

# Violence against Women & Girls in the Times of Covid-19 Pandemic

## ANNUAL REPORT ON VAWG

January - December  
2020

A Rapid Analysis of the Quantitative Data from 25 districts from all four Provinces and Gilgit-Baltistan, 14 case studies & interviews of 6 key officials from women machineries and office of the ombudspersons, sexual harassment at workplace.

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January – December 2020

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Under the auspices of:

DEMOCRACY AND EMPOWERED WOMEN  
JAMHOORIAT AUR BAIKHTIÁR AURAT (JAZBA)



Global Affairs  
Canada

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## Acronyms

<b>AF</b>	Aurat Foundation
<b>BPfA</b>	Beijing Platform for Action
<b>CEDAW</b>	Convention on the Elimination of All forms of Discrimination Against Women
<b>CSO</b>	Civil Society Organization/s
<b>CSW</b>	Commission on the Status of Women
<b>DV</b>	Domestic Violence
<b>FATA</b>	Federally Administered Tribal Areas
<b>FIR</b>	First Information Report
<b>GB</b>	Gilgit-Baltistan
<b>GBV</b>	Gender-Based-Violence
<b>GoP</b>	Government of Pakistan
<b>ICPD</b>	International Conference on Population and Development
<b>ICT</b>	Islamabad Capital Territory
<b>KP</b>	Khyber Pakhtunkhwa
<b>LRP</b>	Local Resource Person/s
<b>NCSW</b>	National Commission on the Status of Women
<b>NGOs</b>	Non- Governmental Organization/s
<b>PCSW</b>	Punjab Commission on the Status of Women
<b>SAP-PK</b>	South Asia Partnership-Pakistan
<b>SCSW</b>	Sindh Commission on the Status of Women
<b>SDG</b>	Sustainable Development Goal/s
<b>S</b>	Survivor
<b>UN</b>	United Nations
<b>VAW</b>	Violence against Women
<b>VAWGC</b>	Violence Against Women, Girls and Children
<b>VAW&amp;G</b>	Violence Against Women and Girls
<b>V</b>	Victim
<b>WHO</b>	World Health Organization

## Preface

It is a moment of sad reflection when we as women's rights advocates and defenders of human rights look at the statistics on violence against women and girls in Pakistan during 2020, the 'Year of the Covid-19 Pandemic', and learn that there was no let-up in the crimes committed against women and even minor girls. While the year 2020 will go down in history as the year of human suffering, trial and tribulation with the loss of millions of human lives due to an 'invisible enemy' which the global community has been able to rein in to some extent in less than a year's time, it has also left us with the painful conclusion that women continued to be killed, raped, assaulted and harassed even in times of pain and agony, as they had always been killed and raped in the times of war and peace, past and present, simply because of their 'gender'. Is human civilization with all its scientific, technological and intellectual progress only meant to track down 'killer viruses which the human eye cannot even see'? Is the discourse on the violence against women, girls and children still hovering between the nuances of 'morality and decency'? Are women's bodies still the battlefields and largely seen as wombs not women, not as individuals and definitely not as equal human beings?

These are the harsh questions and bitter realities that this research study has brought to the fore. The data of the incidents of VAWG (Violence against Women and Girls) in 25 districts of Pakistan, and Gilgit-Baltistan demonstrate with empirical evidence that Violence against Women and Girls (VAWG) increased in 2020 as opposed to previous years. The core message of this report is that VAWG has not decreased over the years rather it has increased and acquired a more brutal and inhuman form; further agonizing reality is that it did not decrease in the times of Covid-19 pandemic, even during its peak time. This is despite the fact that several institutional mechanisms and positive legislation to curb VAWG exist in all four provinces as well as at the federal level.

This leads us to another conclusion that if humankind has been struggling to survive during the Covid-19 pandemic this year, women have been struggling for ages to stay alive and live with equality, dignity and with freedom from fears of all kinds. It is now the duty of the thought leaders, change-makers and fighters for the rights of women, policymakers, political parties, the media and other groups of civil society, civil-military bureaucracy and funding agencies to ponder upon this grave situation, and to address and finally eradicate this illness of the patriarchal mindset and misogyny with measures taken and implemented by all concerned stakeholders, above all the key organs and institutions of the State. If several brands of vaccines can be developed to fight the deadly Covid-19 through a global political and financial effort, why can't the international community control and eliminate this 'pandemic of VAW'? Here the causes of violence, its symptoms, SoPs and even cures have been identified, what is lacking is the political motivation at the global as well as local level. The current "EVERY WOMAN TREATY" global campaign by women's rights activists and organizations carries the same message, calling for a global treaty to end violence against women and girls.

