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# Law against 'forced marriages' full of loopholes: Study

Since 2011 not a single case was filed under said law

**ZUBAIR QURESHI**

**ISLAMABAD**—A research study released by Aurat Foundation on Tuesday in collaboration with Trocaire, an overseas development agency of the Catholic Church, terms Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011 a piece of lacklustre legislation full of loopholes and confusion. Since 2011, not even a single case has been registered under this law, says the research study.

The study titled 'Forced Marriages and Inheritance Deprivation' presents analysis of gaps in implementation of Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011. It points out lack of awareness regarding law amongst law enforcers, lawyers and general public and says that police officers have no means, resources or inclination to investigate matters involving domestic disturbances caused by forced marriages or inheritance-related violence.

The study that was undertaken in six districts and written by Sara Zaman, was conducted between 2013 and 2014. It assesses implementation of the Prevention of Anti-Women Practices Act which criminalizes and prescribes punishments for forced marriages of girls. The law also criminalizes depriving women of their inheritance and makes practices such as Watta Satta, Bad-e-

Sulah, and marriage with Quran illegal.

The law does not declare forced marriages as null and void. The study further points out that under the law, compensation marriage (Sawara) has been contextualized within settlement for a

criminal or civil liability and not thus applicable to cases where there may be no such liability but women are given nevertheless as a compensation of sorts. Moreover, the law declares all such practices to constitute non-cognizable of-

fences, meaning that the law is not propelled into action unless an explicit complaint is made, posing a significant obstruction in timely action by the police or any other law implementing agency. Speaking on this occasion Director

National Police Bureau (NPB) Ihsan Ghani shared that NPB was working on establishing one-stop crisis centers which he believed would work better than the Women Police Stations. "Women Police Stations segregated women. These crisis centers would facilitate women at every step," he said. He emphasized the need of coordination among various institutions concerned for formulation and implementation of laws. He further said that police officers shall be given extensive training and orientation on laws.

Director General Federal Judicial Academy Faqir Hussain deplored the prevalence of taboos and traditions in respect of women rights due to firm hold of patriarchy and tribalism in the society. He added that non-compliance by State with international human rights and constitutional/legal safeguards portrays a negative image of the country.

He stressed the strict enforcement of law relating to female shares of inheritance. Dr. Hussain suggested obligating the Revenue Authorities and obligating the Excise & Taxation Department for automatic transfer of inheritance shares to women. He recommended that Civil Courts should decide cases of female inheritance through the use of the ADR or by regular hearing, and deciding the matter in three months.



Sara Zaman researcher and writer speaks during the launching ceremony of study titled 'Forced Marriages and Inheritance Deprivation' organized by Aurat Foundation at a local hotel.