parliamentary Caucus, offered to fully support efforts to give legal protection to home-based women workers.

The coalition on rights of home-based workers, KARKUN, gave a presentation on the current situation and outlined features of the legislation required.

Consultation on 18th Constitutional Amendment: Gains for Women

After the passage of 18th Constitutional Amendment; several subjects on the concurrent list were shifted to the provinces. Consequently the role of institutions at the national and provincial level with regard to policy making and legislation was also changed.

The National Commission on the Status of Women organized a national consultation to deliberate upon the 18th Constitutional Amendment and responsibilities of national and provincial governments vis-à-vis women and legislation. Key people, who were familiar with the 18th Amendment from a gender perspective, were invited. The objective was to identify the role of relevant stakeholders at the provincial and national level. Ms.Hina Jillani, leading advocate and women's rights activist, lead the discussion.



The key findings of the consultation were:

- The subject of Women is not on the federal legislative list
- The rights to information and education have been recognized as fundamental human rights. Legislation for ensuring the compulsory education of children aged 5 to 16 years and on right to information now needs to be enacted.

- Since the concurrent list has been abolished the provinces have been given many more powers. There is hence a need for greater engagement with the provinces for future legislation and implementation.
- The procedure for election of women on reserved seats from the minority communities remains undemocratic; they are nominated. Also, women still do not have reserved seats from FATA. Lobbying for legislation for reserved seats through direct elections needs to be undertaken.
- Every matter that is not on the Federal List will automatically be devolved to the provinces.
- There are 59 items on the Federal Legislative List, which include criminal law, family laws, inheritance laws and labor laws.
- Juvenile Justice Laws are now a provincial subject.
- Generally speaking, previously only the National Assembly could amend laws; but now the provinces also have the authority to amend most laws. Therefore, it is important that there should be common understanding and inter-provincial coordination between the provinces on major issues
- In the Muslim Family Laws, the *nikahnama* (marriage contract) is not part of the law but only a rule that can be changed, though provincial governments probably cannot change it drastically
- Mediation committees will likely be constituted on an ad hoc basis, while items in the legislative list will, as before, remain in the domain of parliament.
- Under Article **142b** of the Constitution of Pakistan, the Federal Parliament as well as the Provincial Assemblies have the power to legislate on criminal law, criminal procedures and evidence. If any clause of a provincial act is repugnant to the Federal Law, the Federal Law shall prevail. Thus domestic violence laws, acid crimes and prevention laws, as well as criminal laws that come under the Code of Criminal Procedures, the Pakistan Penal Code and Law of Evidence etc. shall fall within the domain of the National Assembly
- Article **144** of the Constitution is self explanatory and empowers the Provincial Assemblies to pass resolutions giving the Parliament the legislative competence to make law on a matter not listed in the Federal Legislative List. But the amending power would be with the Provincial Assembly.
- The implementation of existing laws is the obligation of the Federal Government. Provinces are bound to adopt the existing laws. If provinces want to amend these laws they can make their own laws if they are facing difficulties in implementation.
- FATA and FANA are still on the federal legislative list.
- External Affairs, the Citizenship Act, international commitments will remain national issues.
- Ratification of international laws is in the domain of the Federal Government, while the responsibility for implementation is that of the provinces.
- The procedure for electing women on reserved seats is in accordance with a constitutional provision; hence only the Federal Government can introduce any amendments concerning women's elections. **Future Directions for NCSW**
- NCSW to become party to the appeal of the Interior Ministry pending in the Supreme Court to amend in the Citizenship Act

- NCSW to lobby with the Federal Parliament that it should facilitate the provinces in implementing subjects that fall in the provinces.
- Provincial desks to be established to lobby with provincial parliamentarians; NCSW members in the different provinces to take lead proactively
- NCSW's advisory powers to be used to lobby for the passage of the Domestic Violence Bill under Article 14 & 25; letter to be written to the Speaker National Assembly
- NCSW to work for/advocate reforms in FATA and PATA

National Consultation on Flood Relief Response: Voices of Grassroots Women

In collaboration with the Potohar Organization for Development and Advocacy (PODA) and UNIFEM, a consultation was organized to highlight and discuss the critical issues concerning women who were affected and women activists working for flood relief in different parts of Pakistan, and to develop an advocacy and action strategy for disaster mitigation that took into account women's concerns and voices in the overall relief, rehabilitation and rebuilding process. Ms Shehnaz Wazir Ali was the chief guest at this well attended consultative meeting. Also present were Minister for Women and Social Welfare, representatives from the Federal Government, senior officials from the PM's Secretariat, and representatives of NGO's, human rights groups and donor agencies. Women activists working at the grassroots level came to share their experiences and the challenges faced during emergency relief efforts and recovery, and gave recommendations to include women's voices in the rebuilding and rehabilitation process

A Draft Charter of Demands was developed after the discussions, outlining the specific needs of women and girls that need to be taken into account at different stages of relief efforts. The Draft Charter was discussed further during a series of provincial consultations with women in affected areas. It was decided that after the provincial consultations the Charter will be finalized and presented at a national conference of women in Islamabad and shared with the National Disaster Management Authority (NDMA) and other relevant stakeholders.

Policy Recommendations for Gender Mainstreaming after Floods

The National Commission on the Status of Women held consultations with gender experts, economics and social scientists to formulate policy recommendations in order to ensure that gender mainstreaming is given due consideration when planning and implementing rehabilitation and rebuilding after Pakistan Floods, 2010.

The weak pre-flood social, economic, development and governance conditions in Pakistan made the country even more vulnerable to natural disasters, such as the floods of August 2010. It is the same warning that the women's movement has been giving for decades - that if women's basic rights are essentially weak, women become more vulnerable to all social or environmental change.

The Monsoon floods of August, 2010 completely collapsed the entire socio economic fabric of the country. An estimated 20 million people, about one-ninth of the population, were displaced by the record flooding, which began on July 22 and continued to spread all over country till the first week of August, 2010. According to the United Nations, floods in Pakistan have affected more people than those displaced in the 2005 Asian Tsunami and the earthquakes in South Asia and Haiti combined, although the assessments of losses and damages are still ongoing. This magnitude of disaster has pushed country

20years back. Principally the response of government of Pakistan, and especially of NDMA, has not been adequate and was very general to this disaster. Even NGO's, who have been talking of gender responsiveness during disasters, have not been very gender focused in their relief and rebuilding efforts.

Exclusion of women from flood response was broadly observed, and their voices were rarely taken into account while providing relief services. The inclusion of women's concerns and voices during early recovery would have helped practitioners, service providers and policy makers to know about women's needs, their vulnerabilities, how they have been affected and their capacities to respond, so that they could have been able to capitalize on existing skills.

Keeping in view this huge gender disparity and lack of coordination amongst service providers during flood response, the NCSW took an initiative to bring together some experts from multi disciplines to assess the present situation, and come up with a framework and concrete recommendations to ensure Women's Role at all stages of Disaster Preparedness and Mitigation.

Successful experiences concerning inclusion of women in post disaster processes around the world were debated and recommendations made to give women lead positions in rebuilding and accountability mechanisms. A framework was designed to share information and to spark new initiatives to help women generate livelihoods and improve their economic status after the disaster. The document can be used as an advocacy tool and for the training purposes.

Consultation on Administrative changes after 18th Constitutional Amendment: provincial/ regional gender policy frameworks in key departments

A consultative meeting was organized on March 29 to discuss the implementation process for the 18th Constitutional Amendment and responsibilities of national and provincial government's vis-à-vis pro-women legislation. The Secretary, Inter Provincial Coordination Committee for the 18th Amendment briefed participants about the impact of devolution and roles and responsibilities of key players at the provincial and regional level concerning women's rights and issues. Women's Ministers from the provinces, Provincial Secretaries and civil society representatives participated in the consultation.

The meeting also discussed the prevailing gender discriminatory policies identified by NCSW's detailed research study conducted last year. The study reviewed the policies that perpetuate gender inequality in the country and offered recommendations to reverse the adverse impact of such policies. The study specifically focused on labour, education, health, social protection, procedural policies on family laws, violence against women and conflict and security policy issues.



It was stressed that the study should be used as a live document drafted in the local framework. It offered guidelines in approaching, understanding and rethinking gender policies in the immediate time-frame for policy makers and other stakeholders. The study was completed before the passage of the 18th Amendment and in the changed situation a consultation meeting with relevant policy makers from the provinces and regions including AJK and FANA needed to be urgently held to look at the prevalent structural gender inequalities and violence against women.

Roundtable Consultation on Domestic Violence Bill

A consultative session with civil society representatives to finalize the amendments proposed by the NCSW Law Committee in the Pakistan Penal Code to criminalize the offence of domestic violence against women was held. Definitions of offences that constitute domestic violence were discussed and proposed amendments were reviewed. It was unanimously agreed to rename the bill as the Prevention of Domestic Violence Act.



Suggestions from NGOs were incorporated in the proposed amendments and sent to the Ministry of Human Rights to be forwarded to the Cabinet and then tabled in Parliament.

National Consultation on National Gender Equality Framework

A two day “National Consultation on gender equality and women's empowerment post devolution” was organized with the support of UN Women and the Gender Equity Program. Participants included Federal and Provincial government representatives, Women Development Departments, prominent civil society organizations, lawyers and judges and academia.

Ms. Fiza Batool Gillani, Goodwill Ambassador for Empowerment of Women, in her inaugural speech said that according to the Constitution of Pakistan gender equality is a fundamental right and that the government is committed to gender equality and advancement of women. She emphasized that in the post devolution scenario the provincial women's machinery will be responsible for policy making and will require further human and financial resources, and the Ministry of Human Rights and National Commission on Status of Women will have a critical role in fulfilling international and national commitments.

Ms. Anis Haroon, Chairperson NCSW, in her welcome address stated that despite many efforts by the government to bring the women's agenda to the forefront, the national women's machinery remained at the bottom of the tier with the lowest human and financial resources. In the post devolution scenario, there is dire need to establish inter provincial linkages and coordination mechanisms between federal and provincial structures, and the NCSW would have to play a pivotal role. She informed participants that the bill for a permanent National Commission on Women had been approved by the Federal Cabinet and the Parliamentary Standing Committee for Human Rights, and awaits approval by Parliament. The Federal Government would continue to report on international commitments, like CEDAW, for which the Ministry of



Human Rights would be responsible, while NCSW would continue to support women friendly legislation and monitor policies. The

Secretary Ministry of Human Rights read out a message from Mr. Mustafa Khokhar, Human Rights Advisor to Prime Minister, in which he congratulated the women of Pakistan on the recent women friendly legislation approved by Parliament, including the Acid Crimes Prevention Bill, the Anti Women Practices Bill and the amendment in the Fund for Women in Distress and Detention Act.

Ms Ghazala Gola, Minister for Women from Balochistan, and Ms Tauqir Fatima Bhutto, Minister for Women from Sindh spoke about conditions in their areas and mechanisms for strengthening the provincial women's machineries. The process for legislation and policy making at provincial level was also discussed. Justice ® Majida Razvi highlighted the need for informed well designed legislation and effective implementation. Ms. Pamela Patten, CEDAW Committee member, discussed CEDAW and state's responsibility for reporting on this convention.

Ms. Nafeesa Shah, Member National Assembly and Secretary WPC chaired the session for developing guidelines for a national framework on gender equality. Stressing the need for an institutionalized uniform planning and implementation mechanism, which would be the responsibility of the state of Pakistan and not any particular political party, she urged the provinces to develop their own strategies and action plans. She said that the Women's Parliamentary Caucus had demonstrated that women parliamentarians, regardless of the party politics, could work jointly for the cause of women.

Ms. Farida Shaheed, Shirkatgah, was the technical expert and in her presentation she emphasized that the National Plan of Action formulated by Pakistan in 1998 and the National Policy for Development and Empowerment of Women launched in 2002 have been the guiding documents which need to be taken into account while making the policy framework. CEDAW and other international commitments also needed to be considered while outlining the vision of gender equality.

National and Provincial Dialogues

National Interface on Honor Crimes

The NCSW organized a National Interface with key stakeholders to share findings and recommendations from provincial consultations held under its project entitled *End Honor Crimes in Pakistan*. The recommendations from provincial and national interface meetings were compiled in one document to be forwarded to the government to strengthen policies for ending the widely prevalent honor crimes in Pakistan.

Stakeholders were invited from law enforcement agencies, media, Planning and Development and Government of Punjab, as well as religious leaders, women leaders, representatives of civil society organizations, NGOs and the Women Development Departments.

A survey, conducted in collaboration with National Rural Support Program (NRSP) and the NGO Rozan, found that zero per cent lawyers practicing in the country were aware of the 2004 law against honour killings, and only 10 per cent of those working in law-enforcement agencies knew about the law. These findings were expected to serve as a baseline for NCSW's "End Honour Crimes"



project initiated with the support of the UN Trust Fund. The project was implemented in the districts of Rajan Pur, Punjab, and Mir Pur Khas, Sindh, and it aimed to assess and develop the capacity of public and private organizations and raise awareness of local communities about this law and women rights.

Results of this survey were shared in a national interface organized in Islamabad. The participants expressed grave concerns over the dismal findings of the survey. They urged the Government to include all laws related to women in the curriculum of the Police Academies.

The law against honour killings was passed in 2004. The maximum jail term for a person convicted in an honour-related crime was increased from 7 to 10 years; it became mandatory for senior police officials to investigate honour killings; and a woman accused of adultery could only be arrested on orders of a judge.

Participants criticized the media for not taking up the issue pro-actively and said that television channels should air shows that promote and create awareness.

Anis Haroon, Chairperson NCSW, said that civil society had been presenting recommendations to reform women discriminatory laws since "a long time but government machineries had been the greatest obstacles. . . I urge women parliamentarians to take the initiative demand that discriminatory laws must go. Pakistan is the only country in the 21st century where crimes against women are actually," she said. Deeply-rooted patriarchal attitudes and the feudal system still prevalent in the country are mainly responsible for the increased of violence against women, she remarked. "The weak judicial system and weak law enforcing institutions are paving the way for such crimes," she said. She also urged the Ministry of Women Development to ask the Ministry of Religious Affairs to direct mosque imams to talk about women's rights and condemn violence against women in their Friday sermons.

Yasmin Rehman, Advisor to the PM, emphasized the importance of public-private partnership in the fight

for women rights. “Media also has a very important role in raising the demand for women-friendly legislation. Social mobilization can play a pivotal role in reforming the law,” she said. All crimes committed against women needed to be documented and referred to provincial Inspector Generals of Police for appropriate actions. “We need to establish a nationwide mechanism to deal with violence against women, and to provide women victims with due support and facilities.”

National Dialogue on Political Participation of Women under Political Parties Order 2002 and the Local Government System

The national dialogue on the subject of “Political Participation of Women under Political Parties Order (PPO) 2002 and the Local Government System” was organized in Islamabad in collaboration with the Asian Development Bank (ADB) and Canadian International Development Agency (CIDA) in order to examine policies concerning women in politics and recommend measures for strengthening their participation and role in decision making.

Results of two research projects undertaken by NCSW to study the impact of women's participation in local bodies and a review of the political framework for women's political participation, were presented at the event. According to the researches, in some areas political parties together with *jirga* heads and representatives of other parallel legal systems keep women away from the political process in the country.



Ms. Rukhshanda Naz, who researched the study on women's participation in politics, pointed out that while existing laws declared the capturing of polling stations and polling agents to prevent voting illegal, they failed to address other means employed to prevent women from voting. These methods include life threats, loud speaker announcements, wall chalking and political agreements between political parties or candidates to disallow their women from voting.

She recommended that the existing law be changed to declare harassment of women voters a crime, and that election results be declared null and void in places where women were prevented from voting.

The researcher, further said, that there should be more polling stations near residential areas, and urged the government to review the law that restricts the setting up of polling stations in government buildings only. She suggested that pictures of women be affixed on National Identity Cards to prevent bogus voting and that NADRA's database be treated as the voters list. Participants also criticized the Election Commission of Pakistan (ECP) for having no female members, and said that there should ideally be 10 per cent women in the ECP.

Participants felt that the majority of women were discouraged from standing for election and were threatened on religious pretexts. The government should provide full support to female candidates and fund their campaigns. Some participants demanded that political parties be bound to give a certain percentage of “strong seats” to women in general elections, and that there be constituencies reserved for women exclusively.

Yasmin Rehman promised to take these recommendations to the Government and the Election Commission of Pakistan.

Dialogue and Brainstorming with Policy Makers and Citizens on the Blasphemy Law

Following the tragic assassination of the Governor of Punjab, Mr. Salman Taseer, for criticizing the Blasphemy Law and speaking out in support of Asiya Bibi, a poor woman from the Christian community, an experience sharing and brain storming session was organized on the Blasphemy Law. Legal experts, media persons, policy makers and members of civil society exchanged views and stressed the need for interfaith harmony and tolerance.

It was felt that there were several conflicting views and misunderstandings about these laws that were serving to fuel intolerance and militancy. Innocent citizens, women and men from the minority and majority communities, were being targeted and their families threatened. The extremist point of view was forcibly being imposed on the public, which was a source of serious concern.

Since media play a key role in shaping public opinion, senior anchors persons were particularly invited to the event, in which women legislators too were present. The purpose was to initiate a rational debate on this sensitive issue. Well know legal expert, Ms. Hina Jilani and eminent religious scholar, Dr. Khalid Masood, responded to queries and concerns of participants. Before the debate began, a video documentary was shown that shed light on the history of the Blasphemy Laws, shared findings and analysis of some cases and offered recommendations. At the end some action points were chalked out.



Way forward :

- The Blasphemy Laws should be translated in Urdu and shared with the media as early as possible
- Two things needed to be emphasized:
 1. No one should be allowed to take the law into his own hands
 2. No one should be licensed to issue a *fatwa* accusing anyone of being non-Muslim
- The Incitement to Violence Law should be used to register cases against all those religious leaders who issued *fatwas* and announced head money for committing murder
- Briefing sessions for parliamentarians educating them about the Blasphemy Laws should be held
- A pool of religious scholars who could counter religious groups on religious ground needed to be formed
- Licenses of lawyers who showered flower petals on the murderer of Salman Taseer must be cancelled
- Civil society must pressure the government to take stern action against religious leaders and people for inciting violence
- A national debate should be initiated to present an enlightened view in order to stop

powerful people from using Islam for promoting their personal agendas

Provincial Dialogue on Domestic Violence Bill in Peshawar

In 2009 the National Assembly of Pakistan has unanimously passed a Bill on Domestic Violence against Women, which lapsed after the Senate failed to pass it within the three months period. After the passage of the 18th Amendment legislation for the bill will now have to be taken up by the provinces. Since the membership of NCSW consists of representatives from the four provinces plus Azad Jammu and Kashmir and Gilgit-Baltistan, the Commission decided to build a collaborative working relationship with provincial women's machineries. Consequently, a series of introductory meetings were organized with the provinces to help accelerate pending legislation related to women, beginning with the Domestic Violence against Women Bill.

The first meeting was held in Peshawar with technical collaboration from UNWOMEN and financial support from Aurat Foundation. The meeting was presided over by Mr. Karamatullah Chagharmati, Speaker, Provincial Assembly of Khyber Pakhtunkhwa, while Ms. Sitara Ayaz, Provincial Minister for Social Welfare and Women Development, was the Chief Guest. Women MPAs from all political parties, the provincial assembly and representatives of non-governmental organizations, the Provincial Commission on the Status of Women and lawyers attended in large numbers.



NCSW's Legal Expert and another woman lawyer gave a detailed presentation of the revised draft of the DVB Bill.

While presenting the way forward, Ms. Anis Haroon said, that violence against women was not only a national but was an international issue, and the entire world community was trying to find durable solutions. She quoted statistics from the HRCP Annual Report and said that every hour two women were being subjected to violence in the country. These statistics were gathered from a cross section of society, and 90% of the reported cases were of domestic violence against women.

Provincial Minister for Women Development Sitara Ayaz said that hopefully the draft after review could be tabled in the provincial assembly in the next session. She said that she, along with women MPAs, would lobby to get it passed.

MPA Nighat Orakzai of the PML-Q assured participants that her party would support the Bill. However, some MPAs in view of their experience in the Provincial Assembly regarding women's issues seemed unsure whether the bill would get passed into a law.

Speaker Karamatullah Chagharmati, suggested that the draft be reviewed by the Law Reforms Committee before it was presented in the Assembly. The participants agreed on the draft and agreed that the Domestic Violence Bill should be tabled in the Assembly for which each woman MPA should lobby.

Provincial Dialogue on Domestic Violence Bill in Karachi

Another dialogue was held in Karachi, and Ms. Tauqeer Fatima Bhutto, Sindh Minister for Women, and Ms. Sharmila Faroqui attended as special guests, while Mr. Nisar Khoro was the Chief Guest. An orientation on

the draft was given by the NCSW Legal Expert. The presentation triggered a debate and several participants were reluctant to agree to some clauses, and suggested modifications in accordance with the cultural norms of Sindh. It was agreed that the draft would be presented to the Law Minister Sindh, who would vet it and allow women legislators to table it in the next session of the Assembly.

MPA Humaira Alwani, who was also present, had submitted the Bill as a Private Member's Bill in 2008, but it was not approved. "Events such as this provincial dialogue are an attempt to make the government take ownership and responsibility for this issue, but the main problem is that domestic violence is considered a private matter, and women are encouraged not to bring it into the public sphere," she said.

Whether it is an urban, educated woman, or a woman from an under-privileged rural background, social pressures and conditioning can stop her from complaining. But if one day the husband beats her and the children black and blue, and she decides it is time to stand up for her rights, what is she going to do? Does she know where to go? Whom to complain to? Since this is regarded as "a family matter", will the law side by her? These were the concerns raised by the some alarmed participants at the dialogue.



Mr. Nisar Khoro, Speaker Sindh Assembly, said that the issue of violence against women was very sensitive and needed their immediate response. He added that they need not have waited for the 18th Amendment to introduce women friendly legislation; they should have taken steps for the economic, social and legal well being of women much before. Women are not lesser children of God; they are as important as men and should have equal access and control over opportunities and resources. He assured participants that the Government understood the importance of the issue because it affected half of the population, and women were equally sharing responsibilities with men. The idea to introduce legislation on domestic violence was noble, but the public would have to be sensitized in order to minimize chances of opposition. Experts should organize a debate on the draft, and also present this draft to the law

department, including the Law Minister. Let the bill be comprehensive and well thought out. As the Speaker, he would provide all support.

In her concluding remarks, Ms. Anis Haroon, Chairperson NCSW, said that the legislative process was tedious all over the world, and Pakistan was no exception. But the problem here was that draft bills remain stalled in sub committees; they never get forwarded. She said that it was necessary to remain vigilant and follow up at every stage of the process. NCSW has discovered that the Acid Crimes and Prevention Bill was still pending with the committee. It had not even been forwarded to the Senate for vetting. Women should realize that they do not have many friends in men, NCSW is pushing hard to make sure that it goes to the Senate before it lapses. Certainly, there are problems at every stage, but, nevertheless, we should not stop pushing for laws and fighting for rights. When laws are passed, NCSW would monitor and ensure its implementations, as with other laws, by developing models for implementation. She then talked about the Domestic Violence Bill and said that the draft was presented before some male parliamentarians, who strongly reacted to some clauses related to definition of violence and punishments.