As a humble representative of our rights-based family, I want to say let us stop avoiding the problem and using the excuses of faith, morality, 'national interest' and 'notions of honour'.

Let us try to work together for gender equality, for the promotion of health and happiness of our society and for the maturity and pluralism of our state with understanding, respect, and empathy. Let us keep going with the thought that even if we have not won, we have not quit despite the odds being stacked against us. It is time to re-strategize, to take forward with determination and courage the agenda of eliminating any and all forms of violence against women, girls, and children and against any gender and any human being.

Dr. Rakhshinda Perveen, the eminent gender and GBV expert and researcher has analyzed the data of violence and written this report. She has seen things from a feminist intersectional approach and brought forth painful truths while presenting pragmatic solutions from national and global perspectives. She has rightly observed in the final chapter that “amidst the complicated concerns and challenges reflected through statistics and stories, there are some silver linings (not magic bullets) restoring the hope and belief that VAWGC /GBV/SGBV are preventable and can be addressed”. Indeed, there is a hope that women legislators are taking pro-active initiatives for women-friendly legislation, and participation of more women and young people in politics is also a sign of hope. The report highlights that “new narratives about the emancipation of women are evolving; media in Pakistan is expanding, and new forms of communication are a promise of inclusivity and representation”. Recently promulgated Presidential Ordinance “The Anti-Rape (Investigation and Trial) Ordinance, 2020” and “The Zainab Alert Recovery and Response Act, 2020” enacted by the incumbent government are steps in the right direction and manifest the same spirit of hope.

This report has been produced under the auspices of the JAZBA project being implemented by the South Asia Partnership-Pakistan (SAP-PK) and Aurat Foundation (AF) with the support of Global Affairs Canada and the Canadian High Commission in Pakistan, under the Canadian Government’s “Feminist International Assistance Policy.” The initiative aims at ensuring gender equality and inclusion of all marginalized sections of society in mainstream development processes. AF acknowledges their sincere support as a reflection of mutual trust and understanding for common causes. We would also like to express our gratitude for all the key officials of women’s commissions and ombudspersons who spared time for the interviews. I would personally like to thank Mr. Irfan Mufti, the Team Leader of JAZBA, Ms. Feroza Zahra, the National Coordinator, JAZBA, AF, Ms. Risham Adnan, the National Coordinator, JAZBA, SAP-PK, and district and provincial teams of AF and SAP-PK for their dedicated efforts and inputs in preparing this report. I am also grateful to Ms. Beenish Riaz, AF’s Legislative Expert for her contribution to the report, in particular, for her analysis on institutional mechanisms and legislative overview in Pakistan.

**Naeem Mirza**  
Executive Director  
Aurat Foundation



## Author's Note

This report is based on the review and analysis of the numerical figures and tables received from the selected newspapers of 5 regions of Pakistan through the Aurat Foundation regarding violence committed against women and children during the calendar year 2020, 14 case studies & 6 interviews from provincial commissions on the status of women and office of the ombudsperson. The report is principally based on the information retrieved from the sampled newspapers but, for the sake of clarity and advocating the case of VAW in Pakistan, secondary references are also used such as police and child protection data.

The report is divided broadly into 5 chapters. Chapter 1 sets the context and describes the research and analysis methodologies. Chapter 2 looks into the statistical data of the VAW in Punjab, Sindh, Khyber Pakhtunkhwa and Gilgit-Baltistan. Chapter 3 captures case studies and analysis. Chapter 4 contains almost unedited interviews of some important officials from women machineries. Chapter 5 summarizes the report, highlights the concerns and challenges besides chalking out a suggested way forward. All the referred sources and resources are mentioned in the report through a bibliography and footnotes that also put citations here and there to provide as much contextual information as possible. The report is intended for all students of life besides hoping to be of practical use to rights based organizations and individuals, donors and technical aid agencies, UN agencies, academia, media, political parties and public sector departments. While every attempt was made to permeate the pre identified biases and limitations and corroborate the genuineness of the numbers, methodologies of bringing together the information and integrity of the cited sources any miscalculation or mistake if found may be taken as omission and a feedback is requested to be provided to the consultant and the Aurat Foundation for improving the quality of our work and insights.

