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Mukhtar Mai case**Women, rights bodies shocked  
by SC verdict**

Dawn Report

NEW YORK/ISLAMABAD/KARACHI, April 21: The New York-based Human Rights Watch (HRW) and Pakistan's National Commission on the Status of Women (NCSW), Insani Huqooq Ittehad (IHI) comprising 10 NGOs and other women and human rights organisation have expressed "deep shock" and "disappointment" at the Supreme Court verdict acquitting the accused who had raped Mukhtar Mai about nine years ago.

"This is a setback for Mukhtar Mai, the broader struggle to end violence against women and the cause of an independent rights-respecting judiciary in Pakistan," the HRW said in a statement and urged the government to ensure her safety.

It said that any argument that the court was constrained by the "evidence on record" would not cut any ice as the court had repeatedly shown itself quite capable of demanding more evidence and reinvestigation in instances where it served a political purpose.

The verdict "reflects poorly on the Supreme Court and underscores the reality that while Pakistan's judiciary is now independent, it retains a deeply embedded bias against women in particular and on rights issues in general".

The HRW said: "The Supreme Court does not hesitate to summon police officials and other state functionaries of its own volition in its ongoing turf-wars with the government. Yet it did not see fit to ensure that justice was delivered in a case where the crime took place in full public view and the perpetrators were publicly identified."

A statement issued after an emergency meeting of the NCSW and members of the IHI, including Potohar Organisation for Development Advocacy, Mehergargh, Aurat Foundation, Rozan, Sungi, Bedari, Ethno Media, Pattan and Strengthening Participatory Organisation, said the SC judgment had shaken the confidence and sense of security of women to stand up for their rights.

"It reflects a faulty investigation by police and the loopholes that are left intentionally to side with the powerbrokers," they said.

"We are surprised to see why only one accused was punished and the others were acquitted when it was a case of 'gang-rape'," the statement said, adding: "This is the reflection of a biased and inefficient criminal justice system. This (Mukhtar Mai) case has been a classic example of how facts were distorted and documentation of the evidence was tampered with at all levels."

They expressed concern over the long delay in dispensation of justice. "The victim was raped in 2002 on the orders of a local panchayat. The Chief Justice of Pakistan took a suo motu notice of the case in 2005. And despite the intervention it took more than six years to come up with this decision, which is a source of concern for the women of Pakistan."

They feared that the decision might further strengthen anti-women parallel legal and judicial systems and mechanisms in the country. "The criminal justice system too is not pro-women and is patriarchal in nature. Impunity is the order of the day."

They said that in cases of complaints women victims were burdened to provide series of evidences which was not possible for them. It was the responsibility of police to investigate and come up with the requisite evidence. Currently, methods of recording evidence by police were biased against women; and that was one of the reasons that they did not get justice from courts.

The statement said that women's lack of proportionate representation in lower and upper judiciary was paving the way for verdicts against women victims. There was dire need to start a rational discourse on the lack of women's representation within the courts.

They were of the opinion that the outcome of Mukhtar Mai case would discourage survivors of rape and gang-rape to report. "She has given a message of courage and hope to all women victims of our country."

They also condemned the insensitive and pathetic attitude of a section of the media which is grinning at the verdict and clapped after they recorded the responses on the judgment. "The owners and editors of these media houses are advised to inculcate responsible and sensitive attitude in the practices of such chauvinistic reporters."