National and Provincial Seminars/Conferences

Press Conference on Rising Violence Against Women

Responding to the rising number of cases of violence against women committed by police personnel, the Commission held a press conference to draw attention to violations of the police code and laws and demand that offenders, no matter who they may be, must be punished. Cases reported in the past and the case of the young school girl from Taxila who remained in illegal police custody for more than fifteen days, were highlighted. The Chairperson drew attention to violations of the law by police officials who are being paid by taxpayers to protect citizens. She said that in the case of this girl the police took over three months to register the FIR against their fellow policemen, and it was registered only after public pressure was invoked. She pointed out that the investigation procedure is severely undermined by political high ups and by corruption. Other factors that contribute to the weakening of the judicial system are delays in medical examination of rape victims and shortage or absenteeism of medico-legal officers.

Dr Fouzia Saeed, Executive Committee Member of the Commission, expressed her acute concern over the delay in police action against their colleagues. She said that procedural delays and ambiguities are leaving many question unanswered in the case under discussion. Samina Nazir from PODA was of the view that the police usually take too much time in registering cases on the complaint of women, which further encourages violators of the law to indulge in crimes against women.



The Commission showed its concern over the abetment by political personalities and unchecked police powers that are responsible for encouraging perpetrators to commit these heinous crimes. It urged that these practices must be stopped, and the aim must be to provide justice to the masses so that this vulnerable group in society can lead a life of dignity.

Collaboration with PODA for Rural Women's Day Conference

The 3rd annual conference on 15th October 2010 for the International Day of Rural Women was held in Islamabad in collaboration with PODA. Over 1500 participants attended the two days conference. Rural women from 98 districts participated in large numbers. Key participants were women farmers, women activists and rural women artisans. The conference was a huge success in creating national level awareness about the presence, needs, issues and priorities of rural women in Pakistan. The main theme in 2010 was "Rural Women, Disaster Mitigation and Peace". The sub-themes focused on economic rights and disaster mitigation, VAW and women, and peace. Participants made 22 key demands that were shared with women parliamentarians, government officials, national and international



media, the United Nations, civil society and the general public, academia and concerned line departments that impact lives of rural women.

The idea of honoring rural women with a special day was put forward by women's rights groups from all over the world who participated in the fourth World Conference of Women in Beijing in 1995. They demanded that 15th October be celebrated as 'World Rural Women's Day,' on the eve of World Food Day, in order to highlight the role played by rural women in food production and food security. In Pakistan, due to efforts by PODA, UNIFEM and NCSW, the Prime Minister of Pakistan, Syed Yousuf Raza Gillani, in his message on the occasion, declared 15th October the "National Day of Rural Women in Pakistan". This day is now also officially being celebrated in Pakistan.

A special message was read out by NCSW Chairperson Ms. Anis Haroon, who also chaired a plenary session on "**Women's Role in Disaster Mitigation in Pakistan**". The interactive session discussed the

effects of the monsoon floods on rural women and their responses to this disaster. The objective was to listen to rural women from disaster hit areas so that their views and experiences can be included in the policy making process for disaster relief and rehabilitation.

During the discussions rural women from across Pakistan shared their problems, sorrows, experiences and expectations with the panel working at policy level. Rural women from flood affected areas shared details of the destruction and trauma and problems regarding rehabilitation.

National Conference on "Women as Change Agents: Coping with Climate Change"

A National conference was held on 'Women as Change Agents: Coping with Climate Change' on March 10th, 2011. The purpose was to highlight how women can and are contributing as agents of change and how they are coping with climatic change. The conference was organized by National Disaster Management Authority (NDMA) with LT Gen (Retd) Nadeem Ahmad in the chair, in collaboration with NCSW, Ministry of Environment, International Labor Organization (ILO) and the Norwegian Embassy. Government officials, civil society representatives working in the field of environment, representatives of NGOs and INGOs and students from different universities attended the conference.

According to Chairman NDMA, women were playing a vital role in coping with climate change all over the world. Not only educated urban women, but also rural, uneducated women were also participating. He said women are more aware and sensitized about contemporary issues, and are not only more vulnerable to disasters, but better able to cope with effects of disasters. Hence, they must actively participate in formulating policies.

Chairperson of NCSW Ms Anis Haroon said that climate change is a global phenomenon and not an issue for Pakistan alone. There is an urgent need to bring women into the mainstream and in decision making. Women are catalysts of change and they should play a proactive role in dealing with the effects of disasters.

Minister Councilor of the Norwegian Embassy, Mr. Terej Barstad, gave assurance of his government's support saying that Norway would extend support for gender based projects



in Pakistan for self reliance of women. Mr. Kamran Ali Qureshi from the Ministry of Environment appreciated the participation of women and welcomed people to share their ideas on how climate change should be dealt with.

Participants from different parts of country shared their experiences and described what women were doing to cope with climate change.

Seminar in Gilgit-Baltistan on Role of Jirgas in Perpetuating Violence against Women

Gilgit Baltistan is considered one of the most isolated and less privileged regions of the country. The present government has given it provincial status through a Presidential Order, which has brought a ray of hope for local inhabitants. The area is difficult not only in terms of the mountainous landscape, which makes access to health, education and infrastructure difficult, but also because it has remained neglected due to its controversial constitutional status.

This situation led to the further marginalization of local communities in general and women in particular. While men managed to leave their homes in search of economic opportunities in the big cities, women had to stay back to look after families and homes. This placed a heavy burden on women who were called upon to take on additional roles, and rendered them extremely vulnerable to violence. Women's position in comparison to men is subordinate, as determined by forces of patriarchal and feudal structures across the



region. Severe violations of women's rights, particularly with reference to their exposure to violence, deprivation, marginalization, exclusion and denial of rights of inheritance, as well as access and control over resources are common. Violence against women is the most powerful mechanism used by family and society to silence the voices of dissent from women. In this region women are subjected to a vast range of violence in the name of culture, religion, customs and honor.

NCSW in collaboration with UNWOMEN and the Agha Khan Rural Support Programme organized a seminar on “The Nexus between Parallel Illegal Systems and Violence against Women” in Gilgit. The women's Commission made an attempt to conscientize and sensitize policy makers as well as representatives of civil society and media to “Break the silence and recognize the violence against women”. There was a need to come out of the state of denial to accept that violence against women occurs, and start a rational debate on the issue, so that durable solutions can be identified.

Ms Tahira Noor welcomed the participants and said several national and international treaties had been signed and commitments made to prevent violence against women, and their immediate implementation in letter and spirit was required.

Mr. Israr Hussain HRCP GB chapter member presented facts and findings about violence against women in the region, and highlighted the factors that contributed to the persistent trend. “Crimes against women like rape, honour killing, forced marriages, murder, suicide and harassment are very much rampant in our society, but media is not sensitized and does not highlight them, which could encourage law enforcement

agencies to apprehend the culprits.”

Justice (R) Nasira Iqbal talked about Pakistani history and women's rights. She stressed the need for changing the mindset of people and asked women's studies departments and universities to play their role. She spoke about rights given to women by Islam - the right to marry a person of her choice - and asked the media and parliamentarians to convey these facts, raise awareness and educate people through radio messages.

Ms Sofia Noreen discussed the role of civil society, media, lawyers, political parties and religious groups in eliminating violence against women. She said staying silent was not an answer. “Everybody should break the culture of silence and speak up. Only then people will be able to realize and recognize women's rights.”

Ms Anis Haroon talked about the Anti-Sexual Harassment Act 2010 and the Women Protection Act 2006. She urged the Gilgit-Baltistan government to set up a Women's Development Ministry and a Provincial Commission on the Status of Women, such as were in place in Khyber Pakhtunkhwa.

The Speaker and Deputy Speaker of the GB Assembly were unanimous in their call to end all sorts of crimes against women. “The women of our region enjoy special status as mothers, sisters and daughters in our families, communities and cultural systems, and we will not tolerate any injustice or inhuman attitude towards them.”

The seminar by the Commission was first of its kind in the history of the Gilgit Baltistan, as the topic is largely considered taboo. The event was attended by a large number of people representing government institutions, legislatures, police, academia, NGOs, media and civil society. The Gilgit-Baltistan Assembly Speaker Mr. Wazir Baig was the chief guest, whereas the Deputy Speaker Mr. Jamil Ahmed attended the event as guest of honor. Eminent personalities from the area, known for their knowledge, struggle and expertise on laws and gender issues, were invited to address the audience.

Lobbying and Advocacy

Second Round of Media Campaign Launched

Building on the success of its previous media campaign and to continue spreading messages of peace, tolerance, justice and equality, the NCSW launched a second round of its media campaign in the second quarter of the year. TV Talk shows on critical gender issues, which are directly affecting women's lives on day to day basis, were arranged. The target group of the second round of the campaign was the general public, as well as legislators, with the purpose of strengthening lobbying efforts for legislation to deal with identified critical gender issues. Well known women's rights activists, economists, and gender and legal experts were requested to talk on the topics. These talk shows were aired on three TV channels, one terrestrial and the others on cable.

The following subjects were chosen for the media campaign.

- Domestic Violence
- Honor Killings
- Social Protection of Women
- Local Government System and Importance of Revival
- Talibanisation of Education

The campaign went on air on PTV, GEO and DAWN. The Commission received overwhelming response from the public, representatives of civil society and in particular, students. NCSW was urged to continue with such campaigns for a longer period.

NCSW Response to VAW Cases

An increased number of violence against women cases are being reported from across the country in the media compared to previous years. These cases concern rapes, assault, honour killings, vani and swara, suicides and domestic violence. The Commission is of the strong opinion that there is an urgent need to include all stakeholders in policy decisions to ensure the safety and protection of women. Efforts at State and public level should be synergized and coordinated to eliminate violence and harassment.

NCSW responded to cases of gang rape, *karo kari*, and institutional discrimination, and attempted to mobilize support at different levels. Help from the media was sought to highlight the incidents, letters were sent to the Registrar of the Supreme Court to respond on a priority basis, and political representatives and local officials were approached. Since the majority of cases were from Sindh, an active coordination and communication mechanism was established with the Sindh Police and District Police Officers and District Superintendents of Police were approached. In this way the support systems in Sindh were mobilized and their visibility enhanced, so that victims instead of coming to Islamabad, could seek help in their own area.

It was reported in the electronic and print media on 18/04/2010 that a minor girl of around fifteen years of age had alleged in the open court of the Additional Sessions Judge, Taxila, that she had been subjected to torture and rape by police officials of Police Station, Wah, during her illegal arrest and confinement for 21 days.

The NCSW took cognizance of the media reports and decided to send a fact finding team to the victim and to provide Legal Aid to her. As a result of the efforts made by lawyers hired by the Commission, all the culprits were arrested, their bail was cancelled and the case is being heard in court. NCSW held an

emergency press conference and lobbied for justice at the highest level. The matter was consequently taken up by the Chief Minister Punjab.

Coordination with Acid Survivors Foundation

A case of Acid Burn Victim was referred to NCSW by PANAHA Trust Karachi. The victim was married for 17 years. Her husband used to beat her up badly which forced her to go back to her parents' house. Twice she filed for Khula. After a gap of three months, her husband came to her mother's house, threw acid on her, her brother and father and ran away. Her face and some other parts of body are completely scarred. She has lost her left eye and ear. She was admitted in Civil Hospital (Burns Department) for two months. When her husband threatened to kill her, she approached Madadgar Helpline who sent her to Panah Trust. An F.I.R has been lodged by Madadgar against her husband who is still missing.

The NCSW approached and coordinated with Acid Survivors Foundation to provide medical, psychological and legal support to the victim. The ASF immediately took up the case and referred it to the Civil Hospital Karachi. At the moment she is being given medical and psychological treatment. Once this stage is completed successfully, she will also be given legal support through a pro-bono lawyer to pursue the case with the police and court, so that she gets justice for the crime committed against her.

Lobbying with Government of Balochistan for Recovery of 13 year old Girl

A thirteen year old girl Nazira from Kholu Baluchistan was sold to a truck driver by her father just before the recent floods. The father wanted to purchase a truck costing 400,000 PKR, but had paid 200,000 cash. For the remaining 200,000 he gave away his daughter in marriage. The truck owner is a 40 years old. Marriage with this stranger and a man of her father's age, who was not even known to her father, a complete stranger to her, deprived Nazira of her childhood and a bright, prosperous and successful future which she might have dreamt of.

The NCSW took strong exception to this case and wrote letters of appeal to CM Baluchistan, IG Balochistan, Minister for Women Development, Balochistan and Commissioner, Sibi, to trace and rescue the girl immediately and provide her urgent medical care; and to ensure that her father is given appropriate punishment for this heinous crime against minor girl. As a result of NCSW's intervention, the CM Baluchistan ordered the IG to constitute a team and conduct raids in suspected areas. The girl was recovered from a tent in Jaffarabad along with her mother in law in critical health. A local NGO arranged for her treatment.

Free Legal Aid Provided to Gang Rape Victim

Another young woman from Ghotki Sindh, a mother of three children, was gang raped by her elder brother-in-law and his associates after being thrown out of her husband's home by her own husband. The culprits were neither apprehended nor did the police initiate any proper investigation against the accused because they have a criminal background besides and friendly relationship with police. This victim along her brother visited NCSW to share her ordeal. The Commission prepared her complete case profile and effectively lobbied with Ghotki Police and Karachi based civil society organizations to push for registering an FIR, to arrest the culprits and then for awarding due punishment. As a result an FIR was registered, and one of the accused was also apprehended. Search was on for his missing companions. NCSW has requested some organizations, especially PANAHA in Karachi, to provide free legal services as well as shelter to the victim so that she is able to pursue her case in the court of law and gets due justice. Her plight was highlighted at certain platforms which earned her lot of moral, legal and economic support, and she is

being taken care
of very well.

Aasia Bibi Case: Appeal to President of Pakistan

NCSW member from Lahore Ms Misbah Momin visited Aasia Bibi, the first Christian woman, who was sentenced to death under section 295 C PPC on charges of blasphemy by Additional Sessions Judge Mr. Muhammad Naveed Iqbal on November 8th, 2010 in Sheikhpura Jail. The matter was investigated by NCSW and the Commission found some startling facts, clearly highlighting gross irregularities in the judicial process, clearly highlighting the need for reform in the legal injunctions.

The NCSW member through Aasia's account found that she was forced by her co-workers to embrace Islam while she was working on a farm on June 8, 2009. This led to a discussion on the religious beliefs of the two communities. Aasia said that she has not met any lawyer in jail, and even on the day of her verdict she was not accompanied by any lawyer. She was asked to put her thumb print on some papers in court without being told what they were.

NCSW appealed to the President of Pakistan through a letter. The case details and NCSW findings were presented to him. The President was urged to immediately issue orders for the release of Aasia and for providing her protection. The Commission also highlighted the urgent need to repeal Section 295 B and C of the Blasphemy Law, which are being used to vent personal grudges and obtain property, particularly from religious minorities.

Candlelight Vigil for Salman Taseer

The brutal murder of Governor Salman Taseer once again bared the fascist face of religious extremists; and this was no time to remain silent. Together with colleagues from the civil society network, the Insani Huqooq Itehad, women members of parliament and citizens of Islamabad, NCSW members attended a protest demonstration and candlelight vigil on 5th January at Kohsar Market where Salman Taseer had been assassinated the previous afternoon. The demonstration by at least 200 people served to break the threatening atmosphere of fear that had gripped the city after the tragic assassination of the Punjab Governor for taking a principled stand against the Blasphemy Law and supporting a poor woman from the religious minorities.

Stoning to Death Case

NCSW took strong notice of the Mardan incident where on the decision of a Jirga, a young girl was stoned first and later shot to death by her husband and his accomplices. The Commission decided to file a petition against the role of Jirgas in Pakistan. The petition pleaded that Jirgas should be banned as they were illegal and stopped from imposing punishments. It pointed out that women were always victimized and were being subjected to barbaric 'punishments' because of the rulings announced by Jirgas, particularly in the rural areas,

The victim was seeking divorce from her cruel husband, who had left her at the mercy of relatives for food and shelter. But he was not willing to give her her *mehar*. Instead he went to the Jirga that declared her to be a woman of bad character who should be stoned to death. The punishment was executed by her husband and some of his close relatives.

The Commission took up the case with the Khyber-Pakhtunkhwa Government. The IG Police and Chief Minister assured the Commission that all possible legal help would be provided to the victim's family, but

nothing positive has happened so far. To highlight the case, the NCSW also published posters of the blood stained ground where the woman was murdered. The posters were sent to several organizations for awareness raising and to build support for her case.

Disgracing of an Elderly Woman by a Jirga in Haripur

In a village near Haripur an elderly woman was disrobed and publicly humiliated by the local *panchayat* for some crime committed by her sons. The incident was reported in the media and shocked all those who heard of it. NCSW took up the matter with the provincial government and police departments in the relevant district. Prior to that the Commission did some fact findings and identified a major flaw in the FIR which had been registered in the case. The Jirga that had given the decision was not even nominated in the FIR. Another case where the Jirga had ruled against a accused pregnant woman also came to light. A man wanted to divorce his wife. The Jirga had forcibly taken her signature on the Khula papers and declared that the marriage was dissolved. Thus the accused pregnant woman even couldn't claim her *haq meher*.

After these investigations, an NCSW delegation lead by Chairperson Ms. Anis Haroon met the Commissioner Hazara Division and D.I.G Abbottabad to express severe reservations regarding the procedural investigation of the case. The Hazara Division Commissioner, Mr. Khalid Khan Umerzai, briefed the delegates about the investigation process and assured them that he was taking a personal interest in the matter and pursuing the case transparently.

Ms. Anis Haroon stressed that all participants in the Jirga must be charged in the FIR, including the *maulvi* who had instigated the local people to commit this evil act. Later the delegation also met the victim in the office of Commissioner Hazara and urged the Commissioner to provide complete safety and protection to her and her family.

Later, the DIG Hazara Dr. Mohammad Naeem Khan informed NCSW that the case had been registered under PPC 354/A, 2010, 436/437/452,506/109 and 34 and if the culprits were proved guilty they could get either death sentence or life imprisonment.

Violence Against Woman Case from Bhimber,

In Bhimber, Azad Kahsmir, a woman, HB, was attacked by her husband with a knife and had her fingers cut off for voting against the candidate he advised. According to him, this act of his wife had earned him embarrassment and humiliated him in his community, and to prove his loyalty to them as well as to the politician he had wanted her to support, he had committed this crime.

The case was referred to NCSW by its member from AJK Ms. Bushra Zulqarnain. The Commission did some fact finding and found the man guilty. The case was taken up with the SP Bhimber Mr. Kamran Ali. He reported that according to his information, her husband had acquired bail from the court. However, he promised that he would conduct a thorough inquiry into the case, and present a strong challan to the court to ensure that the husband was properly indicted in the case. He also provided the copy of the challan for the FIR. As a result of NCSW's consistent engagement with him and back to back follow up, he had to plan another supplementary FIR on medical grounds to have the man arrested again and put behind bars.

Legal Support Provided to Minor Rape Victim of Taxila

A 13 years old girl was raped in police custody by personnel from the police department. The incident was reported in the newspapers and NCSW intervened to protect the girl and help her fight the case.

NCSW representatives and lawyers engaged by the Commission visited the girl and offered her support.

Court proceedings in the case are underway in the Sessions Court and also in the Punjab High Court -

Rawalpindi Bench. Policemen accused of the crime are presently seeking bail, but because of pressure from NCSW and its lawyers and members of civil society this has so far been denied. The Police Investigating Officer in connivance with the Prosecution Department had tried to exonerate the accused from the charge of rape, and went so far as to submit an interim chalan, which showed that all the accused had been found innocent of having committed rape under section 376 PPC. If this move had succeeded their crime would have been converted to “illegal custody and transgress of police powers,” a bailable offence liable to conviction for a mere 3-4 years.

NCSW is pushing for charges to be accurately framed so that each accused is charged according to his part in the crime, and that the trial should be swiftly concluded.

NCSW Nominations for Peace Prizes

The NCSW nominated Arundathi Roy, Hina Jilani and I.A.Rehman for the Benazir Bhutto Peace Awards. Citations for these three prominent personalities were prepared by the Commission's office and forwarded to the office of the Special Assistant to the Prime Minister, Ms. Shehnaz Wazir Ali, for further processing.

Fundraiser/ Crafts Exhibition for Karo Kari Victim

The NCSW in collaboration with Nomad Art Gallery and Aurat Foundation contacted members of civil society, NGO's and donors to offer support to a woman from Sindh under threat of being killed on the pretext of karo kari. She had come to Islamabad to seek justice and protection, and was selling handicrafts to earn money. In response the Nomad Gallery offered to initially exhibit the crafts and also provide guidance to the victim on designing, quality control and marketing so that she and her family could be financially independent. The NCSW and Nomad Gallery widely circulated the information about event. The exhibition was well attended by the members of civil society organizations, media, donor agencies, diplomats and concerned citizens of Islamabad. The income earned was used by the woman to pay her debts and meet daily expenses.

Nasreen Azhar, Member NCSW, gets Human Rights Defender Award

Nasreen Azhar, Member, Pakistan National Commission on the Status of Women, was awarded a Human Rights Defender award by the President of Pakistan, Mr. Asif Ali Zardari, at the President's House in Islamabad. She was among the 130 men and women nominated by the Ministry of Human Rights from across the country in recognition for their services in the field of human rights. Senior labour leaders, who have spent a lifetime struggling for the rights of workers, were prominent among the award recipients. Nasreen Azhar has been an activist for women's rights and human rights for many years and is now a member of the Executive Committee of the NCSW. The award giving ceremony, held to commemorate 10th December, Human Rights Day, was attended by a large number of social activists, political workers, diplomats and media personnel.

Policy Framework for Women's Equal Rights Published

The National Commission on the Status of Women, Pakistan commissioned a scoping study in order to identify and scrutinize prevailing gender discriminatory policies. The purpose of such a study was to review the policies that perpetuate gender inequality in the country and recommend amendments and changes to reverse the adverse impact of such policies. This study highlights critical and current concerns that inform policy content and suggests ways of gendering the policy-making process. The main value of this study is twofold; first, it attempts to locate policy concerns that are derived from the specific issues

faced by Pakistani women; secondly, it focuses on current policy concerns rather than outlining long-term visionary goals for gender equality. In other words, the NCSW intends this study to be used as a live document drafted in a local framework rather than an international one. It offers guidelines in approaching, understanding and rethinking gendered policy in the immediate time-frame for policy makers and other stakeholders, especially at provincial levels.

Focus Group Discussion on Inheritance Law

Awaz Foundation Pakistan, conducted a research study titled 'Denial of Women's Right of Inheritance' and requested NCSW to help them with policy research and advocacy on the outcomes and recommendations. Since NCSW conducted study on same women's inheritance rights issue in 2006, therefore, the AWAZ sought to collaborate with NCSW for policy and legal reforms in the light of recommendations made in the two studies. As a first step, it was mutually decided to seek technical input from lawyers in order to understand what kind of laws and policy reforms can be proposed to government in this direction. Awaz will add few more indicators in the research methodology and design and will revise the study in the light of discussion and in consultation with NCSW. At the end of the discussion, the following actions were identified as a way forward.