It is expected that this report would greatly assist in initiating much required critical thinking to internalize and address the issues of crimes against women, girls and children. The report includes an executive summary, however I hope that serious stakeholders would take the time out to go through the report and develop their own summaries for presenting before the influential of our country who can actually put an end to many preventable forms of VAWGC and improve the policy, medico-legal, police and prosecution responses towards such crimes.

**Dr. Rakhshinda Perveen**

28 January, 2021

## Executive Summary

Violence Against Women and Girls (VAWG) is a global pandemic that affects 1 in 3 women in their lifetime. In Pakistan, too, women and girls suffer from the unsubstantiated notions of honour for men who deny them their human rights. During this Pandemic COVID-19 period, the studies show VAWG has drastically increased in different areas. The current proposed research was undertaken to provide a solid foundation and broader background knowledge to decision makers in order to influence and creating change at the policy level through trend analysis in 25 selected JAZBA Districts.

The study provides the quantitative data that reflects figures of each province and then district level situation with an attempt to understand the trends of VAWG in different time frame/s specially during peak time of COVID-19, and the prevalence of different forms of VAWG in different cities (for the sake of identification that which cities are relatively more unsafe for women and girls in JABZA selected Project districts). The study also strives to provide a factual situation of existing obstacles and constraints at institutional level e.g., family, community and at administrative level. Further, the reviewing of different cases which are settled out of courts mostly provided hints leading to the gap analysis that where civil society and different support mechanisms need to work more and in-depth. The research study deeply analyzed 14 cases (mainly out of court settlements) meticulously to understand the obstructions faced by the survivors and their family members in mostly cancelled or high profile resolved cases to identify gaps in justice system.

The report also presents the discussion held with the representatives of the national and provincial women machineries (NCSW and Provincial CSWs) and regional ombudspersons against harassment at workplace. The interviews are reproduced in the report and have served as knowledge products besides providing ideas while drafting the final and fifth chapter.

To avoid any biased interpretation, this report deliberately refrains from highlighting individual districts included in the sample again and again and associating a particular form of VAWG with a specific geography. The report, therefore, has not drawn any concrete conclusions but identified probabilities of prevalence of certain anti-women practices, mindsets and systems. Due to the pre-determined scope and data constraints the report has analyzed in a limited manner the statistical data (chapters 2 & 3) pertaining to the background characteristics of the victim, survivor, accused and alleged. Despite the constraints, it was considered pertinent by the organizations who made this report possible (AF & SAP-PK) to record concerns and challenges faced by our women, girls even minor girls and suggest a way forward by not looking at the statistical and qualitative aspects of the data and information captured in this report but to also apply different lenses (feminist, intersectionality, SDG, Gender and Context specific) complemented with many decades of earned experienced of the teams involved in finalizing the analysis.

The report is divided broadly into 5 chapters. The report is intended for all students of life besides hoping to be of practical use to rights-based organizations and individuals, donors and technical aid agencies, UN agencies, academia, media, political parties and public sectors departments.

**2297** is the total number of reported cases of VAW from 25 districts of the 4 provinces and Gilgit-Baltistan during January to December 2020. Major Categories of VAW retrieved through the monitoring of the sampled newspapers are: Murder, Abduction/ Kidnapping, Rape/ Gang Rape, 'Honour' Killing, Suicide and Miscellaneous (Domestic, Dowry, Acid, Inheritance, Child and Forced Marriage). 57% cases were reported from Punjab. Sindh had the second highest instance of reported VAWG with 27% of the total cases, while 8% of reported cases were from KP; 6% from G-B and 2% of the reported cases were from Balochistan.