- The revised study will be launched at a national conference organized in Islamabad in collaboration with NCSW
- Based on the findings of revised research study, and technical input from law experts, policy brief will be developed which will be taken up by NCSW for sharing with policy makers and further follow up
- Data related to violation of women's right of inheritance will regularly be collected, archived and analyzed so to disseminate widely through organized forums / national conference.

Technical Collaboration with Women's Parliamentary Caucus

The Women Parliamentary Caucus in the National Assembly was planning to organize an International Convention on Democracy and Social Justice in Islamabad. The objective of this convention was to identify the challenges faced by women parliamentarians at local, national, provincial and international levels. Women parliamentarians from international arena were anticipated to attend this event so that experiences and best practices are shared through building alliances and networks. The NCSW was consulted to provide technical input for identifying and categorizing the themes as well as help devising modus operandi for the parallel sessions. In this regard, series of consultative meetings were held. The NCSW took on board some representatives of civil society organization and drafted very comprehensive plan for the conference. A theme for the convention was selected as ***Role of Women Parliamentarians in Strengthening Democracy and Social Justice***. Federal and provincial women parliamentarians and Women parliamentarians from different countries (ECO, SAARC) were expected to be invited as delegates. The programme of the convention was broken down in different sessions, where all the provincial, national and international delegates were provided with an equal opportunity to share the experience and highlight the issues. The final date for holding this international conference is yet to be decided.

Formal Inauguration of Resource Centre

NCSW's Resource Centre was inaugurated by Ms Shehnaz Wazir Ali, Special Assistant to the Prime Minister for the Social Sector, at a very colorful event in the NCSW office in Islamabad. Speaking on the occasion Ms Wazir Ali said that empowerment is about opportunities and access, and the Resource

Centre is the first step towards empowerment of women. She said that the Centre will not only serve as a hub of information on women and gender issues, but will connect researchers with the latest developments on the status of women worldwide, especially in Muslim countries.

ADB Country Director, Rune Stroem, termed the centre as a milestone initiative to open up a new world of information on women's issues, and said that it would be a strong contribution in further increasing the role of women in social and economic affairs of Pakistan.

Chairperson NCSW said that the Resource center has been established to cater to the urgent need of researchers, academia, politicians, lawyers, judiciary, media, and civil society organizations and is easily accessible to all, digitally and manually. At a later stage the Resource Center will be linked to District Resource Centers established under Ministry of Women Development in the districts. This will



enable women and men at the local level to directly access the information they need. It will contribute to disseminating information and raising awareness about policies, laws and human rights and serve as a comprehensive database at the national level.

The Resource Center will help to co-ordinate the efforts of different sections of society, including civil society organizations, academia and the government to guide gender related initiatives and improve women's lives. The Resource Center will be a hub of information on women related issues, policies, Bills, Ordinances, Acts and laws, and publications will be conveniently available in hard copies or electronically.

Country representative ADB Rune Stroem, Chairperson NCSW Anis Haroon, members of the NCSW, representatives from civil society, the media, national /international organizations, and academia were present at the occasion. The Resource Center has been established with support from the Asian Development Bank.

Gender Sensitization Training for Staff

The NCSW organized a 5-days training workshop on gender sensitization and team building for its staff. The objective was to increase gender awareness and sensitization at personal and at professional levels on gender issues. Another purpose of this training was to enable the staff to apply the learned knowledge and skills into their day to day work and contribute towards achieving the mandate of NCSW. The need for this training was identified through an assessment made by the Institution to assess the awareness level of staff on gender issues.

Talk on Food Security

NCSW organized a talk on food security and its impact on citizens in the present conditions of exorbitant prices. A founding member of Shirkatgah, writer and an activist, Najma Sadeque spoke about rights of the poor, food security and peace. She especially focused on the problems being faced by people in flood affected areas and talked about simple, doable measures that can be taken by citizens and government to meet emerging food needs on urgent basis. The recent devastating floods and the unprecedented food inflation are causing much hardship and exacerbating poverty in the areas affected by the floods. She

stressed the need to shift focus and attention to this issue before it gets worse, and to come up with solutions and identify opportunities for economic growth at the local level.

Day of Provincial Autonomy Celebrated

NCSW welcomed the successful completion of the devolution process. It organized a major celebration at its premises to commend the historic achievement that the people of Pakistan had waited for since long. It also celebrated its own autonomy through the new Bill recently approved by the Federal Cabinet with the approval of the last round of recommendations of the Implementation Commission. Anis Haroon said that now the manner in which the Commission will operate and contribute will be much different. With more autonomy we will at last be able to operate independently. Begum Shehnaz Wazir Ali, MNA from the PPP, also attended the celebration, and said that an autonomous commission can now be more assertive and play a more meaningful role in promoting women's rights agenda. The Commission reiterated its solidarity with the provinces in celebrating the day of Provincial Autonomy. Anis Haroon said 'we believe that the devolution of powers to the provinces will strengthen the Federation and this country.'

After devolution the role of NCSW has been further strengthened and made financially and administratively independent. It will now be attached to the Ministry of Human Rights.

The Commission appreciated the efforts of Senator Raza Rabbani, Chairperson of the Implementation Commission in this whole process. Provinces will be able to legislate on local issues more effectively and in timely manner. The anti women customary practices, so prevalent across the country, will be better addressed, and anti-women practices propagated under the name of religion and culture will be taken up more seriously by the provinces.

The NCSW looks forward to working with provincial governments and providing technical support required to deal with women's rights issues.

NCSW National Implementation Watch Committee

After the passage of the anti sexual harassment legislation the Prime Minister instructed NCSW to set up an Implementation Watch Committee to ensure full support in getting the legislation implemented. The Protection Against Harassment of Women at Workplace Act 2010 in specific needed an elaborate mechanism with adoption of the anti sexual harassment policy (the code of conduct) prescribed in the Act itself, forming inquiry committees in each organization and display of the text of this policy in a conspicuous place where employees could have access to this information.

A high level Committee was constituted with Dr Fouzia Saeed, member NCSW, as the chair. The Committee comprised six senior Government officials: from the Establishment Division, the Federal Bureau of Revenue, the Auditor General's office, the Ministry of Women, Police Department and NCSW; six persons from civil society, including four from various groups set up by AASHA (Alliance Against Sexual Harassment); icons within the Private Sector, representatives of the electronic and print media; and a few members representing the development agencies (List of members attached).



As a two year strategy this Committee outlined the major areas in which it would work. The main task for the Committee was to ensure coordination among several stakeholders that were working for implementation of this legislation and, secondly, to chalk out a common work plan for the Committee members.

The Committee met quarterly and in two years conducted 8 meetings. The work of this Committee was exemplary and, despite some hindrances, much progress was made. Several organizations have since looked at this Committee as a precedent-setting body which made legislation a reality to the extent that the results could be seen in a concrete manner.

The overall strategy was to:

- 1) Get the secondary legislation passed - Rules of the law
- 2) Get the organizations to comply with the Anti Sexual Harassment Act.
- 3) Encourage awareness raising
- 4) Develop systems for monitoring
- 5) Bring in the law enforcing agencies into the loop

It was made clear that the Committee would not chase individual cases but would keep the focus on the larger system, and would invest most of its efforts in setting the accountability mechanism in place for addressing sexual harassment in the country.

Regulatory bodies

The main strategy was to go through regulatory bodies and have them send out notices instructing

organizations under them to comply with the legislation and also to develop a follow up mechanism to take on the monitoring role.

This process started with the PM House, where all Federal Government institutions were sent out a notification for compliance. Similarly, the Cabinet Division was asked to send out notices to all regulatory bodies to do so. The regulatory bodies and other key partners that sent out notifications to organizations under them included:

- Police Departments
- State Bank of Pakistan
- Pakistan Business Council
- Ministry of Health (initially at Federal level and later at Provincial level)
- Ministry of Education
- Pakistan Electronic Media Authority (PEMRA)
- Federation of Pakistan Chambers of Commerce (FPCCI)
- Higher Education Commission (HEC)
- National Disaster Management Authority (NDMA)

Different members took on various responsibilities, or example, Maliha Husain from Mehergarh provided full support for meetings with regulatory bodies, while the representative of the PM Secretariat, Omar Hameed, played a key role in getting appointments and talking to critical players. Jamil Yousuf the from private sector played a crucial role to get leaders in the private sector to take the legislation seriously, while Samir and Asad Omar made sure that all members of the Pakistan Business Council adopted the code. Similarly, some members focused on awareness raising. Aqsa Khan through WORD developed an implementation model at the district level while Rukhsana Rehman through the Establishment Division ensured awareness sessions for Government Ministries. Maliha and other AASHA members on the Committee ensured legal aid to complainants in six cities and regular trainings on the issue.



Rules for Anti sexual harassment legislation made

A sub committee within the NIWC was formed to follow up on the formation of rules. Mehergarh took the lead in drafting them and Jamil Yusouf and Omer Hameed with Dr. Fouzia Saeed pushed the process forward with the Ministry of Women to get the rules passed. The Rules were eventually notified in January 2011. Considering that Rules are normally passed within one to five years after the law is made, getting the rules notified within ten months was an achievement.

The Federal Ombudsman Established

The Ombudsman office was set up by the Federal Government in Islamabad, and the first Ombudsperson was announced on the 22nd of December by the Prime Minister himself at a program organized by AASHA for working women. Musarrat Hilali, a senior lawyer and human rights defender from Malakand, was appointed as the first Ombudsperson. This decision was celebrated and helped to move the implementation process forward. The Ombudsperson's office was taken out of the Ministry of Women and was attached to the Law Ministry as a result of some persistent lobbying.

The ombudsperson's office has so far dealt with 42 cases, some through direct complaints and some appeals directed through local committees.

Government and Private Sector Organizations comply with the law

With the help of all members of the Committee and other organization that worked on implementation, almost all Federal Government organizations and Provincial Government Departments have complied with the legislation. They have formed their own committees and have circulated the Code of Conduct. Mehargarh and the Establishment Division played an important role in getting the relevant people to go through intensive training.

The Inquiry Committee members of Government Departments were also sensitized and trained regarding the dynamics of the issue. Similarly, members of Inquiry Committees from private organizations were also trained, and the NIWC provided an overall back stopping.

The exact number of organizations that have complied with the law is not known but according to a rough estimate more than 2000 committees have been formed; and more than one thousand cases have already been registered. There has been news of several terminations on the charge of sexual harassment.

Monitoring database

A Database was launched where each company could clearly register itself and document its compliance. Though quite simple, it became the first monitoring system where anyone could go to the internet and check out if their company had complied with the law or not. This database was launched at a big event where several Committee members explained the mission to the public.

www.sexualharassmentwatch.org

Awareness Raising

Over the two years the Committee members worked together, took on responsibilities and helped each other. The sense of ownership of their mission was quite high. People like I A Rehman, Jamil Yusouf, Maliha Husain, Omar Hameed, Neva Humaira and Rukhsana Rehman provided substantive inputs regularly.

During the first year the representative of PTV did well and incorporated some critical messages in PTV programs. In the second year due to changes in leadership positions less interest was shown. Radio Pakistan did short programs from time to time.

Members like Preview, IRC, WORD and many other organizations that were not directly members of this Committee, organized events for the implementation of the legislation. AASHA itself conducted massive media campaigns over these two years.

The NIWC coordinated information to maximize the results. It gave press briefings after meetings where the challenges to implementation and successes achieved were highlighted.

The Case of Punjab University

There were times when the Committee looked at a particular case because it had the potential to establish a precedent. The case of a Professor from Punjab University was not only a major case but also a tricky one. The professor used his contacts, links to senior parliamentarians and money to slip away. After the police absolved him of all charges and refused to register a police report, the Implementation Watch Committee intervened through the PM's Secretariat. The Punjab Government was requested to initiate a special inquiry to take up this case. Consequently, three senior persons were appointed who after careful investigations found the Professor guilty of sexual harassment in more than one case. Meanwhile the Departmental Committee of the Punjab University also found him guilty. Thus, the Professor's services were terminated. But this saga continued, as he would get senior parliamentarians, or other senior officials to intervene in his support. Continuous follow up by NIWC proved useful in this case.

Other important cases

The two cases in Quaid-e-Azam University were handled by their internal committee very well and both the employees concerned were terminated. Some other cases in the private sector were also pursued that had a positive impact and inculcated some confidence in the system.

Adding the Provinces to the Committee

In its second year the NCSW National Implementation Watch Committee revised the membership and added four provincial representatives. These were Provincial Government representatives from the Women's Development Departments of Social Welfare. They proved to be an excellent addition and work in the provinces took on a new momentum. The Committee coordinated as a clearinghouse for several activities by individual member organizations or other NGOs. Thus, connections were made and people were put together in sub-teams to pursue specific objectives.

Exit Strategies

The NIWC devised an exit strategy to ensure that with the winding up of the Committee the steady progress being made in implementing the anti sexual harassment legislation did not stop.

Provincial Watch Committees

All provinces were requested to make Provincial Watch Committees on the pattern of the National Implementation Watch Committee. The diversity of membership had proved to be very effective for the national committee, therefore it was suggested that the provinces should include members from civil society, government, media and other stakeholders.

Balochistan and Sindh have already announced their committees; in Sindh it was formally announced by the Minister for Women, Ms Tauqeer Fatima Bhutto, and participants have already received training. The Committee members from Balochistan will be given a full orientation in March. It is expected that Punjab and Pukhtunkhwa will also announce their committees in March, 2012. Committee members of NIWC who come from other provinces have been encouraged to join their respective provincial committees to ensure an institutional continuity. This has worked out very well in Sindh where three NIWC members have joined the Provincial Committee.

Provincial Ombudspersons

The Committee tried its best to get at least two Provinces to appoint ombudspersons so that the precedent is set for other provinces. Punjab is expected to be the first province to set the example.

Working Women's Day institutionalized

The Implementation Watch Committee members organized and participated in several official programs on the occasion of Working Women's Day (22 December, 2012). The members strongly felt that this day could be instrumental in highlighting the challenges faced by working women, and could play an important role in reinforcing reforms for them every year.

Legislation

An important function of the National Commission on the Status of Women is to examine and review laws from a gender perspective and to recommend changes in existing laws or suggest new legislation as needed. The NCSW reviews laws and policies through a broad based consultative process and formulates appropriate recommendations with the core objective of creating an enabling environment for women's empowerment, equity and justice.

For this purpose a number of committees were constituted, the Law Committee being perhaps the most important. The Law Committee was headed by Justice [®] Majida Rizvi and included Justice [®] Kailash Nath Kohli, Dr. Faqir Hussain, Ms. Hina Jilani, Ms. Saadia Mumtaz, Chairperson NCSW Ms. Anis Haroon, Members NCSW Ms. Nasreen Azhar, Ms. Raashda Anwer and Dr. Fouzia Saeed, Program Manager Ms. Sofia Noreen and Legal Expert NCSW Ms. Riffat Butt.



The Law Committee also reviewed the personal laws of Christians and Hindus in Pakistan relating to marriage and divorce. For these two focus group discussions with representatives from the two groups comprising religious scholars, academia, intellectuals, lawyers and members of the community were held.

The objectives were:

- 1- To get first hand information for the Law Committee from stakeholders to formulate an opinion through discussion on the existing Christians and Hindu laws.
- 2- To hear their opinion regarding the issues they are facing with respect to their personal laws.
- 3- To propose amendments and recommendations to the Government for necessary legislation

Findings and recommendations of focus group discussion with the Christian community:

- 1- Appointment of Marriage Registrar for registration is necessary
- 2- There should be a centralized place for registration in different areas
- 3- Performa of NADRA (National Data Base Registration Authority) may be useful for registration
- 4- While proposing amendments in the current personal laws interfaith marriages should be looked at
- 5- Marriage of children should be discouraged
- 6- Churches should follow a proper procedure for granting marriage licenses; for this purpose a designated church should also be authorized to facilitate those who want church marriages
- 7- For divorce, other grounds besides adultery should also be considered.
- 8- The status of mother as guardian should be brought equal to that of father.
- 9- Custody and maintenance matters should also be considered in the proposed change

Findings and recommendations of the focus group discussion with Hindu community:

- a. There exist no Hindu personal laws on marriage and divorce matters in Pakistan.
- b. There should be one codified enactment to be called “The Hindu personal Laws of Pakistan”
- c. Minimum age for marriage for both bride and groom should be 18 years.
- d. It was proposed that for drafting “Grounds for Divorce”, the Indian Marriage & Divorce Act 1955 could be looked into.
- e. It was suggested that widows' right to re-marry should also be included in the Hindu Personal Laws.
- f. There should be a separate law for registration of Hindu marriages.

As an outcome of the discussion a draft bill, the “Hindu Marriage Registration” was prepared and submitted to the Ministry of Human Rights. Further, the “Hindu Marriage Act 2011” pending in the National Assembly was also reviewed by the Law Committee, and recommendations shared with the Ministry of Human Rights.

Similarly, a number of amendments were proposed for legislation to make Christian personal laws on marriage and divorce more effective and result oriented. The proposed bills are called the “Christian Marriage (Amendment) Act 2011 and the Christian Divorce (Amendment) Act 2011.

Salient features of the bills drafted and proposed by NCSW:

1. **Hindu Marriages Bill 2011**- This bill was introduced in the National Assembly. NCSW was asked by the HR Ministry to give its opinion on the pending bill. The Law Committee suggested a number of substantial changes. This bill focuses on solemnization of marriage as well as grounds for divorce.
2. **Hindu Marriages Registration Bill**:- This draft prescribes a mechanism for registration, and proposes a penalty if its provisions are violated. It also contains a registration form to be called a *Shaadi Parat*.
3. **Christian Marriages (Amendment) Act 2012**:- The existing Christian Marriages Act 1872 is outdated and discriminatory towards women. In the proposed draft changes have been suggested to bring it in accordance with the contemporary world. Marriages will be registered by the state and, if desired, can be solemnized in church. Discriminatory clauses against women have been omitted. Age of marriage both for males and females as proposed is 18 years.
4. **Christian Divorce (Amendment) Act 2012**:- Under the present Christian Divorce Act 1862, adultery is the only grounds for divorce. This gives rise to allegations against the chastity of the spouse. In the proposed draft, other grounds for divorce have been provided, and the court has been asked to decide the divorce petition within six months.
5. **Domestic Violence (Criminal Law Amendment) Bill 2012**:-
6. For Criminalization of the act of the domestic violence, a draft of the bill with the name “**Domestic Violence (Criminal Law Amendment) Bill, 2012**” was prepared by the law committee after

having consultations with civil society organizations and other stake holders. The draft of the above bill has been sent to the ministry of human rights to introduce it as a government bill. This bill

- Introduces a new chapter XVI-B & Section 358-A in P.P.C.
- Defines the act of “domestic violence” including abuses like: physical, sexual, emotional and economic abuse
- Proposes a maximum punishment of 3 years and minimum of 3 months; Fine ranging from Rs.50,000 – Rs.3,000,000.

Laws Reviewed by NCSW

7. **Domestic violence Law:** A bill on the issue of domestic violence was passed by the National Assembly of Pakistan in 2009 but lapsed because it was not taken up in the Senate. After the 18th Constitutional Amendment legislation will have to be taken up by the provinces, but criminal law remains the purview of the Federal Government.
8. A bill, the “**Domestic Violence (Criminal Law Amendment) Bill, 2012**” was drafted by the NCSW Law Committee after consultation with civil society organizations and other stakeholders and was given to the Ministry of Human Rights to introduce as a government bill for the whole country. For the Islamabad Capital Territory, the Law Committee introduced necessary changes in the original draft of the DVB. This was presented by Senator Nilofer Bakhtiar in the Senate and was passed unanimously on February 2012.
9. **Criminal Law Amendment Act 2011:** The Commission reviewed and prepared a report on a recent amendment in Section 497 of Cr.P.C called the Criminal Procedure (Amendment) Act 2011. The Commission found it to be unfavorable to women. Its adverse effects were observed as follow:
 - a. It has undone the concessions provided to women in “The Code of Criminal Procedure (Second Amendment) Ordinance, 2006, which said, all offences, except four (terrorism, financial corruption, murder and offence punishable with death or imprisonment for life or imprisonment for ten years) were bailable for women, and bail was granted as a matter of right to women.
 - b. The new Amendment has withdrawn the facility of grant of bail to women on simple surety bond in non-bailable offences.
 - c. This Amendment has again put women at the mercy of the system; they may be detained on minor offences, and even in family disputes the grant of bail will not be their due right. Where women could manage their release on a surety bond, now it will be very difficult to avoid imprisonment, as grant of bail is the sole discretion of the court”, and women will have to follow a lengthy procedure to obtain bail.
 - d. The Commission wrote a letter to the Speaker National Assembly Dr. Fahmida Mirza and other politicians, including Ms. Bushra Gohar, Ms. Nafeesa Shah, Ms. Shehnaz Wazir Ali and to Advisor, Ministry of Human Rights, Mr. Mustafa Nawaz Khokhar. In the letter the Commission shared its observations and recommended that the new Amendment should be reviewed.

Other Laws Reviewed

9. Acid Crime Prevention & Control Bills

10. Blasphemy Laws Act 2010

11. Criminal Law Amendment Act 2011 (issue of grant of Bail to women)

Petition lodged in Supreme Court against Jirgas

Taking notice of the discriminatory and inhuman decisions taken by *jirgas* against women, the Commission filed a petition in the Supreme Court of Pakistan against parallel justice systems. The petition was prepared by the Law Committee. It challenges the permissibility, prevalence and forced imposition of the unconstitutional, unlawful, and unjust custom and tradition of 'Jirgah/Panchayat' as an adjudicating body awarding judgments and executing punishments. It is prayed that in view of rulings by the Sindh and Balochistan High Courts such actions and proceedings conducted, and orders passed by any Jirgah/Panchayat or similar bodies be declared null and void.

Research

Researches and Dialogues for Strengthening Policy Advice in Three Key Areas

The Asia Foundation provided a grant for the research project under the Gender Equity Program supported by USAID. The duration of the project was one year: from Feb 2011 to Feb, 2012. The main objective of this program was to conduct research studies in 03 thematic areas. The program of research studies and dialogues will strengthen NCSW's existing initiatives and identify future needs to meet its objectives. The program will also ensure continuity in developing policy documents and provide advice to the government in the light of the research.

Research Study Theme 1

Assessment of Disaster Management Institutions and Development of Gender Responsive Preparedness Plan

This study assessed the existing institutional mechanisms to respond to disasters and move towards recovery and rehabilitation. The objective was to come up with policy recommendations to make disaster management institutions and disaster response gender responsive.

Research Study Theme 2

Assessment of the Capacities of Women Development Departments at Provincial Level

The objective was to assess the current functions, organizational structures and capacity of WDDs and learn where they can be strengthened.

Research Study Theme 3

Two research studies were conducted under this theme on:

- (i) Women's Shelters and Crisis Centers
- (ii) Police Reporting, Investigation Mechanisms, political interference and Security of victims

The Research Studies have been finalized/approved by PAC, printed and launched. The Lead Researchers have prepared policy papers which will be used by NCSW for policy making.

Research Report on Nizam-e-Adl Study Launched

In order to deepen understanding about the Nizam-i-Adl Regulation instituted in Swat, NCSW launched the first ever study on the new law. The study called

Nizam-i-Adl: inside out was conducted by researcher and former member of NCSW Ms Simi Kamal. The author presented the highlights of the study at a seminar held on 2nd June 2010 at the Hill View Hotel, Islamabad. Ms Sherry Rehman, MNA, Chairperson Anis Haroon, members of the Commission, representatives of different political parties and civil society participated in the event. The study was supported by UNIFEM.