While it is unfair to compare the intensity, damages including psychological trauma caused by one form of violence with another, one cannot fail to observe with deep desolation, disbelief and discomfort that VAWG forms labelled as Murder, "Honour Killing" and Suicide actually lead to the lethal and irreversible outcome i.e., loss of life. 624 out of 2297 (19-Balochistan, 66-G-B, 124-KP, 302-Punjab and 113-Sindh) reported cases fall under the categories of Murder, Suicide and "Honour Killing" thus constituting nearly 30% of the overall reported cases. This statistic alone is sufficient to establish misogynist mindset of the society at large. Absence of a reported case in any form in any district of any province does not necessarily establish the evidence of the absence of crimes falling under the broad category of VAWG. Rather, underreporting or non-reporting should raise more questions and concerns regarding deteriorated value system and mental health complementing unapologetic patriarchal mindset and defeating of social justice.

The sample of this study irrespective of its smaller size and limitations was successful in generating numbers that constituted a data set and this data tells a story that needs to be told and repeatedly taken to the tables where power of choice, challenging, confrontation and compromises are covertly contested. The visualization of data (chapter 2), is expected, would help the readers and intended audience (from diverse corridors of power) to see trends and patterns and raise critical questions that need to be addressed with vision persuasion and last but not least with adequate monetary resources.

Child Sexual Abuse and Exploitation (CSEA) was the type of violence in **9 out of 14** case studies documented in chapter 3. Irrespective of the manifestation, the abuse in our society is supported by the patriarchal norms and conveniently endorsed in the name of culture, faith and honour. Out of 14 documented case studies, 9 are minor girls who were kidnapped and raped. Eventually, 4 were killed and 5 survived and 2 of them (aged 10 and 12 years) gave birth to babies. Age range of victims/survivors is between 2.5 years old girl child to 30 plus years old women. The socio-economic strata varies from very poor, under privileged to middle class comfortably living urban families. Other background characteristics include minor, unmarried, adult, married, mothers with or without family and community support.

The places of violence are educational institutions/campus, offices and homes. As the case studies reveal, 07 survivors "willingly" withdrew the case/FIR in spite of reported cooperation of the police, parents and public departments including the office of the ombudsperson. This implies the absence of the state and society to offer justice and security to those women and families who perceive themselves as powerless. Does this mean that power of determination is overcome by the power of pedigree, privileges and politics?

These stories in spite of being deficient in many details do disclose something about the men who acted as perpetrators. They have neither self-respect nor any respect for womenfolk.

They are sexually frustrated and mentally sick. Ironically some case studies (including those not incorporated in the report) illustrated that alleged rapist was not mentally stable. Does this mean that when a man is not mentally stable he is sanctioned to commit rape or physical assault? These stories also inform about the careful silence and calculated compromises, conveyed shamelessly by most of the relatives, friends and coworkers. These soul crushing tragic tales perhaps require a grand writer to make the reader actually feel the pain and trauma of the survivors and loved ones of the victims. This report can only relatively dispassionately put their stories in a rational style so that demand for effective mechanisms to address this complex spectrum of violence could be raised (yet again) and conscience of all those who can make or who should be able to make a difference may be jolted.

Insightful interviews of 6 key officials namely, Imran Javed Qureshi, PCSW, Nuzhat Shireen, Chairperson SCSW, Sabira Islam, Ombudsperson Harassment Workplace, Balochistan, Rukshanada Naz, Ombudsperson Harassment at Workplace, Khyber Pakhtunkhwa, Rukhsana Gillani, Ombudsperson Harassment at Workplace, Punjab, and Justice (Retd.) Shahnawaz, Tariq, Ombudsman Harassment at Workplace, Sindh, are included in chapter 4. The report does not contest the merit of any information and reason received from the honourable offices. The report regards all references and recommendations as important pieces of knowledge and learning that could and should assist the ministries to which these offices are affiliated and all concerned stakeholders involved and engaged with these offices to deeply analyze the institutional voids and oversight mechanisms. These offices must put extra efforts to find out the ways and means to support the complainants so that they do not decide to withdraw the cases or are compelled for an out of court settlement.

The report has put across some 10 specific action points and 6 specific recommendations especially for the legislators for addressing VAWG as a Public Health issue in its final chapter and it is requested that all intended readers should read all of them. Some practical recommendations for all key players in general and elected representatives in particular could be as follows:

1. Recognise the need to address VAWG as a public health issue and support a public health approach to be adopted to tackling VAWG in local communities.
2. Support the work of local Violence Against Women Partnerships by encouraging strategic links and shared outcomes on public health with other local partnerships.
3. Adopt a gendered approach to public health and promote an understanding of VAWG.
4. Support and champion early intervention and prevention services which address the impact of VAWG on women and children's health and wellbeing.
5. Champion the need to identify and change systems that perpetuate VAWG and hold perpetrators of VAWG to account for their behaviours.
6. Champion approaches that ensure men and boys are encouraged and supported to understand the gendered nature of VAWG, promote gender equality, and challenge the attitudes, behaviours and beliefs that underpin the continuing prevalence of VAWG across all its forms.

Chapter 5 also contains reproduction of 6 recommendations from the WHO to address VAW during the COVID-19 response while recognizing that COVID-19 has placed an immense burden on health systems including frontline health workers, there are concrete actions that can help mitigate the impacts of violence on women & children during this pandemic.

## Definition of VAW

Article 1 of the UN Declaration on the Elimination of Violence against Women, proclaimed by the UN General Assembly in its resolution 48/104 of 20 December 1993, defines the term “violence against women” as: “Any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. Three contexts of violence are differentiated in Article 2: Family, community and state. The forms shall be understood to encompass, but not be limited to; Physical, sexual and psychological violence occurring in the family: wife- battering, sexual abuse of female children in the household, dowry-related violence, marital rape, and female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation. Physical, sexual and psychological violence occurring within the general community: rape, sexual abuse, sexual harassment and intimidation at work and education institutions, trafficking in women and forced prostitution. Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs. The various forms of violence listed in Article 2, while not exhaustive, demonstrate that much violence against women stems from unequal power relations, society's insistence on controlling women's sexuality, and the importance of women in protecting family "honour." Importantly, Article 3 of the Declaration affirms women's equal right to the enjoyment of a variety of rights, including the right to be free from torture and other cruel, inhuman or degrading treatment.

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*“One in three women may suffer from abuse and violence in her lifetime. This is an appalling human rights violation, yet it remains one of the invisible and under-recognized pandemics of our time.”*

*Nicole Kidman- Ms. Kidman an accomplished Australian origin Hollywood actor and producer is one of the UN ambassadors and makes clear the seriousness of the matter and the importance and urgency that must be given to this issue.*

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## Chapter 1: The Unrecognized Pandemic-VAW

**VAW** is a fundamental violation of human rights. It exists in every country of the world. It affects every segment of society and is prevalent among all age groups. Irrespective of differing cultural contexts, many perpetrators of violence against women count on the fact that their behavior will receive little censure from within their community. It is not only limited to Pakistan as it stretches across nations and cultures, and indeed between classes. It is a mass phenomenon taking many different forms with disastrous consequences for women's and girls' health and survival. Statistics suggest that violence against women is astonishingly pervasive.

### Box 1: Some Significant Statistics

Gender-based violence (GBV) or violence against women and girls (VAWG) is a global pandemic that affects 1 in 3 women in their lifetime. The numbers are staggering: 35% of women worldwide have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence. Globally, 7% of women have been sexually assaulted by someone other than a partner, as many as 38% of murders of women are committed by an intimate partner & 200 million women have experienced female genital mutilation/cutting. This issue is not only devastating for survivors of violence and their families, but also entails significant social and economic costs. In some countries, violence against women is estimated to cost countries up to 3.7% of their GDP – more than double what most governments spend on education. Failure to address this issue also entails a significant cost for the future. Numerous studies have shown that children growing up with violence are more likely to become survivors themselves or perpetrators of violence in the future. One characteristic of gender-based violence is that it knows no social or economic boundaries and affects women and girls of all socio-economic backgrounds: this issue needs to be addressed in both developing and developed countries. Decreasing violence against women and girls requires a community-based, multi-pronged approach, and sustained engagement with multiple stakeholders. The most effective initiatives address underlying risk factors for violence, including social norms regarding gender roles and the acceptability of violence.