The study, which is in two parts, covers a total of 203 interviews across the country, including with IDPs from the area concerned, and includes reviews and events that lead up to the imposition of the Nizam-i-Adl Regulation. Findings regarding implementation showed that Nizam-i-Adl was not yet fully operational in Swat.

The study looked at Nizam-e-Adl in the light of the Constitution of Pakistan and internationally agreed Human Rights Conventions, such as CEDAW and other covenants to which Pakistan is a signatory. It was also measured against national level policies, like NPDEW and National Plan of Action for Women, etc. Efforts were made to assess the opinion of different sections of society towards this law and its implementation, as well as to understand the possible impact on mobility and lives of women.

The study shows that the manner in which Islam has been interpreted in the rules and procedures of the regulation seems to go beyond the Islamic framework defined in the Constitution. It was found that the Nizam-i-Adl Regulation as designed was against the spirit of the Constitution and equality before law, and that it could serve to hamper development and empowerment of women. The study recommends that a uniform legal system should prevail in the whole country, and that FATA and PATA too should be brought into the mainstream and be subject to the same laws as the other provinces.

The NCSW is of the view that the Nizam-e-Adl Regulation that has been adopted and is being partially implemented in Swat contravenes internationally accepted standards of human rights and justice, and will serve to undermine women's human rights in particular.

Research Report on Gender Review of Parallel Judicial Systems Launched

NCSW's much awaited countrywide research study on Parallel Legal Systems in the country was launched in a simple ceremony in Karachi at the Regent Plaza Hotel with media persons and civil society representatives present. In essence, the study was intended to provide an overall analysis on how these systems operate and how they affect the rights of women and the poor, and what measures could be taken to ensure that all citizens, without discrimination, can have access to justice. Findings and recommendations emerging from the study were shared.



Letters to Dignitaries on Issues Concerning Women

To CM and IG Punjab in Aisha Murder Case

The NCSW had received an application submitted by a complainant called Ms. Farzana Bibi D/O Mst. Ghulam Ayesha and Ghulam Abbas, Caste Bhatti and a resident of 63/DP, Tehsil Yazman, Distt. Bahawalpur. According to the application, Mst. Ghulam Ayesha had been brutally beaten to death in police custody by SHO Mr. Iqbal Janar, of Police Station Marrot, Tehsil Fort Abbas, Distt. Bahawalnagar. A case study of this brutal incident of violence reveals that a petty issue sparked a fight between two close members of the family. Ironically, information about internal brawl had reached the said police station, but it ended in

Mst.GhulamAyesha being 'killed'

NCSW strongly urged the Chief Minister and IG Police, Punjab, to take immediate notice of the case, initiate proper investigations and, if necessary, take stern action against the said SHO. NCSW also asked both the officers to apprise the Commission of the case details and action taken. The response was received and it was found out that had Ayesha died of heart attack not by police beating.

To the President of Pakistan on Kidnapping of Woman

On March 8, 2011 a businesswoman from the Parsi community, Ms. Nelofur Abadan, was kidnapped in Baluchistan, and there was no clue of her. The local police was unable to trace her and was reported to be uninterested in tracing her whereabouts. NCSW took strong cognizance of this case and wrote a letter to the President of Pakistan to instruct the Government of Balochistan to launch an intensified search operation to recover the kidnapped woman.

To the Prime Minister of Pakistan

With reference to the judgment given by the Federal Shariat Court regarding Women Protection Act 2006, NCSW urged the government to appeal against the judgment as it would negate the positive gains made by women in the Women's Protection Act 2006 and also undermine the judicial system. Consequently, the Ministry of Law on behalf of GoP filed an appeal against this judgment in the Supreme Court.

To the President and Prime Minister of Pakistan

NCSW wrote two separate letters to the President and the Prime Minister of Pakistan expressing concern at the exclusion of women parliamentarians from the Cabinet that was formed in 2011. The Commission appreciated the fact that the Pakistan People's Party had always supported the cause of women and taken bold steps to improve women's status in society, but conveyed disappointment that there were currently only two women in the Cabinet, and no woman parliamentarian had been included among the 14 appointed Ministers and Ministers of State. The Commission questioned why the several capable women members of parliament, who had a track record of supporting human rights and pro-people causes, had been ignored?

To the CM and IG Punjab to Provide Foolproof Security to Mukhtaran Mai

The National Commission on the Status of Women was concerned for the safety and security of Mukhtaran Mai, as the accused were released from jail and it was anticipated that they might be reaching Meerawalla any time. The same concern had also been expressed by Civil Society Organizations across the country.

NCSW called upon the Punjab Government to fulfil its responsibilities and take immediate measures to provide Mukhtaran Mai foolproof security. It urged the Chief Minister and IG Police to urgently deploy a police force outside her, and provide her with police escort when she travelled. The Government of Punjab was cautioned that in case of any lapse of security and harm to Mukhtaran Mai the Government of Punjab would be held responsible.

To the Law Secretary, Finance Secretary and Deputy Commissioner Gilgit Baltistan

The NCSW has received an application submitted by a complainant called Ms Jahan Begum, a retired Headmistress, R/O Danyore, Gilgit Baltistan. According to her, she had been continuously harassed and humiliated by the Treasury Officer Mr. Ghulam Haider, who resided in the Treasury Office at Khazana Road. Ms Jahan Begum is a retired government employee who had worked for the promotion of girls' education in far flung places like Danyore. A case study of this incident revealed that every time she visited the Treasury Office to collect her pension, her file was reviewed afresh, stamped and signed by the said Treasury Officer. He treated her rudely, used abusive language and threw the file in her face.

NCSW was concerned that an elderly retired government employee and a woman should be humiliated in this manner, and urged the Secretary Finance and Deputy Commissioner to take immediate notice of the case, initiate proper and fair investigation and take due action against the culprit, and provide a sense of protection to the complainant.

To Nawab Aslam Khan Raisani Chief Minister for Balochistan

The issue of the Domestic Violence Bill was raised with the Chief Minister Balochistan, and he was urged to take a lead in enacting the law on domestic violence in his province. Through the letter, the Commission noted that domestic violence against women was a common phenomenon in Pakistan. Necessary mechanisms, including legislation to deal with domestic violence was necessary to protect women and to ensure that perpetrators were given due punishment.

The Commission strongly condemned all acts of violence against women including domestic violence and further urged the Chief Minister Baluchistan and Women Provincial Legislators to take up the issue on a priority basis as legislation after the 18th Amendment was the responsibility of the provinces. The Chief Minister was urged to summon an urgent session of the Balochistan Assembly and to enact the legislation on domestic violence against women. A draft of the DVB was sent with the letter and NCSW's technical support was offered to his government.

To DIG Hazara Division in Neelor Bala Case

The National Commission on the Status of Women Pakistan was extremely perturbed at the incident, in which an elderly woman was disgraced by the local Jirga, and wrote letters to the DIG and DPO to ensure that none goes unpunished, and that the victim and her family were provided security. Copies of this letter were also sent to Commissioner Hazara Division and Chairperson Provincial Commission on the Status of Women KPK.

To Chief Minister Baluchistan

There were many cases of violence against women in Baluchistan been reported in press and highlighted by different sources. Through letter, the Commission expressed its strong reservation about the failure of the Balochistan Government in handling the situation and urged the CM to take cognizance of the cases and mobilize resources to tackle the problem.

To CM and IG Punjab in Aisha Murder Case

The NCSW strongly urged the Chief Minister and IG Punjab to initiate proper investigation and

apprise the Commission of the case details and action taken.

To Chief Minister Punjab, Mr. Shahbaz Sharif, about women's crisis centers

Letters were written to Mr. Shahbaz Sharif urging him to take responsibility for the Benazir Crisis Centers for Women after devolution. A delegation led by Commission member from Lahore also met the CM and apprised him of the consequences of winding up the women's centers. He was also briefed about the different services being delivered by the Darul Amans and the Crisis Centers, and urged to reconsider his decision of not retaining the crisis centers. Although he assured that he would consult his advisors and come up with a solution in the best interest of the beneficiaries, no progress was made on the matter.

To Policy Makers regarding Criminal Procedure Amendment Act 2011 and its adverse impact on women

While reviewing a recent Amendment in Section 497 of Cr.P.C called Criminal Procedure (Amendment) Act 2011, the Commission found that it had undone the concession for bail

provided to women in "The Code of Criminal Procedure (Second Amendment) Ordinance, 2006". In the said Amendment all offences, except four (terrorism, financial corruption, murder and offence punishable with death or imprisonment for life or ten years) were considered bailable, and bail was granted as a right to women. The new Amendment has withdrawn the facility of grant of bail to women on a simple surety bond in non-bailable offences. The Commission wrote to the Speaker and policy makers and suggested review of the new Amendment on the above lines.

To the Chief Election Commissioner regarding by-Elections in Shangla Kohistan

It was widely reported in the press that during by-elections in Shangla Kohistan held on November 22, 2011, major political parties had entered into an agreement with the local Jirga and religious leaders to disallow women from voting. NCSW took serious notice of this report and wrote a protest letter to the Chief Election Commissioner. Since this sort of an agreement was made last year too, when by-elections were held in the same area, the Commission had raised its serious concerns before with the then Election Commissioner, urging him to take serious note of the incident and take pro-active measures against any informal agreements among candidates and other local stakeholders who prevent women from voting. The second letter regretted that the Election Commission of Pakistan had not taken appropriate action in this regard and the very same issue resurfaced once again.

ECP was urged to demonstrate its commitment, address these illegal practices and enforce the fundamental right of citizens to exercise their right to vote during the next general elections. NCSW asked that the ECP not announce the results for constituencies where women are prevented from voting in any polling station, and vote counts from such polling stations be excluded from the official result; or re-polling should be ordered in the affected polling stations.

To President of Pakistan for Extension of National Laws relating to Women's Rights in FATA

NCSW wrote to the President of Pakistan and requested that all legislation passed to protect women's rights in Pakistan, especially the Muslim Family Laws Ordinance 1961 and Family Courts Act 1964 should also be made applicable in the regions that constitute the Federal

Administrated Tribal Areas (FATA) in consonance with the provisions of the Constitution of Pakistan 1973.

Press Releases

Murder of a Woman Professor

The National Commission on the Status of Women in its 40th BoD meeting robustly condemned the murder of Nazma Talib, Associate Professor at the University of Balochistan. It expressed its strong concern on the continuing incidents of target killings which had earlier also taken the life of the husband of NCSW member from Balochistan, Ms Rukhsana Ahmed.

The Commission expressed its shock at the impunity with which the perpetrators of these heinous crimes go scot free; demanded that the criminals be apprehended and security be provided to people of all sects, including religious minorities. It stressed that vengeance against innocent citizens was not the way to resolve political conflicts.

Violence Inflicted Upon Nurses

The National Commission on the Status of Women expressed grave concern at the violence inflicted on peacefully demonstrating nurses from the PIMS Hospital in Islamabad. Nurses provide medical care to suffering humanity with dedication and commitment round the clock, and their services should be duly acknowledged and suitably rewarded. Nurses are often discriminated against and there have been many complaints of sexual harassment in hospitals. Their long standing problems need to be addressed by the government and the hospital administration.

It urged the government and the women parliamentarians in particular, to address the issue and facilitate an amicably resolution of the problems facing nurses, not only in PIMS but generally in the country. It recommended that an impartial inquiry should be undertaken and justice provided to the nurses as per their demand.

Signing the UN Convention on Civil and Political Rights

The NCSW welcomed the Government's decision to sign the UN Convention on Civil and Political Rights. The Commission hoped that the implementation of this Convention would go a long way in ensuring equal rights to all men and women in the country.

It urged the government to address the conditions in the country where women were victims of all kinds of violence for many years. It said that the 1973 Constitution of Pakistan clearly gives equal fundamental rights to all citizens of the state, which can be applied in the area of marriage and family. Pakistan ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1996, but women still continue to be commodified and bartered for land or money, given as *swara* (compensation for murder or dispute settlement) shackled in *watta satta* exchange marriages

It recommended that the government should enforce a suitable law to deal with domestic violence without any further delay; The law addressing acid throwing attacks against women should be urgently promulgated because the present laws are insufficient to deal with this heinous crime; The representation of women in the legislative assemblies should be increased to at least 33%; The Citizenship Act needs to be amended, as it is discriminatory and negates the principle of gender equality, since foreign husbands of

Pakistani women, unlike foreign women married to Pakistani men, are not given Pakistani citizenship.

Women Parliamentarians Convention

The NCSW welcomed the initiative taken by the Women's Caucus in the National Assembly to organize a dynamic and vibrant conference of women parliamentarians from across the country and the South Asia region on the issue of **“The role of women parliamentarians in peace building and reconciliation”**.

In its message to the conference the Commission appreciated the topic chosen and said that peace building and reconciliation were badly needed at this time. The country had been enduring attacks by terrorists and women and children had been the worst affected. Socio-economic development in the country had been paralyzed and the lives of millions of innocent men, women and children seriously disrupted.

Attack on Dr. Gulali In Khyber Pakhtunkhwa:

The National Commission on the Status of Women issued a press release to condemn the attack on Dr. Gulali in Khyber Pakhtunkhwa terming it a deplorable and cowardly act. The Commission said that the murder of the woman educationist was not committed against an individual alone but was meant to discourage and eliminate women who are prominent in the public sector. The attack underscored the scale of the militant threat to progressive, secular and moderate forces especially women in Pakistan, and socially aware women who are rendering valuable services are willfully being targeted.

US Federal Court's Verdict in Dr. Aafia Case

The National Commission on the Status of Women was extremely saddened and shocked by the sentence pronounced by the US Federal Court in Manhattan against Dr. Aafia Siddiqi.

The Commission is of the opinion that the manner in which the entire case was handled and the trial conducted is a gross violation of international human rights norms. It is a matter of deep regret and concern that international covenants and agreements adopted by consensus by the nations of the world are being seriously undermined by States that purport to uphold women's human rights and human rights.

Assassination of Dr. Muhammad Farooq Khan

The cold blooded murder of Dr. Farooq, psychiatrist, religious scholar and Vice Chancellor of the Islamic University of Swat, has caused grief and anguish across the country. Dr. Farooq was a mild mannered and humane person who unflinchingly supported the rights of women and religious minorities, and spoke out boldly against extremism and violence. His vision of a moderate Islam reflected the true spirit of the faith and represented the values that the vast majority in this country adheres to. The Commission expresses its sincere sympathies to Dr. Farooq's family and hopes that serious efforts will be made to apprehend his murderers and bring them to justice. Immediate and urgent measures need to be taken to strengthen and reform the criminal justice system so that the rule of law can be restored and citizens can live in peace and security.

Victory by Women's Cricket Team

The National Commission on the Status of Women expressed its heartfelt appreciation over the emphatic victory of Women's Cricket Team of Pakistan which has created history by winning gold medal in the first-ever Asian Games women's cricket tournament. The win came as welcome relief at a time for Pakistan when the Nation had been confronting the issues of lawlessness, post floods, poverty, injustice, inflation

for the past many years.

The Commission considered it a precious Eid Gift to the people of Pakistan. The entire Nation was excited and happy and is proud of them. This victory will further build the morale of Pakistani women and will help the women's game grow in Pakistan. The girls have proved that if fought with calmness of mind, good spirit, passionate efforts and hard work, the women can conquer and excel in any field of life. Women in Pakistan are very strong and talented, if they are encouraged to be involved in sports, they can make it this far.

The NCSW urges concerned authorities to provide all out logistical and technical support and cooperation with PCB Women's Wing to improve women's cricket in Pakistan.

By-Elections in Shangla, Kohistan

The National Commission on the Status of Women felt appalled that women were yet again not allowed to vote in the by-polls held in Shangla. As it was reported in the press, under an agreement between all contesting parties, women were barred from casting their votes

Election results that reflect the will of only half the electorate cannot be considered free, fair and democratic, the letter said. It is extremely regrettable that though women have 17% representation in the assemblies, women in Shangla were not allowed to participate in this election. The NCSW categorically denounce this blatant flouting of the law and demand that the Shangla by-polls be declared null and void.

Assassination of Salman Taseer

The National Commission on the Status of Women condemned the horrific and tragic assassination of Governor Punjab Mr. Salman Taseer who possessed very liberal and progressive mind. This is a great loss not just to his family but to the entire struggle and movements against retrogressive forces to build peaceful, tolerant and just society. In his death, Pakistan has been deprived of a liberal, educated and courageous leader. When most of the political leaders backed down in the fact of blackmailing by religious zealots, he stood his ground. His assassination must be seen as a blatant crime and cold blooded murder. The issue must not be defused by a religious or political smokes screen. His murderers should be expeditiously tried and convicted. Those inciting crimes in the name of religion must equally be held responsible. We expect the media to play a responsible role and not to allow 'it' to be used for inciting violence, the press statement said.

Assassination of Federal Minister for Religious Minorities Mr. Shahbaz Bhatti

Once again the voice of sanity was silenced for speaking out boldly for justice and the rights of vulnerable people in Pakistan. The NCSW deplored the tragic and cold blooded assassination of Federal Minister for Religious Minorities Mr. Shahbaz Bhatti, who was struggling to promote peace and interfaith harmony in society.

The Commission called upon the government to take concrete measures to improve the security in the country and devise an appropriate strategy to firmly deal with such elements so that the rule of law is established. In this situation the religious minorities, who have been assured equal citizenship rights by religion, the Constitution of the country and by the founder of Pakistan, Quid-e-Azam Muhammad Ali Jinnah, are feeling so insecure and vulnerable. Furthermore, the NCSW called upon the media not to give disproportionate coverage to those who have played a major role in sowing the seeds hatred and dissent and providing a fertile environment for obscurantist forces. The media is urged to re-channelise its energies

and resources towards promoting tolerance, peace and harmony encouraging rational thinking in the society.

Disciplinary Action by Punjab University against Professor

The National Commission on the Status of Women appreciated the disciplinary action of the Punjab University on firing a senior professor proven guilty of sexually harassing a lecturer of the University. A PhD student was sexually harassed by the accused, Dr. Iftikhar Hussain Baloch on 15th May, 2010. She was a lecturer at College of Earth & Environmental Science, University of the Punjab, Lahore. Dr Iftikhar Hussain Baloch, who committed sexual harassment and criminal act towards the victim, was a senior professor of Punjab University.

Verdict in Mukhtaran Mai Case

The National Commission on the Status of Women expressed deep shock and disappointment on the verdict given by superior court in Mukhtara Mai gang rape case as well as felt pity at the process and the time period of dispensation of justice. The NCSW said that this decision has further strengthened the parallel legal and judicial systems and mechanisms in the country and women's confidence on the law has been dwindled. The NCSW felt that the criminal justice system is not pro women and patriarchal in nature. Impunity is the order of the day. The women victims are asked to provide series of evidences which is not possible for the women victims therefore, all those women who are raped or gang raped cannot produce evidences, hence; do not get justice from the courts.

Exclusion of Women Parliamentarians in Federal Cabinet

The National Commission on the Status of Women (NCSW) issued press statement regarding the two separate letters it wrote to the president and prime minister and voiced its concern and dissatisfaction for not including any female member of the parliament among the 14 recently appointed federal ministers and ministers of state

The commission expressed disappointment at the number of women in the present cabinet and urged the government to take immediate steps to facilitate induction of female members into the cabinet. The NCSW highly regretted that the contribution made by female parliamentarians have not been recognised, though studies have shown that the female members in parliament have been more active and responsible, and generally performed better than their male colleagues.

Stoning and Shooting of Young Woman in Mardan

National Commission on the Status of Women (NCSW) expressed its shock at the incident of stoning to death of a young lady in Mardan. According to a report, Muhammad Saeed of Girhoch village took her wife Shazia to the nearby mountains where he stoned her to death, because of increasing domestic disputes.

The Commission considered it the most gruesome act of violence against women in the country. This violent action was taken on the behest of Jirga, which decided this penalty for the unfortunate young woman, who wanted to live life of her own choice.”

NCSW called it “an extreme act of brutality” and urged the authorities not only “to punish the culprits who took part in this heinous crime but also the Jirga which has been the main driving force behind such biased, brutal and wild decisions against women.”The Commission strongly appealed to the government of Khyber Pukhtun Khuwa to show same commitment to resolve the issue, as it had shown in the case of

Neelor Bala incident.

Appointment of Hina Rabbani Khar as a Foreign Minister

The NCSW Issued press releases on the appointment of Ms.Khar as foreign minister and it appreciated the government's move to appoint a young woman on this important and strategic slot.

Acid Throwing on Female Teachers in Balochistan

The National Commission on the Status of Women felt extremely perturbed at the news item appeared in The News International on 22nd September, 2011, in which unknown motorcyclists threw acid on the faces of women teachers while they were travelling back to their homes in school van . The Commission condemned this act in absolute terms, and expressed zero tolerance for violence against women.

The Commission demanded that the Government of Baluchistan must take strong cognizance of the case, bring the culprits to book and ensure complete medical, psychological and economic rehabilitation of the victims. The Commission also urged legislators to introduce timely and proper legislation.

Passage of Pro-Women Legislation

The National Commission on the Status of Women welcomed the passage of two important women's rights bills - Prevention of Anti-Women Practices Bill and Acid Control and Acid Crimes Prevention Bill, recently passed by the upper house of Parliament and considered it another historical and unprecedented move by the present government. It shows the government's commitment towards women's empowerment and to promote gender equality in the country. The Commission said that it believes introducing legislation to combat violence against women is as important as implementation of the law itself. To curtail and root out violence against women, we hope that the Government and all other stakeholders will bring in necessary mechanisms and resources to implement the law in true spirit. Only successful, smooth and timely implementation can make the law more effective and beneficial to the women victims of violence.

NCSW Representation at International Forums

55th Session of the Commission on the Status of Women

The 55th session of Commission on the Status of Women (CSW) was held at the United Nations, New York. The priority theme was “Access and participation of women and girls in Education, Training, Science and Technology, including for the promotion of women's equal access to full empowerment and decent work.” Ms Anis Haroon and Ms Raashda Anwar represented NCSW.

The priority theme was in accordance with the Economic and Social Council resolution 2009/15 related to gender-equality issues in science and technology, including education and employment. The linkages between women's access to education and training were addressed in the second report of the Secretary General on the priority theme (E/CN.6/2011/5), which also reviewed progress in mainstreaming a gender perspective in national policies and programmes and responds to the decision contained in Council Resolution 2006/9. Both reports served as inputs for the Commission's consideration of the priority theme.

NCSW had the opportunity to participate in the events and panel discussions on issues such as “Women, Girls and HIV”, “Women, Peace and Security”, “Climate Change” and “Good Practices on Protection for Domestic Workers.” NCSW interacted with the delegates of other member countries, advocated issues and initiatives on capacity building on gender mainstreaming. The Chairperson and NCSW member also had the opportunity to meet with Miss Roshmi Goswami, Program Specialist, Asia Pacific and Arab States, and sought help with legal support at NCSW, which was fruitful.

Regional Consultation on the Advancement of Women's Human Rights in the Asia-Pacific Region

NCSW was invited to attend the “Regional Consultation on the Advancement of Women's Human Rights in the Asia-Pacific Region” It was hosted by Komnas Perempuan which is the National Commission on Violence against Women, Indonesia. The meeting was co-organized by office of the High Commissioner for Human Rights (OHCHR) and United Nation Population Fund (UNPF). Participants included Representatives of Specialized Women's Commissions in the region, broad based and Regional NGO's, Women Rights Networks and UN Agencies.