Source: <https://www.worldbank.org/en/topic/socialsustainability/brief/violence-against-women-and-girls>

Overall, it is estimated that one in three women worldwide suffer some form of gender-based violence within the course of their lifetime. Forms of abuse include beating, rape, assault, trafficking, murder, humiliation, restriction of social contacts and mobility, harassment or being forced to undergo so-called “harmful practices” (UN Commission on the Status of Women, 2/28/00).

The worst reflection of social stress obtains in the rising trend of violence against women (VAW<sup>1</sup>). Increase in VAW reflects a vitiation of the culture in a country where women are not only cultural minors, but their number is reportedly lesser than men. VAWG is often perceived

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<sup>1</sup> The terms "gender-based violence" (GBV) and "violence against women" (VAW) are often used interchangeably, since most gender-based violence is perpetrated by men against women. GBV, however, includes violence against men, boys, and sexual minorities or those with gender-nonconforming identities. Source: <http://vawresourceguide.org/terminology#:~:text=The%20terms%20genderbased%20violence%22%20%28GBV%29%2>

as an individual problem and as isolated incidents. However, a glance at empirical evidence presents an alarming picture. The social and economic costs resulting from this abuse place a substantial burden on society as a whole, hampering development manifestly. Across the world, VAW is also recognized as a symptom of unequal power relations between men and women. Within familial relations violence is experienced by mothers, sisters, wives, daughters and daughters-in-law and women is the most abused 'object' which stems from the home. However, women also massively suffer from violence which is socially inflicted on them outside the home.

Similarly, women in Pakistan suffer from the unsubstantiated notions of honour for men who deny them their human rights. Men control their movements and dictate patterns of behavior whether it be a father, husband or a brother. The situation is becoming more horrible day by day and one can see the increase in violence against girl child every day from different sources. It is also observed that in mostly cases the survivor cancelled their First Information Report (FIR) and withdrew it after different social, political, and family pressures.

In Pakistan, different forms of violence accrued during the last decade such as rape of women and children, domestic violence, sexual harassment, acid throwing and honour killing etc. The situation is not much clearer how many women are facing such issues and why suicide cases are growing day by day in urban and rural areas. There is a dire need to do analysis of different VAW cases based on the consolidated data collected from different districts. This would also help to assess the safety mechanisms and measures as per local needs and civil society will be able to demand more support from different institutions as per women's needs.

During this Pandemic COVID 19 period, the studies show the VAWG has been drastically increased in different areas. There is also a need to assess the actual situation and ground realities during the peak period of this pandemic.

### **Problem Statement:**

Over and above, since 2009 to 2014, the Aurat Foundation (AF) highlighted the issues related to the statistics of VAWG and published its annual reports that were useful to stakeholders at many levels and got recognition. The annual reports were based on the analysis and review of the statistics collected and compiled from different national and local newspapers. These reports can be accessed from AF website<sup>2</sup>.

The need then is to probe the reasons behind the increase in VAWG incidents and review the support mechanisms dealing with such cases. The current proposed research was designed to provide a factual situation of existing obstacles and constraints at institutional level e.g., family, community and at administrative level. Secondly, the reviewing of different cases which are settled out of courts mostly provided hints leading to the gap analysis where civil society and different support mechanism need to work more and in-depth. Research, data collection and analysis are of utmost importance and need of time. The document/report is primarily based on the information retrieved from different levels specially from local newspaper (LNP) in each project district or provincial level local newspaper to reach out the

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0and%20%22violence%20against,and%20sexual%20minorities%20or%20those %20with%20gender-nonconforming%20identities.

<sup>2</sup> VAW Annual Reports (www.af.org.pk)



local information and this data was verified from Police to understand the nature of the reported cases as well. The quantitative data provided figures of each province and then district level situation with an attempt to understand the trends of VAWG in different time frame/s specially during peak time of COVID 19, secondly, prevalence of different forms of VAWG in different cities (for the sake of identification that which cities are more unsafe for women and girls in JABZA selected Project districts).

After many decades of working on gender-based violence issues, it is shown as proven guilty that mostly cases have been settled out of court and families withdraw these cases because of different reasons. There is no backup support from Government/s to take these inhuman issues as serious matter of insecurity. Victims and survivors or their families compensated these incurable issues due to unavailability of support system. There is need to understand their obstacles and problems and own the situation to have more clarity of different forms of violence. Secondly, there is need to do gap analysis by these case stories to understand the justice system and its access to survivors.