NCSW was represented by its member Ms. Raashda Anwar.

The rationale of this consultation was to address the unequal status of women - a key priority for the human rights community in the region. The impairment of women's rights to equality and their empowerment not only denies but also sabotages the region's development and economic growth.

The regional consultation on advancing women's Rights in Asia aimed to trigger an increased collaboration among the different actors, improve interaction and exchange at the regional level, and promote engagement with International Human Rights Mechanisms.

Miss Raashda Anwar gave a presentation on NCSW, identifying the common challenges faced by the Commission. She made the following recommendations for strengthening women's commissions at the national, regional and international level.

- a) Launch a SAARC initiative
- b) Engage Civil Society Organizations
- c) Sensitization of Media

The consultation concluded on following recommendations,

- 1) Look into forming a consortium of existing National Commissions on women's rights worldwide, and advocate for the setting up of such commission where it does not exist
- 2) Facilitate effective co-ordination between specialized commissions on women's human rights. Broad based National Human Rights Institutions (NHRI) and more interaction and participation on regional and international level.
- 3) Establish across the region Government Ministries/Agencies tasked with the implementation of specific policies and programs.
- 4) Broad based independent National Human Rights Institutions with a focus on women's rights.

A Coming Together of Nation and State after Ten Years of Reforms

The National Commission on Violence against Women (Komnas Perempuan) invited NCSW to attend the launching of its integrative report *“Addressing the causes and consequences of four decades of violence against women in Indonesia: the public's right to know and the Nation's responsibility to Act”*. The launch of this report was carried out as a public event “A coming together of Nation and State after ten years of Reforms” 29th – 30th December 2009.

NCSW was represented by Ms. Raashda Anwar.

The launching of the report as a public event was mainly to bring together of Nation and State to declare a common commitment in combating the whole spectrum of impunity, violence against women and implementing a roadmap towards the fulfillment of victim's rights to truth, justice, and reparation.

- a) To establish the state's commitment in meeting its obligation on addressing the consequences and root causes of four decades of violence against women in the Indonesian archipelago.
- b) Aside from this report, Komnas Perempuan launched a national campaign for nationwide dialogues about violence against women in the past and present and to identify and overcome the root causes.

Participants included women survivors of the mass violence around the country, national and international women human rights defenders, women's human rights commissions, concerned citizens, community leaders, working at local and national level, public figures, opinions makers, relevant government officials and the UN special rapporteur on violence against women.

Ms. Raashda Anwar participated actively and interacted with the survivors and human rights defenders. She apprised the participants about the legislation in Pakistan relating to women with a special reference to the legislation on the domestic violence bill 2009, passed by the National Assembly and now pending in the senate.

The South Asia Social Forum, Bangladesh

Action Aid Bangladesh in Collaboration with the “Scheduled Caste Right Movement” (SCRM) Pakistan invited NCSW to attend a series of seminars and a Human Chain Rally.

Ms. Raashda Anwar represented NCSW on this forum.

The South Asia Forum started with a rally. The slogan of the rally was, “Yes, another South Asia is Possible”

A seminar on the “Rights of Scheduled Castes in South Asia” was conducted by Action Aid Pakistan chapter for empowerment of Scheduled Hindu Caste Community in Pakistan. Later Ms. Raashda Anwar had a meeting with the Mr. Ramesh Jaipal chairman of SCRM and its legal advisor. She appraised the participants on the legislation process done by NCSW pertaining to addressing the concerns of the Hindu Community. She briefed them about the intensive consultations held with the stakeholders, legal heads, religious scholars and the Hindu community before the draft bill was handed over to the Ministry of Human Rights for further action.

Seminar held on “Forests as a Source of Survival for Indigenous People”

Ms. Raashda Anwar was one of the panelists.

The objectives of the seminar were to bring awareness about the extinction of natural resources and the plight of its natives in the South Asia Region.

Around the world natural resources are rapidly becoming privatized and commoditized as a result the poorest and most marginalized communities are experiencing expulsion, exclusion and deprivation. Whereas forests, water, minerals and all earth's biodiversity are the very essence of life and the key to providing food, livelihoods and sustainable future .In South Asia forests are a base of social- cultural and economic activities of millions of indigenous communities.

Comparative Analysis of Women's Commissions

Background

The inequality of women's status and rights at all levels of society and discrimination against women in several forms continues to be a matter of serious concern for the women of Pakistan. To address these needs, a key demand has been a permanent commission on women, a demand first made some 25 years ago by the first Women's Rights Committee headed by Mr. Yahya Bakhtiar in 1976, and periodically reiterated since. The demand was repeatedly raised by women activists and also by each temporary commission on women nominated by government. The demand for a women's commission gained momentum in the build up to the Fourth World Conference on Women held in Beijing in 1995.

Given below is a comparative analysis of women's commissions of some countries.

National Commission on the Status of Women, Pakistan

The National Commission on the Status of Women (NCSW) is a statutory body, established in July 2000 by the government of General Pervez Musharraf via an ordinance, but without administrative and financial authority. Three Commissions have completed their respective terms of three years. The tenure of the last Commission expired on 31st December, 2008. Though the National Commission on the Status of Women (NCSW) was established with the specific purpose to: Examine policies, programs and other measures taken by the Government for women's development and gender equality; Review laws, rules and regulations affecting the status of women; Monitor mechanisms and institutional procedures for redress of violations of women's rights and individual grievances; Encourage and sponsor research to generate information, analysis and studies relating to women and gender issues; Develop and maintain interaction and dialogue with NGOs, experts and individuals in society at the national, regional and international level; any other function assigned to it by the Federal Government. Compared to the mandate of other commissions in various countries NCSW Pakistan was a comparatively weak body.

The Commission was not independent. The Chairperson and members were appointed by the Government and it was housed in Ministry of Women's Development. The Commission could receive funds from Provincial, National and International agencies. Reservations were expressed on donor funds received by NCSW, as this was seen as damaging to the credibility of the institution. Funds had to be administered through the MoWD. There were no mechanisms for coordination or interaction between other commissions, parliamentary committees and Parliament.

The same situation prevailed in India; there is no provision for Government to explain in writing why it had not complied with the recommendations of the commission.

The struggle for strengthening and making the Commission in Pakistan independent started in 2001 through provincial consultations, when it was unanimously decided that the commission should be an independent watchdog body with powers to get its recommendations implemented. The Commission should be able to work for institutional integration of women's rights, generate its funds and implement the work through its own administrative process to avoid unnecessary delays. Every successive commission faced challenges, such as bureaucratic delays in day to day affairs, and lack of response in implementing its recommendations. On March 8th International Women's Day the Prime Minister announced that the NCSW would be given financial and administrative autonomy and the matter should be vigorously pursued. But though the Commission's bill for autonomy was forwarded to the MoWD, nothing happened. In 2011 the current Chairperson and members met the Prime Minister of Pakistan to update him about the

matter. Finally, this year in 2012 a bill was passed in both Houses of Parliament for an independent and autonomous women's commission. The Act was signed by the President of the country on 8th March 2012, bringing to an end a decade long struggle by the women of Pakistan.

The NCSW of Pakistan, in spite of its difficulties, has tried to lay out a framework for the social, economic, political and legal rights of women. It has focused on legal reform and provided technical input in several pro-women laws, supported and facilitated the approval of laws, and drawn the attention of Government and relief agencies to women's special needs in disaster situations, It has boldly taken up issues affecting women in the country, such as religious extremism, violence, women's political participation, recognition for women workers in the informal economy, etc.

Women's National Commission, Great Britain

The Women's National Commission (WNC) was a United Kingdom advisory non-departmental public body (NDPB). It was set up in 1969 to advise government on women's views and to act as an umbrella body for UK-based women's groups in their dealings with government.

Until the 1990s, it was run by an executive, as voted for by its 'partners'. These were women's groups that had applied for and gained formal membership. The number of groups allowed to become members was limited to fifty. The government appointed a co-chair to manage the body, together with the elected chair.

After a review of the organization in the late 1990s, it was re-launched as an NDPB. But the government gave up its permanent co-chair position and removed the limit on the number of partner organizations that could be affiliated. Partners then ceased to have a formal role in running the body. The Minister for Women then became responsible for appointing a board of Commissioners and a Chair, who would represent all partners and the wider women's movement.

The WNC was prominent within the UK women's sector, but virtually unknown to the wider public or non-affiliated groups. In July 2007, the newly appointed Minister for Women, announced that it would have a new role in consulting with women, to discover what they felt she should be doing as Minister.

As part of the British Government's drive to cut costs and increase transparency, accountability and efficiency, the role, size and scope of government functions formed part of a broad Coalition Government review. The Women's National Commission (WNC), set up in 1969 as the national, independent organization to present the views of women to government, is an advisory Non Departmental Public Body (NDPB) which falls into this category.

It was announced by the Government of Britain that a number of public bodies are set to be merged, abolished or streamlined as part of this process. The WNC closed down on 31 December 2010 and its core functions brought into the Government Equalities Office (GEO), its sponsor department. The priorities of the WNC Chair and Board of Commissioners are to engage with the Government to ensure that WNC Partners have an opportunity to influence the new central approach, to work to protect funding designated to promote gender equality and to ensure that the core functions of the WNC, which historically has had such an important impact on the lives of women, will be maintained.

The Chair of the Women's National Commission responded with huge disappointment, as it was a blow for women raising their voice for their rights across UK

The Philippine Commission on Women

The Philippine Commission on Women (formerly the National Commission on the Role of Filipino Women), is a government agency run by the government of the Philippines with the intention of promoting and protecting the rights of the Women in the Philippines. It was established on January 7, 1975 through Presidential Decree No. 633.

The Commission was initially established as an advisory body to the President and the Cabinet on policies and programs for the advancement of women. It is mandated “to review, evaluate, and recommend measures, including priorities to ensure the full integration of women for economic, social and cultural development at national, regional and international level, and to ensure further equality between women and men”.

The aims of the organization included the following:

- Organizing women into a nationwide movement called "*Balikatan sa Kaunlaran*" (now registered as an independent women's organization).
- Conducting policy studies and lobbying for the issuance of executive and legislative measures concerning women.
- Establishing a clearing house and information center on women
- Monitoring the implementation of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

The functions of the Commission include the institution of gender responsiveness budget in national development plans, by preparing, assessing, and updating the National Plan for Women and by ensuring its implementation and monitoring its performance among the government agencies. It also undertakes advocacy for promoting economic, social and political empowerment of women by providing technical assistance in the strengthening of mechanisms on gender mainstreaming. Aside from this, the Commission ensures that contributions by Filipino women to Philippine culture and traditions be preserved and enhanced in the process of modernization.[2]

The Commission also coordinates with the provisions of the NCRFW by preparing plans for the development of women, with continuous monitoring and assessment with the cooperation of relevant agencies. It also provides a database for information relating to women. Other activities include: gender-consciousness awareness programs, policy studies, legislation reviews that integrate women's concerns, technical services that ensure the development of institutional capabilities for gender and development (GAD) mainstreaming in government agencies and selected partners, monitoring and assessment of the implementation of laws and policies on women including the implementation of international conventions such as the Beijing Platform for Action, and the implementation of pilot projects for the delivery of services for women as basis for policy formulation and program recommendations.

The National Commission on Women, India

The National Commission for Women (NCW) is a statutory body for women established in 1992 by Government of India under the provisions of the Indian Constitution,^[1] as defined in the 1990 National Commission for Women Act.

In December 2006 and January 2007, the NCW found itself at the center of a minor controversy over its insistence that the law not be changed to make adulterous wives equally prosecutable by their husbands.

The NCW has demanded that women should not be punished for adultery, as a woman is "the victim and not an offender" in such cases. They have also advocated for the amendment of Section 198 of CrPC to allow women to file complaints against unfaithful husbands and prosecute them for their promiscuous behaviors. This was in response to loopholes in the Indian Penal Code that allowed men to file adultery charges against other men who have engaged in illicit relations but does not allow women to file charges against their husbands.

Commission on Gender Equality-South Africa

The Commission, set up in 1996, has also worked to guarantee women security in unconventional relationships. The Commission on Gender Equality is one of six state institutions set up in terms of the Constitution to promote democracy and a culture of human rights in the country. The Commission's role is to advance gender equality in all spheres of society and make recommendations on any legislation affecting the status of women. The Commission aims to transform society by "exposing gender discrimination in laws, policies and practices; advocating changes in sexist attitudes and gender stereotypes; and instilling respect for women's rights as human rights".

Although the Commission acts in the interests of women generally, it pays particular attention to the most disadvantaged women – those living in rural and peri-urban areas, on farms, in domestic work. The Chairperson of the Commission is nominated by the President. There must be no less than seven and no more than 11 Commissioners, and between two and seven of these must be full-time, the rest part-time. The Commissioners are nominated by the public and after being endorsed by a parliamentary committee, are then appointed by the President for a term of up to five years.

The Commission's functions are to:

- Monitor all organs of society to ensure that gender equality is safeguarded and promoted.
- Assess all legislation from a gender perspective.
- Commission research and make recommendations to Parliament and other authorities.
- Educate and inform the public.
- Investigate complaints on gender-related issues.
- Monitor South Africa's progress towards gender equality in relation to international norms.

The Commission on Gender Equality co-operates with other institutions set up under the Constitution to promote human rights and democracy, including the South African Human Rights Commission and the Public Protector.

It has close partnership with other government-appointed agencies, such as the Youth Commission, Independent Communications Authority of South Africa, and the Public Service Commission. It also works closely with government, particularly the Department of Justice and Office on the Status of Women.

Implications of Ratification of Article 16 of CEDAW

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women.¹ Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women, and it also sets up an agenda for national action to end such discrimination. It provides international standards for promoting and protecting women human rights. CEDAW is a document that has emerged from the

United Nation's Decade for Women that legally obliges governments to eliminate de facto and de jure discrimination against women by granting them legal rights as well as equal opportunities.

Pakistan ratified CEDAW in 1996; its accession was subject to the general principles of its Constitution. It has become obligatory for Pakistan to put the provisions of the treaty into practice. The Constitution of Pakistan enshrines the principles of equality, fair play and non-discrimination. According to Article 25 of the Constitution of Pakistan all citizens are equal and are entitled to the equal protection of the law, and there shall be no discrimination on the basis of sex alone. As per Article 26, nothing can prevent the State from making any special provision for the protection of women and children. Article 35 provides for the protection of marriage, the family, the mother and children.

Family relations in Pakistan are generally governed by the respective religious personal laws of Muslims, Christians, Hindus, Parsis and Sikhs.²

Although the Government has made attempts to reduce and eliminate discrimination through various legislative actions and policy initiatives, the Constitution of Pakistan does not clearly define “discrimination.” Also, the Government has not yet taken sufficient measures to enforce Article 16 of the treaty through effective domestic laws. Unfamiliarity of women regarding family rights, both under national laws and those under CEDAW, lack of awareness and non-involvement of civil society in the implementation mechanism, biased attitude of law enforcing agencies and lack of training, and an erratic attitude in the judicial system are the major hurdles in the realization of the objectives of this treaty.³

Various legal provisions to eliminate discrimination and to implement economic justice between spouses are ineffective because of the plurality of legal systems within the country. Moreover, different customs, heterogeneous cultures, religious norms, and ethnicity can also be real impediments.

This study is an attempt to analyze the legal measures adopted for enforcement of Art 16 of CEDAW, and to identify challenges and gaps that hinder enforcement. The study also aims to develop an understanding of the linkages between state laws, personal laws and customary practices. Furthermore, it will endeavor to suggest some measures that the Government could adopt in meeting these challenges.

Article 16 (Marriage and Family Life)

Article 16 states that Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and, in particular, shall ensure equality of men and women:

- a) The same right to enter into marriage;
- b) The same right to freely choose a spouse and to enter into marriage only with free and full consent;

1. [www.http.amnestyusa.org](http://www.amnestyusa.org)

2. See Article 227 of the constitution of the Islamic Republic of Pakistan

3. National Commission for Justice and Peace (NCJP, 2007). Discrimination lingers on: A Shadow Report on the Compliance Of CEDAW in Pakistan. Lahore, Pakistan.

Also available at: [http://www.iwraw-ap.org/resources/pdf/Pakistan%20SR%20\(NCJP\).pdf](http://www.iwraw-ap.org/resources/pdf/Pakistan%20SR%20(NCJP).pdf) (07/03/2012)

- c) The same rights and responsibilities during marriage and at its dissolution;
- d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
- e) The same rights to decide freely and responsibly on the number and spacing of children and to have access to the information, education and means to enable them to exercise these rights;
- f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all such cases the interest of the children shall be paramount;
- g) The same personal rights for husband and wife, including the right to choose a family name and profession;
- h) The same rights for both spouses in respect of ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

Right to Enter into Marriage with free and full consent and right to choose spouse

The Constitution of Pakistan states that “The state shall protect the marriage, the family, the mother and the child”.⁴ Regarding the right to enter into marriage or select a spouse there is no constitutional provision. Though various Articles of the Constitution specifically prohibit gender discrimination and guarantee the equality of men and women, but discriminatory social traditions and the local interpretation of Islamic laws for the most part render Constitutional guarantees less effective.

There is no religious or legal bar in selecting a spouse of one's own choice in Islam but various cultural norms restrict a woman from exercising her own choice. However, according to a recent legislation, the “Prevention of Anti-Women Practices (Criminal Law Amendment) Act, 2011,” forced marriage is now punishable with imprisonment up to 10 years and a fine of rupees five hundred thousand.

Marriage as an institution is governed by various personal laws of the religious communities living in the country. Since Pakistan is a Muslim majority state, therefore Muslim personal laws are usually followed in matrimonial matters. For minority communities, like Christians and Hindus, there are laws according to their own religious beliefs. **The same rights and responsibilities during marriage and at its dissolution**

Marriage is considered a contract in lieu of dower in Islam. Religion forbids the husband from taking the dower back from the wife.⁵ Under the Muslim Family Laws Ordinance 1961, the groom and bride give their consent by signing (or placing thumb imprint) on a *nikahnama* (marriage contract) in front of witnesses who countersign. The *nikahnama* is to be negotiated by both parties, for documenting the details of the marriage contract. Compelling a woman into an unwanted marriage is punishable with life imprisonment and up to 30 lashes, under statutory laws.⁶

In religion, it is the responsibility of a man to maintain his wife during marriage and, if divorced, till the expiry of *iddat* (the ninety day waiting period before the woman can marry again).⁷

4. Article 35 of the Constitution of Pakistan

5. The Quran Verse 4:20

6. Section 365 B, Pakistan Penal Code, (Act XLV of 1860)

7. The Holy Quran Sura 1V, verse 34

The Muslim Family Laws Ordinance 1961 Act in Section 9 provides two remedies to a wife for claiming maintenance. In case of failure by the husband to pay, the amount is recoverable as the arrears of land revenue. Furthermore, failure of the husband to provide maintenance to the wife for two consecutive years is considered grounds for dissolution of the marriage.⁸

If the husband divorces his wife he has no right to take back the dower given at the time of marriage. He sends a notice of *talaq* i.e. divorce as per U/sec 7 of the Muslim Family Laws Ordinance 1961 to the Chairman of the Union Council (UC) and to the wife. Within thirty days of receipt of the notice, the UC Chairman is bound to constitute an Arbitration to bring about a compromise between the spouses. In case no reconciliation is reached, the marriage stands dissolved.

Should a wife want separation then two ways are open for her:

1. Under the Muslim Marriages Dissolution Act 1939 nine specific grounds for claiming divorce are available to women. Under this Act she is not bound to return the dower to the husband.
2. Under the Family Courts Act 1964, she can ask for separation on any grounds on Khula basis, but in this case, she has to return the dower to husband under Section 10(4) .This provision of the law is not only in conflict with the former Act but is also discriminatory against women. Because of this clause, a number of women cannot get divorce and have to face a longer period of litigation.
3. Concept of delegated right of divorce. This is a right given by husband at the time of marriage to wife. If she wants to use it then provision of Sec 7 of family ordinance 1961 applies and she has to take recourse of local chairman council or of court. Clause 18 of marriage contract paper allows husband to delegate his right of divorce to the wife but in practice this clause is marked cross, before handing over this paper to bride, considering a bad omen, depriving her right given by religion.

The CEDAW Committee while giving observations on periodic reports from Pakistan pointed out that under the Dissolution of Muslim Marriages Act 1939, women do not enjoy equal rights. It also asked the state party (Pakistan) to eliminate all discriminatory provisions against women and bring the laws in consonance with article 16, paragraph 2, of the Convention on the Elimination of All Forms of Discrimination against Women and its general recommendation 21 on equality in marriage and family relations. It also asked for the implementation of measures to eliminate forced marriages.⁹

After divorce a woman has the right of maintenance till the period of *iddat*, and if the husband fails to pay maintenance then Section 17-A of the Family Courts Act provides penal consequences for him. Unfortunately, after the divorce has taken place, Family Laws are silent on rights of divorced women.

Guardianship and adoption of children

During marriage, the father is responsible to provide for the maintenance of his child. If the marriage breaks up, guardianship and custody of the child is governed by the Guardian and Wards Act, 1890. Under this Act the Court is also bound to consider the opinion of the child when deciding custody petitions. Section 17 of the said Act emphasizes the “welfare of Minor”.

All personal laws, including Muslim personal law, do not recognize the mother as an equal guardian. The Guardian and Wards Act privileges the rights of the male guardian above those of the child and the mother, as Section 19 (b) of it states, no one can be appointed a guardian of the property of a child if the father is living and is not unfit. Unfortunately, the concept of “joint custody” has not been clearly defined either in the Islamic school of law or the Muslim Family Laws Ordinance.¹⁰

8. Dissolution of Muslim Marriages Act 1939, Section 2(ii).

9. CEDAW Committee's concluding comments, 22 May 2007 (see CEDAW/C/SR.783 and 784) Para45

A child born outside of wedlock cannot inherit from the father's property but has right to the mother's property. Regarding adoption there is no state law. The matter is decided according to the whims of the spouses, and a woman has to consider the wish of her husband as well as of her in-laws.

Personal Rights as Wife.

There is no legal bar on a married woman to choose a family name or profession. Islam does not require a woman to change her name after marriage. The practice of adopting the husband's name originated in colonial times. Nor is there any state law on the change of name. In practice a wife generally consults her husband before choosing a profession or occupation.

Sometimes the husband does not agree to his wife taking up a particular profession, but unfortunately, there is no legal sanction against it, and husbands can – and often do - disallow their wives from working outside the house.

Family Rights

The extent to which couples jointly agree on starting a family or adding to a family is not documented. Generally, the more educated couples start a pregnancy after mutual consultation. However, in the less empowered segments of the population such mutual consultation is probably not frequent, with the result that many women become pregnant against their wishes. However, reliable data on this issue is not available.

CEDAW in Articles 5b, 10h, and 16e emphasizes that issues of maternity and family planning should be considered as a shared responsibility between men and women. But because of traditional taboos on reproductive rights, family planning is difficult to implement. Abortion is illegal in Pakistan and can be justified on medical grounds only.¹¹

Ownership of Property

Article 23 of the Constitution gives every citizen the right to acquire, hold and dispose of property. Moreover Art 24 gives protection to the property of its citizen against unlawful deprivation. Legally and as per Islamic law, a woman has the same rights as a man to own, acquire, manage and dispose of property. Similarly, earning of a husband and that of the wife are two independent resources and are thus classified as independent properties of the spouses.

Further, the Transfer of Property Act 1882 confers equal rights to women to engage in sale, mortgage, lease, gift and transfer of immovable property. A

Although there is no legal restrictions to women's ownership rights in Pakistan, however in reality, Pakistani women in large numbers are deprived of their legitimate property rights due to many customary practices, social inhibitions, distorted version of Islamic provisions on inheritance, and gender biased power structures. Pakistan is victim of many evil customs. Among these practices, one is called Haq Bakhshvana (waiving the right to property), which is followed in southern parts of Punjab and Sindh where the landed aristocracy is still powerful. In this evil practice, if there is no match for a girl within the family circle, then because of the fear that ownership of the property may go out of the family, a girl may be married to the Quran, i.e. she takes a vow that she will always remain unmarried. According to a recent law enacted in 2011, the Anti Women Practices Act, marriage with the Quran is punishable with an

10. Kamal, Simi, paper on "Effects of the Interplay of Formal and Custody Laws on Women in Tribal Cultures": June 24th, 1999, page 8

11. S 338, PPC (Act XLV 1860)

imprisonment of seven years.

In Pakistan, Muslim Personal Law deals with the issue of inheritance. Regarding the allocation of a share in both Hannafi and Shia Law, a woman receives half the share allowed to her brothers. Under Art. 227, the religion of Islam should guide all state laws; therefore, the discriminatory provisions of law against women regarding inheritance of property have not been challenged at any forum.

Minimum Age for Marriage

The Child Marriage Restraint Act, 1929, prescribes the minimum age for marriage – 16 for girls and 18 for boys - and prohibits child marriage. If a girl below 16 years of age gets married, violating the law, the marriage does not become invalid, but either her husband or her *wali* (guardian) will be held responsible.

Registration of Marriage

The Muslim Family Laws Ordinance (1961) requires the registration of all marriages solemnized under Muslim Law. There is no time bar for registration, and non-registration does not invalidate a marriage. Non-registration can create problems for women in the event of being widowed or divorced, when establishing their rights for proving that they are legitimate widows or divorcees.

Women of other Faiths and Personal Law

Non-Muslim women face more or less the same disadvantages in society as Muslim women. In the case of Christians, there is no law dealing specifically with succession and inheritance. The existing Christian Marriage Act 1872 is outdated and does not meet the needs of the time. It is also discriminatory against women of other faith. In the event a Christian woman's non-Christian partner contracts another marriage, the former cannot protect herself, as there is no provision for polygamy. Under the Christian Divorce Act of 1862, there is only one grounds for divorce: adultery, raising allegations against the chastity of the spouse. There is no codified law applicable to Hindus with respect to marriage, divorce or maintenance.

Challenges faced by the Government

Undoubtedly, cultural taboos and traditional mindsets pose the greatest hurdles for compliance with CEDAW in its true letter and spirit. Cultural taboos about women are still considered sacred in rural areas of the country, and it is a tough task to break these false idols.

Bringing these practices and customs in line with the legal system is extremely difficult for numerous reasons: Members of the police force do not always know the full details of revised laws; the police often do not file cases against people who have broken the law when 'tradition' is invoked; and local elite generally encourage and support customary practices.

Traditional patriarchal structures have exerted more control over women's lives than government policies, making it difficult to eliminate traditional and religious practices, such as polygamy, dowry, and child marriage. Under personal laws, issues pertaining to women and women's rights are influenced by Islamic, Hindu, and Buddhist traditions, which usually regard women as being subordinate to men.

Talibanization has created greater intolerance for women's emancipation in Pakistan. The burning of girls' schools and public humiliations have further dimmed the future of women in Khyber Pakhtunkhwa. The Government's war against extremists is also a war for the protection of women's rights.

The Government lacks a trained workforce to tackle gender issues. Consequently policies on gender are not meeting with the desired success. Since gender was not a priority in the past and has only recently been accepted as a concept, change may be gradual. Nevertheless, much has been achieved in the four

years that the Peoples Party Government has been in power. Seven bills enforcing women's rights have been adopted and bold initiatives, such as distributing land to women peasants, have demonstrated that conditions may be changing. However, multifaceted challenges remain.

Analysis and observations

Although CEDAW has been ratified and several laws that focus on human rights are in place to ensure justice and equal status for women, but there remains a huge difference between theory and practice. In Pakistan, the state law appears fragile before the prevailing norms of society and the traditions and practices of different community. On top of that women's rights are also being undermined by the so called "political Islam".

Parallel legal systems in the form of *Jirga* and *Punchayat* routinely violate the rights of women and remain the major constraint, especially as regards their personal and family rights. Apart from being an impediment in the implementation of the formal legal system, these parallel systems enforce judgments in which invariably the woman is victimized. They are male led bodies in which women have no voice.

Despite remedies provided under the formal legal system of the country, a majority of women are unaware about their rights. Adding fuel to the fire, law enforcing agencies lack knowledge about International norms and rights of women. Even judicial officers are not familiar with CEDAW and its requirements. The CEDAW Committee in its report asked the Government to take concrete measures for the training of judges, magistrates and law enforcing personnel, and to ensure that they are familiar with the legislative reforms undertaken by the Pakistani government.¹²

Recommendations

Women's empowerment and gender mainstreaming is imperative for the political, economic, social and cultural growth of any society. Though the situation has improved considerably in Pakistan since CEDAW was ratified, there is much ground to be covered. The Convention calls for zero tolerance for discrimination against women in every sphere of life. With regard to legal empowerment and equality of men and women before the law, women in the country continue to be subjected to barbaric practices and discriminatory laws. Issues like discrepancies in child custody, denial of alimony, discriminatory age for marriage, women's share in inheritance, and cultural barriers that restrict their autonomy in the personal and the public sphere need more than good intentions. Greater efforts will have to be made to implement CEDAW Art. 16 by bringing domestic legislation in harmony with its provisions, by enforcing existing laws more effectively and by removing all discrimination, formal and informal.

Conclusion

Ratification of CEDAW shows the commitment of the Government of Pakistan to work for the uplift of women and ensuring that she enjoys equal rights in the family and in public life. Most CEDAW clauses are harmonious with the basic principles of Islam - property rights, the right to marry from choice, the right to education and employment. CEDAW emphasizes economic independence of women; Islam provides complete property rights to women and the Constitution of Pakistan ratifies these rights. There should thus be no hurdle in implementation as far as religion is concerned. But the practice of religion is deeply influenced by cultural norms. Pakistani culture is an amalgamation of local cultures and interpretations of Islam. Whereas it is generally said that Islam provides all rights to women nowhere, in any Muslim country

12. Para 18 & 19; 22 May 2007 (see CEDAW AW/C/SR.783& 784)

is this reflected in society. In fact, patriarchal values are reinforced by religion. There is thus a serious need to change mindsets and attitudes. Pakistan is a multi ethnic and multicultural country. Deep-rooted poverty and social inequalities, customary practices, shortfalls in human and financial resources, lack of reliable and comprehensive data, traditional patriarchal structures, women's lack of access to employment and economic dependence, participation in policy making bodies and, lastly, the newly emerged phenomenon of Talibanization, all pose real challenges to CEDAW. Several laws are in place, but

their implementation needs serious attention. Communities other than Muslim who live in Pakistan are also in need of legal protection.

Recommendations

In the past there was under-reporting on gender issues. The government too was not maintaining a comprehensive database, especially on violence against women. Though some efforts were made by NGOs, the data thus obtained was not acceptable to the government and was termed as “inflated”. It is imperative that there should be accurate and complete data on gender issues. The Gender Crimes Cell should be strengthened and police records must be computerized so that data that reflects an accurate picture can be properly maintained.

Cultural exchange programs offer an opportunity to learn/share good practices. These would be especially useful between countries in the South Asian region where similar conditions and problems prevail. While cultural exchanges between women on the issue of women's rights have been taking place for some time, it is high time that the police, lawyers, judiciary and male decision makers should also be more informed and sensitized to the injustice and unequal treatment that women have to endure. Exposure visits and focused training programs may help to improve performance and strengthen implementation of laws.

The print and electronic media is playing a positive role in highlighting violence against women issues and raising public awareness as well as pressurizing State institutions, but they need to also look into the underlying causes that undermine the status of women in the country. At the moment there is a tendency to sensationalize, rather than to arrive at an understanding of the factors responsible for the violence and remedies that are required. The confusion that besets much of society regarding international standards, culture and religion, especially as regards human rights and women's rights in particular, also besets the media. Nevertheless the media remains a powerful tool for bringing about change in archaic attitudes and patriarchal mindsets.

The enhanced role of Civil Society Organizations (CSOs) has been acknowledged globally. NGOs are well placed to forge links with communities and households, and can interact between State institutions and citizens. Strengthening civil society networks, especially in the provinces and rural areas of the country, will enhance the capacity of NGOs and activists to raise awareness, develop good practices and make themselves heard. Regular interaction between civil society and legislators should be formally institutionalized through the women's caucuses and Parliamentary Standing Committees.

Family laws dealing with women's rights need to be urgently revised, particularly Section 10 (4) of the West Pakistan Family Courts Act 1964 under which a woman has to return the Haq Mehar (dower) at time of dissolution of marriage. Further, in case of joint property of spouses should be incorporated in the *nikahnama* or marriage contract to ensure its equal distribution at the time of divorce.

The personal laws of minorities were reviewed by the NCSW in consultation with members of the Hindu and Christian communities in order to bring them in line with the Constitution and requirements of CEDAW Art. 16. The reviewed laws are with the Ministry of Human Rights and the Minister of State is expected to

table them in Parliament as Government Bills in the near future. Personal laws of other minority communities should be similarly reviewed and amended.

Government should arrange regular training for judges and police personnel as well as of prosecution officers to familiarize them with laws, government policies and steps taken to eliminate discrimination against women, and also to update them regarding International laws and commitments.

There is also a pressing need to extend legal education to women in general about their rights. This can be done through the media, civil society and even the public education system.

Last but not least, Government must ensure that court rulings against *jirgas* and *punchayats* are respected, and those flouting the law by patronizing parallel legal systems are duly punished.

Chairperson's Engagements

Presentation at Women Parliamentarians' Convention

At the National Convention of Women Parliamentarians on “*The role of women parliamentarians in peace building and reconciliation*” held on May 25-26, 2010, NCSW Chairperson Ms. Anis Haroon made a presentation on the topic “Women in Conflicts and Peace Building.” In her comprehensive presentation, she highlighted the consequences of wars and conflicts on the lives of women and children. She said, war and civil unrest have the effect of intensifying violence against women in the home, and when conflicts end they are left to cope with the after affects and take care of extended families. Women are good at creating and sustaining peace, but unfortunately they are never included in any peace restoring initiatives or negotiations. She urged women parliamentarians to promote women's full involvement in all efforts to maintain and promote peace and security. Ms. Anis Haroon stressed that the UN Security Council Resolution 1325 must be implemented in letter and spirit, because it acknowledges the crucial link between peace and women's participation in decision-making, and recognizes women's life experiences throughout the conflict cycle.

Meeting with Provincial Minister

The chairperson NCSW Ms. Anis Haroon had a detailed meeting with the Minister of Women Development Sindh Touqir Fatima Bhutto and Ms. Farida Hanan of Aurat Foundation in MoWD secretariat Karachi.

The chairperson explained the process of Domestic Violence Bill under 18th amendments. She asked the minister to pass a resolution authorizing the National Assembly to make a law to protect women from domestic violence. The minister agreed and expressed her intention to present it in the coming session. The NCSW will draft the resolution.

In the meeting, the chairperson NCSW expressed concern over the growing cases of violence against women in Sindh. One such case in point was of Naveeda Kalhoro of Naushehro Feroz. The minister gave the details and assured the chairperson that she is trying level best to provide justice to the victim. In such cases the real issue is always non-availability of required facilities to the victims. The police is unsympathetic and medico-legal facilities are scarce. Even in the case of Naveeda, the medical examination was conducted after 3-days and as usual the doctors could not find any evidence to support her case.

The chairperson asked the minister to move towards the affective redressal mechanisms and call a meeting of relevant authorities and NGO's to set up one-window services for wrap victim. The chairperson also felt pity for covering this issue under the carpet by certain group with wasted interest thus proclaiming it tribal dispute. She said, in any dispute or fight, the sword should not fall upon women and particularly minor girls. The tribal disputes shall not be resolved at the cost of life and dignity of women and girls in that vicinity.

Talk on “Muslim Women Through the Lens of History, Religion, Law, and Society”

Talk delivered by Chairperson at CBEC Seminar is as under:-

The years 2007-10 have witnessed a number of tragic incidents in Pakistan, owing to the rise of religious extremism. A two sided threat was experienced by Pakistan; on the one hand the growing Taliban

philosophy was imposing a fundamentalist interpretation of Islam, and on the other hand was the war against terror displacing millions of individuals within Pakistan, with no preparatory measures taken for

their rehabilitation. In both events women remain at the crux, and the most disadvantaged. The misogynist principles of Talibanisation have manifested themselves in incidents such as the brutal flogging of a woman in Swat, and a number of heinous murders such as those of dancing girls Shehnaz and Shabana in KP. Other than the increasing Talibanisation, women are still facing human rights issues that have marked their history since the inception of Pakistan, including the jirga system and honor killings.

The major violation of women's rights began with the so-called Islamization process of late General Zia-ul-Haq. Discriminatory laws in civil criminal sectors including introduction of the Hudood Ordinance, Qisas and Diyat, the Law of Evidence, the Pakistan Citizenship Act, the Laws of Custody and Guardianship, and family laws in general, continue to put women at a disadvantage legally and socially.

The state's continued lack of commitment to pro-actively removing alternative, parallel, non-state judicial systems has resulted in blatant violations and reversal of women's human rights with impunity. Under false excuses of customs, traditions, and arbitrary interpretations of religion, women's rights to impartial and constitutional legal recourse are sacrificed and bartered in order to uphold and serve community and familial male interests.

Most recently, the Federal Shariat Court has ruled sections of the Women Protection Act (2006), among other legislations, to be violating the Constitution, and given the government till June 2011 to remove "the flaws," while keeping its eyes closed to the situation on the ground. Many Islamic Laws in their literalist application neglect to take into account the social conditions within which these laws have to be applied.

Delegation to UNCSW Summit in New York.

The NCSW Chairperson led the delegation of civil society representatives and government officials to the 55th session of UNCSW held in New York. The Chairperson made a detailed presentation on the achievements made with regards to women in different sectors of public and private lives as well as the challenges still being faced by women of Pakistan.

The Chairperson also highlighted discriminatory laws and policies that are affecting and undermining the rights of women and minorities in Pakistan. She read out a statement on behalf of the delegation clearly mentioning the present government some initiatives for the economic and legal empowerment of women in the country.

The chairperson reiterated the commitment to go beyond the mandate of NCSW to do all that ensures the promotion and protection of women's rights at all the levels and to work closely with all the stakeholders. On behalf of Pakistan, the chairperson welcomed the new creation of gender entity at United Nation .i.e. UNWomen and assured all out cooperation and coordination to fully to implements its mandate of women empowerment and gender equality

Meeting with Mr. Raza Rabbani, Minister for Inter Provincial Coordination

NCSW executive committee members lead by Chairperson Anis Haroon met Mr. Raza Rabbani and briefed him about the amendments required in NCSW ordinance and also to get clarity on NCSW's role after devolution of the MoWD. Mr. Rabbani and the legal advisor to the IPC studied the suggested amendments and promised to draw up a bill for an autonomous women's commission that could effectively promote the women's rights agenda in the country after the passage of the 18th Amendment.

Spoke at Seminar on 18th Amendment: Opportunities and Challenges for Provinces and Women

Aurat Foundation organized a seminar on Friday, June 17, at Holiday Inn Hotel in order to discuss various aspects of the 18th Amendment with members of civil society and media. The event was titled as '**18th Amendment: Opportunities and Challenges for Provinces and Women**'. The event was presided over by Anis Haroon, Chairperson, NCSW.

Speakers and participants of a seminar, mainly from the civil society, supported the devolution of Ministry of Women's Development to provinces and demanded that the National Commission on the Status of Women should be given the role and functions of the devolved ministry which relate to policy-making, legislation and coordination to ensure uniformity in laws and policies on women's rights issues in the country.

The Chairperson, in her concluding remarks, disagreed with some sections of the population and women's groups that devolution of MoWD would damage the women's cause. Such groups and people wrongly think that provinces and provincial institutions are not sensitized to effectively take up women's rights issues. She told participants that most women's rights issues were taken up and discussed by the Sindh Assembly; similarly resolutions were also presented in Balochistan and Khyber-Pakhtunkhwa Assemblies. "Provinces are more knowledgeable and competent than Islamabad. All the confusion lies in the Federal Capital, because some vested interests here do not want to transfer power and resources to the provinces". She said devolution of MoWD would open up new opportunities for provinces to do lot more for women.

Presentation to Afghan Women Parliamentarians

A delegation of Afghan women parliamentarians was on a three-day visit to Pakistan. During the visit, a discussion was held in the Women's Parliamentary Caucus with women parliamentarians and members of NCSW. The head of the Afghan delegation Naaqai Karokhel said that Pakistani women parliamentarians were playing an important role for women's rights in the country. Chairperson NCSW, Ms. Anis Haroon was invited to make a presentation on Customary Practices Prevalent in Pakistan. Ms. Haroon said that in Pakistan, women fall victim to harmful customary practices that violate their human rights. She elaborated the categories of all such harmful practices in detail. The delegates appreciated the role of the Commission as well as the role of Pakistani women parliamentarians in promoting the agenda of women's rights across the board and expressed their keenness to form a bilateral focal group of women parliamentarians from both the countries. While sharing their experience, the Afghan women delegates said, that despite impressive gains, women in Afghanistan are still struggling to play a significant political role at home. Although women hold 68 seats in the Afghan Parliament, in part thanks to a constitutionally-mandated quota, women rarely serve on decision-making bodies or play a meaningful role in peace processes. They also voiced their concern that reconciliation with the Taliban could undermine their newly restored political rights, and said they needed to play a role in the peace process to ensure the region's long-term stability. Afghan MP Golalei Nur Safi, who belongs to the Wolesi Jirga and the High Peace Council, called women an "absolute must" in all negotiations.

Message on National Working Women's Day

On National Working Women's day the Chairperson NCSW issued a special message. Her message was

widely published by all major English and Urdu dailies. She said that 22nd December was declared National Working Women's Day by the Prime Minister of Pakistan in 2010 in recognition of the decade long struggle of working women to secure a dignified, safe and enabling working environment. The day is also celebrated to acknowledge the economic contributions made by working women to the economy of the country.

There has been a considerable increase in the number of women joining the workforce. The National Commission on the Status of Women joins hands with the Government of Pakistan and other civil society organizations to felicitate the dynamic working women of Pakistan, who despite all kinds of hurdles and obstacles have made their way into mainstream society and are playing a vital role in the country by.

In the public and private sectors women are working as HR Managers, Police Officers, CEOs, Directors, Business executives, Journalists, Lawyers, and Fighter Pilots. Pakistan is the only Islamic country, which has given the most important posts in government to its women. The first woman Prime Minister from a Muslim country was Mohtrama Benazir Bhutto, and Dr. Fehmida Mirza is the first woman Speaker from a Muslim country. The present PPP government has also shown its unswerving commitment and dedication to the cause of women by promulgating The 'Protection against Harassment of Women at Workplace Act 2009. It was a landmark move made by the present government to facilitate working women in Pakistan to work without fear of being harassed or discriminated. The NCSW's National Implementation Watch Committee is ensuring that there should be compliance with the law. Strict monitoring by the NCSW watch committee has resulted in adoption of the requisite code of conduct and formation of enquiry committees by thousands of public and private sector organizations across the country.

Despite this phenomenal change in the socio economic status of women, there is still a lot that needs to be done. Women's participation in the formal work force is still low, and 80 to 85 percent women work in the informal sector as laborers and agriculture workers. These women workers are paid only half of what their male counterparts earn. Their economic rights need to be secured by introducing policies and laws for them. We also need to acknowledge the rights and contributions of Home Based Workers on this occasion and bring in necessary legislation to secure their economic rights.

Working women face harsh conditions and face challenges like unequal wages, glass ceiling effect, sexual harassment and other work-related concerns that need to be addressed. Pakistan has ratified C-111 (ILO's Convention against discrimination, 1958) in 1961 and C-100 (Equal Remuneration Convention, 1951) in 2001. After ratification the country has a legal obligation to comply with its provisions and is monitored by ILO's Committee on Application of Standards. There is immediate need to bring in necessary legislation and policies to in order to implement the conventions.

Briefing to Yasmin Rehman

Advisor to the Prime Minister on Women's Development, Ms. Yasmin Rehman, visited NCSW office and attended a comprehensive briefing given by the Chairperson. She appreciated the achievements made by the Commission despite administrative and financial challenges. She said that the government is committed to the cause of women and the recent legislation against harassment of women is a testament of this fact. Necessary steps would be taken shortly to fulfill the pledge made by the Prime Minister on International Women's Day 2010 to make the Commission financially and administratively autonomous.

The Chairperson and members of the Commission gave a detailed briefing to the Advisor on the Commission and its functioning. They said that the Commission was established in 2000 as a statutory

body and its mandate is to review all laws, rules and regulations affecting the status and rights of women in the country. The NCSW also examines policies, programs and a procedure relating to women's development, encourage and sponsors research for obtaining information and analysis, and suggests measures for strengthening the legal and social status of women.

Member of the Commission, Dr. Fouzia Saeed, made a presentation on the proposed amendments to the 2000 Ordinance that seek to make the Commission an autonomous body, as is the case in other countries where there are National Commissions on Women. The Advisor assured the Members that she would forward the amendments to the Federal Cabinet for approval after ascertaining the opinion of various concerned ministries.

The Advisor was also briefed about the Resource Centre set up by the NCSW recently. She was informed that the Resource Centre is collecting documents and data on 30 areas of concern for women identified at the Beijing Summit. The material is available on the website of the Commission as well as in the form of documents at the Resource Centre. Internal as well as local researchers and women's rights activists are benefiting from the Resource Centre at large.

Jirga Petition Filed by NCSW in Supreme Court

IN THE SUPREME COURT OF PAKISTAN

(Original JURISDICTION)**Cost. Petition No...../2012**

1. *National Commission on Status of Women through its chairperson, Ms. Anis Haroon, adult, having its head office at Islamabad House# 39, Street # 56, F-6/4, Islamabad*
2. *Ms. Nasreen Azhar, member of National Commission on the Status of Women, adult, resident of House # 17, Street # 49, F-7/4, Islamabad*
3. *Ms Fouzia Saeed, member of National Commission on the Status of Women, adult, resident of H No 26 A, St 55, F-7/4, Islamabad*
4. *Ms Rashda Nadeem Anwar, member of National Commission on the Status of Women, adult, resident of H No 403, Main Nazim-ud road, F-11/1, Islamabad*
5. *Ms. Sofia Noreen, activist and concerned citizen of Pakistan, adult, resident of 285-A Westwood Colony, Thokar Niaz Baig, Lahore-53700*
6. *Ms Tahira Noor, activist and concerned citizen of Pakistan, adult, resident of H.No 22, St 35, G 6/2, Islamabad*
7. *Ms. Riffat Inam Butt, activist and concerned citizen of Pakistan, adult, resident of Uppal Street #1, Jillani Colony, Narowal*

Petitioners Versus.

1. *Government of Pakistan through its Secretary of Law and Parliamentary Affairs, Islamabad*
2. *The Ministry of Interior through its Secretary, Islamabad*
3. *Government of Punjab through its Chief Secretary, Civil Secretariate , Lahore*
4. *Government of Sindh through its Chief Secretary, Civil Secretariat, Karachi.*
5. *Government of Baluchistan through its Chief Secretary, Civil Secretariat, Quetta.*
6. *Government of Khyber Pakhtoonkhawa through its Chief Secretary, Civil Secretariat, Peshawar.*
7. *Government of Gilgit Baltistan through its Chief Secretary, Civil Secretariat, Gilgit*

Respondents**PETITION UNDER ARTICLE 184(3) OF THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973***Respectfully Sheweth:**Following are the legal points of public importance for worthy consideration by this Honourable Court*

1. *That National Commission on the Status of Women (NCSW) is a statutory body, established under Ordinance XXVI of 2000. Under the said Ordinance, the petitioner No. 1 has been mandated for the emancipation of women, equalization of opportunities and socio-economic conditions amongst women and men and Elimination of All forms of Discrimination Against Women and for the matters connected therewith or incidental. Petitioners No. 2, 3 and 4 are active members of NCSW duly appointed by the Government of Pakistan.*

- Petitioners No. 5, 6 and 7 being activists and concerned citizens of Pakistan committed to the welfare of the women of Pakistan and justice for all. It is the duty of Government of Pakistan to ensure the rights safety and development of women in particular and citizens in general. The evidence has been referred by NCSW Act Of 2012 duly executed by procurement.*
2. *That the petitioners are filing this petition under Article 184(3) of the constitution of the Islamic Republic of Pakistan, seeking declaration and directions from the Honorable Court on the legality and constitutionality of Jirgah/Panchayat System prevalent in Pakistan. The issue under challenge is one of immense public importance as the same amounts to, parallel to the existing legal system of the Islamic Republic of Pakistan.*
 3. *That further the petitioners bring under challenge the permissibility, prevalence and forced imposition of this unconstitutional, unlawful, and un-just custom and tradition of 'Jirgah/Panchayat' as an adjudicating body awarding judgments and executing punishments and deciding family, civil and other disputes thus exercising civil and criminal jurisdictions of the Court.*
 4. *That the above said ongoing illegal practice, if left unchecked by this Honorable Court, may put the entire legal system of the country into disarray and amounts to setting up parallel illegal court structure where vigilante justice is dispensed at the hands of certain self appointed and opinionated members of the public in accordance with their wrong interpretation of Islamic and customary laws and accordingly dispensing justice resulting in inhumane and degrading criminal punishments and subsequently executing the same;*
 5. *That such illegal practices are being carried out in various parts of the country with utmost impunity violating the state laws and fundamental rights of its citizens. That such violation has seriously jeopardized state position with regard to International treaties to which the Government of Pakistan is a signatory. Further that this prevalent illegal system has completely undermined the state machinery of law and justice challenging the writ of the state and depriving the citizens, particularly the vulnerable segments of society of a fair trial and justice. .*
 6. *That the petitioners bring into notice of this Honorable Court two of the judgments pronounced by the superior Courts in this respect. One pronounced by the High Court of Sindh, reported in 2004 P Cr. L J 1523; and the other one Government of Pakistan vs Azizullah Memon reported in P L D 1993 Supreme Court 341 wherein this Honourable Court adjudicating upon practice of Jirgah observed:*

“...mere existence of a tribal society and a tribal culture does not by itself create a stumbling block in the way of enforcing ordinary procedures of criminal law, trial and detention which is enforceable in the entire country...”
 7. *That despite the said dictums laid down by the Honourable Courts, the state has been unable to frame, amend and implement the law and bring the culprits to justice. No other adequate, efficacious and alternate remedy is available to the petitioners except the present petition. These are questions of public general importance affecting the welfare of the citizens of the country which require worthy consideration by this Honourable court;*

8. *That the brief facts of the case are that the dispensation of so-called justice by the 'Jirgah/Panchayat' is an illegal customary practice prevalent in all Provinces of Pakistan, by virtue of which disputes/cases of criminal and civil nature of citizen are resolved illegally by so-called elders/elites, wadaras, chudhries and persons who have no legitimate legal authority to decide such cases and pronounce judgments/decisions/orders and implement the same. Numerous horrifying incidents of this injustice perpetuated by this illegal practice have been witnessed throughout Pakistan with deep concern. There is a long list of cases of such nature some of which have been taken notice by this Honourable Court. However brief facts of two recent incidents are being narrate here below:*

INCIDENT OF HARIPUR

9. *On June 7th, 2011, a Jirga trial, headed by Basheer Abbasi, Matloob and Raqeeb looked into allegations leveled by one Mohammad Suleman against Shehnaz Bibi's sons for alleged misconduct and sexual relations with formers/complainants wife. The incident took place in Neelor Bala village, near Haripur Khyberpakhtunkhwa. On the directives of Jirga, house of brothers identified later as Rashid and Kazim was raided. Upon arrival it was learnt by complainant and Jirga team that brothers had managed to escape the village leaving behind their old mother identified as Shehnaz Bibi. Shehnaz Bibi was a middle aged woman who was ruthlessly dragged out by the Jirga team at the behest of Jirga decision and her clothes were forcefully removed. She was then forced to parade naked on the street as punishment for alleged crime of her sons. Police registered case on their own initiative as no formal complaint had been lodged.*
10. *That SHO Police station, sadder, district haripur, registered a criminal case under sections 34, 506, 109, 436, 427, 354-A and 202 of the Pakistan Penal Code (PPC) FIR No 310 on June 12 2011, against Muhammad Suleman, Imran, Manzoor and Arsalan Khan for allegedly disrobing and parading naked around the village a middle-aged woman, namely Mst. Shehnaz Bibi June 7, 2011.*

INCIDENT OF MARDAN

11. *That another recent shocking incident happened in Mardan. Around approximately 12 noon on 21st June, 2011, in a village called bari kot in Swat, at the behest of Jirgah decision, Mst. Shazia was murdered by Muhammad Saeed and others who had fired shots and pelted stones on the deceased. Briefly, facts of the case as per FIR are as follows. Mr. Mohammad Saeed was married to Mst Shazia. Mr. Saeed off late had grown suspicious of his wife's alleged sexual relationship with Mr. Saeed's brother. Mr. Saeed had attempted murder on an earlier occasion but Mst Shazia had escaped the village with her mother in law. After a lapse of certain period, she was now summoned back to village by her husband on the pretext that Jirga was going to sit and resolve their dispute. Much to Mst. Shazia's surprise, the Jirga had already given a verdict in her absence proceeding exparte. Upon arrival, Mst Shazia was murdered by her husband and a group of other men who had assisted him on the directives of Jirgah. Death came about from bullet wounds and excessive bleeding through stone*

injury/impact.. The FIR was lodged by her illiterate mother Mst. Noor jahan Wife of Ameer zada (mother of Shazia). Factual details are contained in the FIR which is attached herewith as annexure _____

GROUND

- a. That such practice is against Art 8 which provides, "Any law, or any custom or usage having force of law, in so far as it is inconsistent with the rights conferred by this Chapter, shall, to the extent of such inconsistency, be void". *Nevertheless this practice of holding jirgas/panchayats is being carried out with utmost impunity with malafide intentions;*
- b. That persons *subjected* to Jirgah/Panchayat System are dealt with un-codified, *ambiguous whimsical*, arbitrary and *barbaric customs, traditions and* procedures violating the Constitution and fundamental rights of citizens of Pakistan;
- c. *The so-called judgments/decisions/orders passed by such unconstitutional and illegal jirgas/ Panchayats and implementation of the same are completely in violation of natural justice and disregard to the Constitution and the laws of the land;*
- d. That the practice of 'Jirgah' contravenes Articles 4, 8, 9, 10, 10(a), 14, 25, 34 and 37 of the Constitution of Pakistan which guarantees legal protection; right to enjoy life, liberty and justice to the citizens of Pakistan and to be treated in accordance with law.
- e. *That internationally recognized principle of "due process of law" and "right of access to justice to all" enshrined in different international treaties to which Pakistan is a signatory have been completely violated and has tarnished the image of the country.*
- f. That the illegal practices of Jirgah/ Panchayts and implementation of their orders are not only violative of human rights of citizens but also deprives them of life, *liberty and dignity.*

PRAYER

It is respectfully prayed that this Hon'ble Court may graciously be pleased to declare and direct the respondents respectively:

- I. *That, the prevalent Jirgah' system in the country is illegal, unlawful and against the canons of law and justice which must be prohibited and stopped immediately;*
- II. *That the prevalent Jirgah system is inhuman and grossly violative of the fundamental human rights in particular the human dignity and may be declared accordingly;*
- III. *That 'Jirgah' system, assuming powers of civil and criminal courts and implementing its own orders must be declared illegal, unconstitutional and ultra vires,.*

- IV. *All such actions taken, proceedings conducted and orders passed by any Jirgah/Panchayat or similar bodies be declared null and void and appropriate actions be directed against all such culprits who have participated, aided, abetted in such illegal activities;*
- V. *That the respondents be directed to frame, amend and implement constitutional provisions and penal laws relating to illegal practices of Jirgah/ Panchayats;*
- VI. *That this Honourable Court may graciously may be pleased to pass any further orders/ directions to any authority as deemed fit and necessary in the circumstances of the case*

*FILED BY:
PETITIONERS-IN-PERSON
DRAWN:*

NCSW in Media



Ban on women vendors angers commission

RAWALPINDI, Nov 11: An outraged National Commission on the Status of Women (NCSW) has rejected the orders of Lahore district coordination officer Ahad Cheema banning women vendors from Sunday Bazaars as "gross violation of fundamental human rights" and demanded its reversal.

In a statement issued here on Thursday, the commission reminded the officer of Pakistan's international commitments to promote gender equality and to empower women.

"The present government has practically shown its commitment towards the emancipation of women and redemption of equal status for women in society by bringing in necessary legislation where women are given guaranteed protection by the law of the land in any sphere of public life," said the statement.

It said the DCO's action was complete negation of the government commitments towards women's empowerment at grass root level. The commission asked the DCO to cancel this 'inhuman order' and immediately lift the ban to enable poor women sell their commodities and earn honorable livelihood for themselves. — Our Reporter

Aafia must be allowed to appeal against judgement: NCSW

ISLAMABAD (APP) - The National Commission on the Status of Women (NCSW) on Saturday demanded that Dr. Aafia Siddiqi must be allowed to appeal against the judgment in a neutral court or sent back to her home country where law can take its due course.

In a statement, the NCSW said that the sentence pronounced by the US Federal Court in Manhattan against Dr. Aafia Siddiqi is extremely shocking.

The Commission is of the opinion that the manner in which the entire case was handled and the trial conducted is a gross violation of international human rights norms.

It is a matter of deep regret and concerns that international covenants and agreements adopted by consensus by the nations of the world are being seriously undermined by states that purport to uphold women's human rights and human rights.

There has been strong suspicion throughout that Dr. Aafia Siddiqi was severely tortured.

States and governments have an obligation to uphold the Geneva Conventions and adhere to agreed human rights standards, the commission said.

NCSW condemns killing of Dr Farooq

OUR STAFF REPORTER

ISLAMABAD - The National Commission on the Status of Women (NCSW) strongly condemned the cowardly assassination of Dr. Muhammad Farooq Khan, Vice-Chancellor of Islamic University of Swat.

The cold-blooded murder of Dr. Farooq, psychiatrist, religious scholar and Vice-Chancellor of the Islamic University of Swat, has caused grief and anguish across the country. Dr. Farooq was a mild mannered and humane person who unflinchingly supported the rights of women and religious minorities, and spoke out boldly against extremism and violence. His vision of a moderate Islam reflected the true spirit of the faith and represented the values that the vast majority in this country adheres to.

Dr. Farooq's murder is regrettably the latest in a series of target killings in the country of those who stand up against barbarity and ignorance. Such crimes against humanity continue to be perpetrated because criminals have been allowed to operate with impunity. Flawed legislation, such as the Qisas and Diyat Law, permit criminals to buy or threaten their way out of being punished for these crimes. The seeming inability of the law and justice system to apprehend and punish criminals allows perpetrators to act with impunity without fear of punishment.

The Commission expressed its sincere sympathies to Dr. Farooq's family and hopes that serious efforts will be made to apprehend his murderers and bring them to justice. Immediate and urgent measures must be taken to strengthen and reform the criminal justice system so that the rule of law can be restored and citizens can live in peace and security.

Meanwhile, while condemning the brutal target killing of Dr. Muhammad Farooq Khan, notable scholar and Vice-Chancellor of Swat University, the Islamabad-Rawalpindi based civil society organisations staged a protest demonstration on Monday.

The cold-blooded murder of Dr. Farooq Khan has caused grief and anguish across the country. Dr. Farooq was a mild mannered and humble person who unflinchingly propagated tolerance, modesty, and dialogue and supported the rights and religious minorities. He and spoke out boldly against extremism and violence.



Our correspondent Islamabad

The National Commission on the Status of Women (NCSW) has expressed shock over the recent incident in Mardan in which a young girl was first stoned and later shot dead.

In a press statement issued here on Thursday, the NCSW has termed the incident a gruesome act of violence against women in the country. "This violent action was taken at the

behest of a 'jirga', which decided this penalty for the unfortunate young girl, who wanted to live life of her own choice," says the statement.

The NCSW said that the incident is an extreme act of brutality and urged the authorities not only to punish the culprits who took part in this heinous crime, but also the 'jirga', which has been the main driving force behind such biased, brutal and wild decisions against women. "Such decisions of 'jirgas' are so ram-

part and there is no anybody to challenge their authority," it further mentions. The commission strongly appealed to the government of Khyber Pakhtunkhwa to show the same commitment and resolve which it has shown in the case of Neelora Bala incident. "To prevent such heinous crimes against women in society, the law has to take its due course on the 'jirgas' and eliminate its illegal judicious role, which has resulted in gross violation of women's rights."

Women's body doubts Haripur incident probe

ISLAMABAD, June 22: The National Commission on the Status of Women (NCSW) has expressed reservations about the investigation being carried out in a case of public dishonouring of a woman in Haripur.

A delegation of NCSW led by its chairperson, Ms Anis Haroon, met Hazara Division Commissioner Kuldil Khan Unarai and Deputy Inspector-General Police Dr Mohammad Naasem Khan in Abbottabad on Wednesday and alleged that a religious leader of the area was using his influence in the case and therefore his role needed to be properly investigated, an NCSW press release said.

According to NCSW findings, the jirga members, who had passed the verdict, had not been implicated in the FIR.

"The unfortunate woman, who was also present during the meeting between NCSW and Hazara Commissioner and DIG, said that she was made to pay for the sin she had never committed. 'I had no clue about any jirga verdict."

Four men just entered my house and started beating me. They dragged me outside into the street and stripped me naked," she said with a choking voice. There was nobody at home except her younger son who was unable to protect her from humiliation in the presence of four armed persons.

"Nobody came to my rescue. The whole village remained a silent spectator," she said with tears rolling down her cheeks.

Commissioner Unarai briefed the NCSW delegation about the investigation being carried out and assured that the case would not be hushed up and everything would be made public. "I am personally looking into the matter," he said. "This is the first reported case of this nature in the area," he added.

DIG Hazara Dr Mohammad Naasem Khan informed the delegation that around 22 villagers including the religious leader had also been booked for not coming to the aid of the woman. — Our Reporter

Women's contribution to national development acknowledged

ISLAMABAD: Speakers at an event titled "A Milestone in the Struggle for Women's Rights" acknowledged the efforts of the private and public sectors in ensuring women participation in social, political and economic spheres of life. Ministry of Women Development (MoWD) in collaboration with the National Commission on the Status of Women (NCSW) and the Women Parliamentary Caucus arranged the event here. Special Assistant to Prime Minister on Social Sector Shabana Wusfi Ali said women judges were appointed for the first time in the history of the country during the tenure of Benazir Bhutto. She said women police stations were established and women were also encouraged to take part in defence services. The First Women Bank was established to facilitate women in the economic sector, she added. She said the government was committed to work for the betterment of womenfolk, ensure their protection and bring them into the mainstream. Hina Jilani, a member of women movement 1983, said February 12 was the day, which renewed the commitments and energised people to continue fight for women rights. Women rights activist Bushra Akhtar and Rehana Taufique also spoke on this occasion. Anisya Daud presented her poem titled "Shariat Bill" while Sara Zaman sang a song. —

NCSW expresses shock over stoning woman to death

SANA JANTAL

ISLAMABAD—National Commission on the Status of Women (NCSW) has expressed its shock at the incident of stoning to death of a young lady in Mardan. According to a report, Muhammad Saeed of Garhooch village took her wife Shazia to the nearby mountains where he stoned her to death, because of increasing domestic disputes.

According to a statement issued by NCSW, "this is the most

grotesque act of violence against women in the country. This violent action was taken on the behest of Jirga, which decided this penalty for the unfortunate young woman, who wanted to live life of her own choice."

NCSW called it "an extreme act of brutality" and urged the authorities not only to punish the culprits who took part in this heinous crime but also the Jirga which has been the main driving force behind such biased, brutal and wild decisions against women. "The Commission strongly appealed to the government of Khyber Pakhtun Khwa to show same commitment to resolve the issue, as it had shown in the case of Neelof Bala incident.

Earlier on Tuesday, NCSW delegation led by Anis Haroon had a meeting with Commissioner and D.I.G of Hazara Division in Abbottabad to express its severe reservations regarding the investigation of Shabnaz Bibi case.

NCSW concerned over closure of women centres

OUR STAFF REPORTER

ISLAMABAD—The National Commission on the Status of Women (NCSW) has taken up the issue of closed women crisis centres. In Punjab, with provincial government to prevent their closure by the provincial government after their de-activation.

The commission wrote a letter to Chief Minister Punjab expressing its grave concern as the closure and upgradation of women centres will be a setback to women's rights. The commission has also requested the provincial government to prevent their closure by the provincial government after their de-activation.

Through a letter, the commission highlighted the role of these crisis centres, which are serving as safe shelters for the victims of violence. The letter said that, in most cases, the violence is perpetrated by their close family members and occurs at home. Therefore, it becomes impossible for the victims to find comfortable and stay safe at the same place. They have to take shelter at a safe place, maintained by the state as well as they are provided with required services and support.

NIWC to monitor implementation of laws on harassment

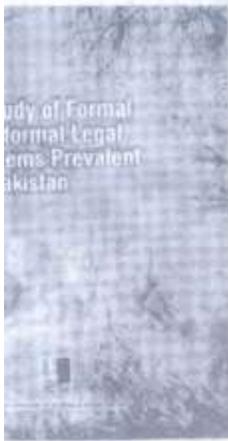
Staff Report

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Call to end parallel justice system

By Samira Jajja

ISLAMABAD, June 26: Special courts, set up to deal with terrorism and organised crime, have been established as these are against the constitution and tend to cause more harm than good. They are a parallel justice system and should be abolished. This was the main message of a report titled "Study of Formal and Informal Legal Systems in Pakistan" presented to the National Commission on the Status of Women (NCSW) chairperson Mrs Haroon Anis on Wednesday.

The study, conducted by the National Commission on the Status of Women (NCSW) chairperson Mrs Haroon Anis, said that the parallel justice system is a parallel system and should be abolished. This was the main message of a report titled "Study of Formal and Informal Legal Systems in Pakistan" presented to the National Commission on the Status of Women (NCSW) chairperson Mrs Haroon Anis on Wednesday.

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VIOLENCE AGAINST WOMEN

Govt, civil society collaboration stressed for handling VAW cases

Myra Imran
Islamabad

Participants of the South Asian Conference on violence against women (VAW) have highlighted the need to enhance collaboration between state machinery, civil society and community to effectively handle the VAW cases.

Speaking at the conference titled 'Reclaiming Space — From Victimhood to Agency: State and Civil Society Response to Violence against Women' they said that it is not the responsibility of one department to facilitate the VAW victims, but law enforcers, civil society and general public will have to join hands to create enabling environment for violence survivors in police stations, courts, hospitals and in

the society.

Organised by Rozan, the conference is aimed at providing a learning platform for civil society activists to review their struggle against VAW in the light of the engagement of women's movement. Eminent women's right activists and researchers are participating in the conference that will end today.

Three sessions focusing on gaps in medico-legal system, shelter home for women and community responses were held on the second day of the conference where representatives of different countries shared their successes and weaknesses and called for regional collaboration to make violence victims the true agents of change.

They stressed to establish a strong network of support sys-

tem for those who dare to stand against the violence and agreed that insensitivity towards VAW among police officials is the weakest link in providing justice to the violence survivors. They emphasised for the training of medical experts and police officials dealing with VAW survivors on ethical aspects of the medico-legal procedures.

Talking about the issues faced by law enforcing agencies, AIG Operations, Islamabad police Ehsan Sadiq said that the blame on police is exaggerated as medical officers, prosecutors, courts and prisons along with police department combine to make criminal justice system. He said that lack of access to medico-legal facilities in rural areas, poor infrastructure, lack of equipment and faulty procedures are the main as-

pects that provide space for manipulation of such cases in courts.

Fauzia Vigar from Shirkatgah Women Resource Centre suggested effective oversight mechanism in shelter homes for women. She stressed to involve community in the functioning of these shelters and recommended reintegration of support finding work, re-housing and short term financial assistance for violence survivors.

Chaired by development and rights activist Tahira Abdullah, the first session discussed medico-legal protocols and police response to violence. The discussion that started with case study presentation by National Commission on the Status of Women (NCSW) Chairperson Anis Haroon highlighted the challenges and progress in

forensic testing, protocol for health professionals and challenge of making the largely male dominated, rigidly hierarchical institutions subservient to political interference respond to vulnerable groups on issues as sensitive as VAW.

The second session was chaired by NCSW Chairperson Anis Haroon. The session reviewed the protocols used in half way houses and shelters across South Asia, which have been instrumental in ensuring ethical and effective services for women survivors of violence.

The last session focussed on community responses including alternate dispute resolution mechanism. The session was chaired by Quaid-i-Azam University Centre of Excellence in Gender Studies Director Farzana Bari.

Senate approves women's protection bill 2012

By Ijaz Kakakhei

ISLAMABAD: The Senate on Thursday unanimously passed the National Commission on the Status of Women Bill 2012 to protect women's rights against every sort of discrimination.

Advisor to the Prime Minister on Human Rights Mustafa Nawaz Khokhar presented the bill, which had already been passed by the National Assembly. Both the treasury and opposition parties supported the bill. However, Senator Professor Khushf Ahmad called for introducing some amendments to the bill before it is passed.

The commission will be independent having autonomous status with full financial and administrative powers. Its fundamental functions will be to examine policies, programmes and other measures taken by the government for women's welfare and gender equality.

It is possible cited the main objectives of what the government called the fulfilment of one of its promises for the independence of Pakistani women as "protection of social, economic, political and legal rights of women" as provided in the constitution and "in accor-

dance with international declarations, conventions, treaties, conventions and agreements relating to women, including the Convention on the Elimination of all forms of Discrimination against Women".

The commission will consist of a chairperson, who shall be a person with experience of working on women's rights for more than 15 years, understand international conventions of the country, have a legal understanding and is committed to the cause of women's empowerment. It will also have two members from each province and one member each from FATA, AJK, Gilgit-Baltistan, Islamabad Capital Territory and two members from minorities. A member shall be at least 30 years of age, having experience on women's rights for more than five years and "committed to the cause of women's empowerment".

The bill said the chairperson and members, including ex-officio, would be appointed by the prime minister from among names recommended by the parliamentary committee from a list agreed with the leader of opposition in the National Assembly consisting three names for each post or separate lists to be sent by the two in case of difference between them.

Concern expressed over acid throwing incidents

UN special rapporteur briefed on passed and pending legislations for women

Myra Imran

Islamabad

The civil society has expressed concern over the threat and alarming incidents where acid was used by the terrorist as a weapon to target innocent people with an aim of spreading panic and fear among general public.

They were briefing the United Nations Special Rapporteur on Violence against Women (VAW) Rashida Manjoo about the status of passed and pending legislations for women's rights in Pakistan. Organized by Islamabad Women Resource Centre, the meeting was held at the National Commission on the Status of Women (NCSW).

They said that around hundreds of acid throwing have given a new dimension to violence against women. In past, these attacks were directed to wealthy women in quest of the money and possessions. Acid throwing is a heinous crime that who targeted the UN Rap-

porteur about the situation of acid throwing since 2002. In her presentation, Manjoo said that insensitivity towards women's rights in Pakistan and lack of response by the state machinery to report women targeted by acid throwing is the focus. She said that NCSW is working with the women's rights organisations to ensure that the law can be approved soon.

Manjoo was also briefed about the Domestic Violence Act (DVA) that is pending in the National Assembly and would soon be approved by the Provincial Assemblies. She said that women have become a victim of violence after provision of the law. The National Commission on the Status of Women (NCSW) is working with the government to ensure that the law is implemented in full.

NCSW condemns acid-throwing incident

OUR STAFF REPORTER

ISLAMABAD - At the 44th meeting of the National Commission on the Status of Women (NCSW), the members condemned the recent shocking incidents in Balochistan, where traditionally women were not targeted but were now facing crimes like acid throwing attacks and abduction.

Three women are severely injured when acid was thrown on women school teachers in Quetta recently and Nilofer Abaifan, a prominent businesswoman, who was abducted on International Women's Day had still not been recovered.

It was also observed that on one hand the incidents of acid crimes are generally on rise in the country while on the other hand legal instruments, i.e. Marvi Memon's Bill against acid crimes, tabled and passed in the National Assembly, still awaited to be adopted by the

Senate. It was feared that if the Bill was not adopted within 30 days after its passage it would stand lapsed, as happened with the Domestic Violence Bill.

It was further brought to the notice of the Commission members that a recent amendment in the Code of Criminal Procedure through V of 2010 had reversed the effects of provisions in the Women Protection Act, 2006 that granted bail to women for all crimes except murder and terrorism.

The Commission unanimously expressed serious concern at the easy availability of acid across the country and condemned the impunity and non-conviction of culprits in Violence Against Women cases. They urged that efforts be made to make stringent laws to ban free selling and buying of acid, and these changes be brought in the procedural law to bring those who are guilty of violence against women to justice.

Media help sought to change mindset against women

Staff Report

ISLAMABAD: There is a need for inclusion of women rights in academic and media should play role to create the specific mindset against women to society.

Participants observed in a seminar - coordinated by National Commission on the Status of Women (NCSW) on Wednesday at Khat Bani on the Role of Media in promoting violence against women in Gilgit Baltistan (GB).

The seminar was first of its kind in the present history of the region, before this event, the topic was considered taboo by District In-charge, Justice (S) Nazim Iqbal, Anti-Harassment NCSW, Jodie Nazim, JMC Chapter, Yasmin Karim (NGO) AAKSP, Kasmatalah ED VADO speaker GB assembly Wazir Beg and deputy speaker Javed Akram spoke during the seminar.

Ms Nazim returned the participants and applauded their overwhelming presence on this occasion. She said, to prevent violence against

women, several national and international treaties and conventions, have been signed upon, now this is the time to implement them in their full letter and spirit.

Later from HRCP presented facts and findings about the violence against women in the region and highlighted the factors that contribute to causing the instances of violence: father-in-law, spouse women and girls, in-law, crimes against women like rape, honor killing, forced marriage, murder, abduction and harassment are an rampant in our society but media is not vibrant or sensitive enough to highlight them and pave the way for law enforcing agencies to apprehend the culprits and bring them to book.

Justice (S) Nazim Iqbal talked about making violence against women and their rights and highlighted the issues involving around women. She stressed upon changing the mindset of people and asked women studies institutions, and stressed universities to play their role. She spoke about Islam and history about women's rights to marry by her own self and stressed upon

media as well as assembly to relay this message and to create awareness amongst them to educate the people through radio-voices.

Anti-Harassment speaker about the Anti Sexual Harassment Act 2010 and Women Protection Act 2006. She urged Gilgit-Baltistan Government to urge Women Development Ministry and Provincial Commission on the Status of Women.

At last, speaker said, deputy speaker GB sincerely addressed the gathering and they both were unanimously in their call to end all forms of crimes against women. They said the women of their region enjoy special status, as teachers, women, daughters, associations and cultural systems, and they would not tolerate any injustice or behavior against women there.

The seminar was attended by large number of people representing government's institutions, legislators, police department, academics, NGOs, media, and civil society. Speaker GB assembly Ms Wazir Beg participated as a chief guest, whereas, deputy speaker McGlenn Akram attended the event as guest of honor.

PENDING LEGISLATION RELATED TO WOMEN

NCSW to hold dialogue with female MPAs

Myra Imran

Islamabad

The National Commission on the Status of Women (NCSW) plans to hold dialogues with female MPAs to explore areas of joint interventions and identify strategies to be adopted to accelerate all pending legislation related to women.

The NCSW has planned these provincial dialogues as part of its advocacy and communications strategy to accelerate the pace of pending legislations especially Domestic Violence against Women Bill and Acid Crimes and Preventions Bill. These dialogues will be held in all four provincial capitals with provincial women legislators.

The NCSW will provide an update on the fate of DVB and will have an open dialogue with parliamentary stakeholders to come up with a mechanism and strategy to push for enactment of this law. The female parliamentarians across party divide will be invited to participate, debate and to give recommendations.

These provincial dialogues will be culminated into national level dialogue, where all the recommendations emerged from provincial consultations will be presented. It will support women legislators at the federal level in order to be able to push for tabling and enacting the bill. The provincial women development ministers will be requested to cooperate and coordinate in organising these dialogues; they will also be facilitated to invite their male colleagues to support them and alliances will be developed within their respective houses.

Capitalising its formal presence in all provinces including Azad Jammu & Kashmir and Gilgit-Baltistan, the NCSW, through this dialogue, plans to develop exclusive and collaborative working relationship with provincial machineries working for women empowerment.

The concept paper prepared for this future strategy mentions that NCSW is the custodian of

women's rights in the country and is the apex state body responsible for monitoring laws and policies designed for emancipation of women. In addition to that, the NCSW helps providing equal opportunities to women and men to improve their socio-economic conditions and eliminate all forms of prevailing discrimination.

It says that adding to that, it's one of the fundamental functions of the NCSW, after the 18th Amendment, to monitor the activities meant for the enhancement and empowerment of women's rights being carried out by various government machinery as a whole.

It further mentions that after 18th Amendment and subsequent devolution of Ministry of Women's Development to the provinces, there is a strategic need to strengthen and enhance the role and status of NCSW as a watchdog body at the national level in order to keep pace with devolution and to ensure progress on legislation related to violence against women is not back tracked. "Besides, the NCSW would like to strengthen its ties with women development departments as its key stakeholders at the provinces level."

Highlighting the background of Domestic Violence Bill, the paper informs that according to Human Rights Commission of Pakistan (HRCP), 400 cases of domestic violence against women were reported in a year 2010. Since this kind of violence occurs within four walls of boundary, it is mostly invisible and do not get reported or highlighted. If accidentally, the victims succeed in reaching police stations or approach law enforcing agencies, even then they never get any support as domestic violence against women is regarded as a private matter of the family.

In 2009 the National Assembly of Pakistan has unanimously passed a Bill on Domestic Violence against Women. The bill lapsed after the Senate failed to pass it within the three months required as per the Con-

stitution. After lapse, it moved to the mediation committee for further process but the progress on the said Bill is still pending.

Presently, as a result of 18th Amendment, provinces are empowered to make and amend their own laws and policies in accordance with their requirements. Similarly, under law, in the light of the 18th Amendments, all legal issues relating to women are entrusted to the provinces; legislation accordingly is the responsibility of the provincial assemblies as a whole.

The Domestic Violence Bill (DVB) seeks to prevent violence against women and children with a network of protection committees and protection officers and prompt criminal trials for suspected abusers. The bill defines domestic violence as including, though not being limited to, "all intentional acts of gender-based or other physical or psychological abuse committed by an accused against women, children or other vulnerable persons, with whom the accused person is or has been in a domestic relationship. The bill requires the court to set a hearing within three days of receiving a complaint and to adjudicate the case within 30 days."

The dialogue is aimed at sharing the role of NCSW with women legislations and various development departments and organisations at the provinces and will identify the areas of common concern regarding women's issues and develop a consensus on mutually agreement as a common working agenda.

It will also explore areas of joint interventions and technical collaborations and will discuss the policies, systems, issues and challenges that the women development departments have been facing in delivering services. The activity will also help to gather the opinion, from the provinces regarding any kind of progress or advancement made to resolve Domestic Violence Bill at their end and will share necessary information received accordingly with the parliament.

NATIONAL WOMEN'S DAY

Declaration urges government to review all discriminatory laws

Myra Inran

A joint declaration passed on the occasion of National Women's Day calls upon the government to undertake a comprehensive and systematic review and revision of all discriminatory legislation that discriminates the status of women as full citizens of the country.

The declaration was passed at a series of events organised to mark the historical struggle for women's rights. The declaration included the following points: (i) women's rights activists against the anti-women policies and legislation by military rulers for female discrimination.

The women activists had gathered at Lahore Mall on February 12, 1983, to protest and women organisations were staged in various parts of the country. High Court and several other courts had been closed. Many of them were put behind bars for taking part in the demonstration. Prime Minister Zulfikar Ali Bhutto has declared that day as National Women's Day of Pakistan.

A large number of the society organisations, women parliamentarians, public sector and women employees also participated in the event. The featured programme included poetry recitation, singing and drama performance. A documentary by Shab-e-Nazam on women's rights struggle in Pakistan also made part of the event.

Based on the chairperson, NCSW Mrs. Tahira, the declaration requested that the government, through Parliament should review and amend all discriminatory legislation including the constitution of 1973 which put women in a vulnerable position and open the way for discrimination. She also called for the government to take steps to bring a bill for her formation and Qasim Rizvi's bill to give women equal status with men in the constitution. She also called for the government to take steps to bring a bill for her formation and Qasim Rizvi's bill to give women equal status with men in the constitution.



ISLAMABAD: General Ambassador for Women Sports Feroze Gulzar, Shikwa Waris Ali, Farah Naz (right), Farooq Shahid and others enjoying the performance during a ceremony to celebrate National Women's Day in commemoration of the struggle of activists against anti-women laws. — Orlan

to have the women witnesses. The use made in matters of finances. The government should take the initiative to conduct a comprehensive review of all discriminatory legislation including the constitution of 1973 which put women in a vulnerable position and open the way for discrimination. She also called for the government to take steps to bring a bill for her formation and Qasim Rizvi's bill to give women equal status with men in the constitution. She also called for the government to take steps to bring a bill for her formation and Qasim Rizvi's bill to give women equal status with men in the constitution.

She said that the law of evidence in particular, may be revised to bring it in conformity with Article 25 of the Constitution of Pakistan, which requires that men and women are equal citizens of this country. She also called for the government to take steps to bring a bill for her formation and Qasim Rizvi's bill to give women equal status with men in the constitution. She also called for the government to take steps to bring a bill for her formation and Qasim Rizvi's bill to give women equal status with men in the constitution.

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and local business might be very small has created for many women-headed household at the cost of severe economic crisis. Minister of Human Resources Development stressed the need to implement the vision of Ghulam Ishaq Khan and Ali Jinnah in Pakistan. He said that the government should take steps to bring a bill for her formation and Qasim Rizvi's bill to give women equal status with men in the constitution. He also called for the government to take steps to bring a bill for her formation and Qasim Rizvi's bill to give women equal status with men in the constitution.

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National Women's Day celebrated in style

Myra Inran

For the first time since the brutal events of February 12, 1983 when women activists and their male supporters were beaten and jailed for protesting against discriminatory laws, the National Women's Day was officially celebrated in the capital in a thrilling ceremony at the National Art Gallery.

Organised jointly by the Ministry of Women Development (MoWD), the Women's Parliamentary Caucus and the National Commission on the Status of Women (NCSW), the colourful event was attended by a large number of women parliamentarians, civil society members, government officials and women right activists.

In addition to recollection of memories by the activists that were present at the protest, the ceremony included melodious performance of Sara Zaman and Laila Hanif. The singers received thunderous applause from the jam-packed hall as they gave new life to the revolutionary poetry of Hahib Jilani and Faiz Ahmed Faiz through their powerful performance.

Another striking feature of the event was the recitation of thoughts, provoking poetry by Farida Riaz, Rubana Tariq and Aftab Daud. Poems like 'Adhi Gwahid', 'Shariat Bill' and 'Salun Bazaar' revived the feelings of the day that saw 330

women coming on the roads to challenge the military regime. The day is celebrated in the country to mark the struggle launched by the women against 'Qasim-e-Shahadat', introduced by late General Ziaul Haq.

Turning the historic rally a big success, the speakers said that what happened on February 12, 1983 initiated the women's right movement in the country. "We are not gathered here to mourn the brutal ways of dictatorship, but we are gathered today to celebrate the courage of women that gave new direction to women rights movement in the country," said Advisor to Prime Minister on Social Affairs Begum Shehnaaz Waris Ali. Shehnaaz was also present in the rally that was organised at Regd Chowk, Lahore.

Sharing some of her memories, she said that it was the era when women foreign office officials were called back and women were banned in civil services. She said that it was the arrest of a rape victim blind girl Sultia Billo under Haidud Ordinances that triggered the anger which ended into the rally.

The rally was not allowed by the administration as they decided to march the high court in small groups. But on their way, they were surrounded by the 500 policemen. When they tried to break their circle, the police started beating charging and arrested everyone present at the scene. "It also included a pregnant woman waiting for a bus at a nearby

bus stop," said Farah Ghaur, another participant of the rally.

She said that she could never forget the time they spent in jail. "It was tough but presence of friends made that a memorable time," she said adding that it proved to be the start of her activism. Farah's first 'Dhaki' programme was held on a general lecture from Islamabad at Park Place, Oct. 25, 1983, attended by 500 people. Her first 'Dhaki' programme was also performed in jail. Banara Atiza Abbas took this opportunity to revive nationalism among the participants and said that February 12 and long march for restoration of judiciary have proved the people power. She urged them to speak up against injustice. "It is our individual responsibility to reject negative elements and concepts instead of ignoring them on the ground that nothing can be changed."

Hira Khan said that the objective of the rally was not to express defiance but it was aimed at giving a strong message to administration that we were not afraid of them. "After 25-year-long hard struggle of women, the government is finally agreeing that we were right," she pointed out adding that the struggle is not over yet as Haidud Ordinances is still part of the constitution and Shariat Courts are still functional. At the end, Chairperson NCSW Mrs. Hassan thanked the participants and said that though organised by the public sector, the event did not have the typical official touch. She termed it a positive sign that the government and civil society are celebrating the day together.

Blasphemy case**NCSW shows concern over death sentence to Christian woman**

Staff Report

ISLAMABAD: The National Commission on the Status of Women (NCSW) has shown its grave concern over death sentence to a Christian woman by a court in Nankana Sahib in a blasphemy case.

According to a press release, Asia Bibi, mother of five children, is the latest victim of the blasphemy laws promulgated arbitrarily by a military dictator more than 20 years ago.

NCSW strongly condemned the death sentence passed by an additional sessions court for alleged blasphemy by Asia. The death sentence was passed following the judicial process on a FIR, registered on June 19, 2009, under sections 295-B and C of the Pakistan Penal Code. Both sections state punishment by life imprisonment or capital punishment. Asia has also been decreed Rs 100,000 fine. Though an illiterate, she

Govt not to allow misuse of blasphemy law: Shahbaz Bhatti

ISLAMABAD: The government will not allow anyone to misuse the blasphemy law in the country. Federal Minister for Minorities Affairs, Shahbaz Bhatti told journalists after attending the meeting of National Assembly Standing Committee on Minorities Affairs. He said protection to the life and property of minorities was the constitutional obligation of the government. He said Ministry of Minorities Affairs had written a letter to the Punjab government regarding Aasia Bibi, sentenced to death in a blasphemy case by a District and Sessions Court in Nankana Sahib. Bhatti said the Ministry had asked the Punjab government to provide the accused all possible chances to plead her case on merit and ensure her protection in the jail. The minister said in most of the cases, blasphemy law was being misused to settle personal scores, political vendetta and religious enmities. He said the government was taking steps to stop misuse of the law. He said Aasia Bibi would be given opportunity to plead her case. **STAFF REPORT**

has been accused of denying the institution of prophet-hood, citing copious examples from the key texts of Islam.

The press release said, the matter has been investigated thoroughly by the NCSW and has come across some startling facts, clearly highlighting gross irregulari-

ties in the judicial process, highlighting the need for reforms in the legal injunctions. The clear dichotomy in the case is the "denial of prophet-hood". How could you expect a Christian to conform to the Islamic creed? How could you expect an absolutely illiterate person to cite Islamic textual and

exegetical references, one upon another to deny the institution of prophet-hood? NCSW questioned.

The false allegation, which is rooted in a personal vendetta by a mighty landlord, who exploited a number of discriminating elements in the village, Chak 3 of Nankana Sahib, to settle his personal score against the poor victim, should be immediately reversed, said NCSW. Furthermore, there is a dire need to repeal the section 295 B and C, which are ubiquitously being used by the discriminating elements of the society to vent their personal grudge in the matters of feuds against the minorities, it added.

NCSW said these two sections had been constantly giving the image of Pakistani society as non-tolerant.

The NCSW demanded that Asia Bibi, who has already spent a year in solitary confinement, should be immediately released and provided protection.

Passage of Women Commission Bill lauded

ISLAMABAD: Human rights activists on Friday lauded a unanimous passage of National Commission on Women bill by the Senate, terming it as a landmark achievement of government towards women emancipation.

The Women Commission Bill, with complete administrative and financial autonomy, has already been passed by the National Assembly and will go a long way for empowering women of all segments of society.

Talking to APP, Women Organisation for Rights and Development (WORD) Executive Director Aqsa Khan said, "We acknowledge the sensitivity of government towards women issues as it is playing a very supportive role and taking practical measures for women empowerment." Aqsa said the services of women parliamentarians must be acknowledged who made tireless efforts for passage of pro-women bills including the passage of National Commission on Women Bill. "It is a praiseworthy step," she said. The National

Commission on Women has strong mandate to support, review and develop legislations besides playing an active role in passage of legislations and overseeing implementation of international commitments.

The commission also ensures women access to social, economic and legal rights and extends support to women victims of violence. Aqsa said that the commission is already hosting National Implementation Watch Committee Secretariat for implementation of anti-sexual harassment act and remained very supportive for drafting domestic violence bill. "We recommend to continue support for passage of domestic violence bill as well as other pending legislations. We also expect that the commission will also draft home-based women workers bill to redress their woes as they are playing a vibrant role in informal sector for economic development," Aqsa said.

She said women rights organisations also recommend that separate units like NWC

should be set up for institutional development for implementation of all women-related legislations. Quaid-e-Azam University director Gender Studies also lauded the passage of national commission on women bill which has been given an autonomous status. After getting financial autonomy, the commission will be able to serve better as a watchdog body and support women related policies in an effective way. Mufti Abdul Malik, lauding passage of National Commission bill, said that Islam preaches peace, equality and tolerance and safeguards women rights. After getting autonomous status, the Commission has been entrusted upon a great responsibility to support, review and develop legislations, besides playing an active role for the passage of women related legislations and overseeing implementation of international commitments. He said Islam is the only religion which has given a dignified position to women in society as well as inheritance right.

Another women rights activist, Rehana Hashmi said more than seven pro-women bills were passed in the recent past, including anti-harassment, anti-women practices, acid crimes and National Commission on Women Bill. Women movement is working for their rights for the last 23 years after Zia-ul-Haq regime and now women parliamentarians are also playing an active role for women empowerment. Human rights activists were demanding an autonomous commission for women since long. However, a women commission was established in 2006, as attached department of Ministry of Women Development. Although it was working on various initiatives but it could not take decisions for resolving violence against women issues and review legislations freely, so, an independent commission was the need of the hour.

"We appreciate the passage of the bill from both the houses of parliament unanimously," she said. Rehana said that the pro-

cessment is very progressive and it has realised the dream of women empowerment by making milestone legislations. All the provisions should be taken on board in selection of commission members, she recommended. Another women rights activist, Faizia Saeed said it is a long-standing demand of women organisation to have an independent women commission and the bill passed by NA was well-drafted by Raza Iqbal, developed in the post-15 Amendment scenario. She said the commission, working as watchdog body to oversee international commitments ratified by the country, will also be able to give recommendations for women empowerment at high level, besides carrying out research work after getting autonomy. When enacted, this act will grant full financial and administrative autonomy to the women's commission, making it to function more effectively as a monitoring body. ■

IMAGE GALLERY













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www.shakjipk@yahoo.com

گھر نبھانے والی عورت کے کاگی کوئی قدر قیمت نہیں

مرد اگر اتنے ڈھیر سارے کاموں کیلئے معاوضہ دے تو اس کی آنکھیں کھل جائیں

جن ممالک میں سوشل سیوریٹی کا انتظام رائج ہے وہاں مرد اور عورت دونوں کام کرتے ہیں

معاشی مسائل میں بے تحاشہ اضافہ کی بدولت خواتین کو گھروں سے باہر نکلنا پڑ رہا ہے

نیشنل کمیشن آن سٹیٹس آف ویمن کی چیئر پرسن محترمہ ہارون کا "اذکار" کو انٹرویو

میں ہارون کا "اذکار" کو انٹرویو کے سلسلے میں ایک اور سہولت پیش کی گئی ہے۔ اس سہولت کے تحت ہارون کا "اذکار" کو انٹرویو کے سلسلے میں ایک اور سہولت پیش کی گئی ہے۔ اس سہولت کے تحت ہارون کا "اذکار" کو انٹرویو کے سلسلے میں ایک اور سہولت پیش کی گئی ہے۔

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House #39 , Street#56 , Sector F-6/4, Islamabad, Pakistan 44000.

Phone / Fax +92 51 9224875, +92 51 6209885, +92 51 2873184, +92 51 9224877

Web: www.ncsw.gov.pk, **Email:** info@ncsw.gov.pk