### **General Objectives of the Study<sup>3</sup>:**

The objectives in collecting VAWG data, analyzing some cases and reviewing existing support mechanism and then disseminations are as following:

1. To provide a solid foundation and broader background knowledge to decision makers in order to influence and creating change at the policy level through trend analysis in 25 selected JAZBA Districts.
2. To enhance sensitivity to combat gender-based violence (GBV) particularly during the pandemic COVID 19 including lockdown situation with concrete recommendations for 'zero tolerance' at all levels.
3. To deeply analyze 14 cases<sup>4</sup> (mainly out of court settlements) meticulously to understand the obstructions faced by the survivors and their family members in mostly cancelled or high profile resolved cases to identify gaps in justice system.

### **Research Methodology:**

#### **Sampling, Data Collection and Analytical Approaches:**

SAP-PK and Aurat Foundation are implementing JAZBA Project in 25 focused districts from all provinces including Gilgit-Baltistan (GB). They are working through local resource persons/project officers with local community and women groups. Under JAZBA Project, 25 Women Safety Response Mechanisms are developed in the form of JAZBA District Forums (JDF) consisting of 15-20 women and men representatives from different walks of life to facilitate the women survivors of GBV. These forums are developed at district level and thus facilitated the project staff to collect information at district level.

1. The research study covered 25 JAZBA Project's focused districts from all 4 provinces and Gilgit-Baltistan (GB). The Project Officers (POs) Local Resource Persons (LRPs) engaged 10 volunteers to collect incident reports from local newspaper.

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<sup>3</sup> As provided by the hiring organization. Consultant.

<sup>4</sup> Out of 20 case studies, 12 were randomly selected and regional inclusion was maintained purposively. Consultant.

2. The POs and LRPs were oriented about forms of VAWG and data sheet through Zoom meetings with clear instruction and orientation about principles so the data collected is authentic and realistic.
3. The POs & LRPs bought local newspaper from local Library or any other source like newspaper office and archive etc.
4. An Excel Sheet (mentioning main 7 forms of violence) was developed and attached with this concept. In case, if local newspaper at district level was not going to be published in their districts, then after consultation with technical team LRP & POs identified other newspaper which were covering their district level information and do the same process till 5<sup>th</sup> Jan 2021.
5. The data on VAWG was collected for the period of Jan-Dec 2020. JAZBA District Forum was responsible to verify the data and also verify it from police departments.
6. An Excel sheet was consolidated in each district and then provincial offices of each partner organization reviewed and submitted these documents by 10<sup>th</sup> Jan 2021 to AF office.
7. This study included 25 districts from 4 provinces (Punjab-8, Sindh-6, KP- 5, G-B-2 and Balochistan-4). 14 newspaper sources including 3 Sindhi were looked at for the reported cases of VAWG besides DPO office in one district of Punjab and record from the High Court in Sindh.
8. The qualitative information was captured through structured interviews of key officials from the national and provincial women machineries and ombudspersons.
9. The case stories were built through field- tested questionnaire to gain more insights into the dynamics of VAWG especially the aspect of out of court settlements.

The project hired a consultant (scriber of this report) to conduct a rapid inclusive and comprehensive analysis (including the trend analysis of violence during COVID 19 and on the basis of age, location, ethnicity, form of violence etc.); of the available consolidated data, case stories and framed questions for representatives of the national and provincial women machineries (NCSW and CSWs) and regional ombudsperson against harassment at workplace. The interviews are reproduced in the report and have served as knowledge products besides providing ideas while drafting chapter 5. The analysis was supported by visualization of data and further technical reviews by dedicated resources provided by the AF.

### **Principle/Ethical Considerations:**

Data collection is a very sensitive element, and it is also very difficult to collect this information as it could become controversial due to issues of sensitivity and confidentiality attached to it. Keeping in view of Aurat Foundation's previous experience about sensitive nature of the data, about actual/fake figures and also to ensuring survivor's dignity, following principles were shared with the relevant staff members involved in data collection and strict compliance was ensured by the management of the AF.

- A. POs/LRP will build their understanding about violence against women & girls and will ensure respect and confidentiality.
- B. Actual figures and data will be collected only for reported cases (any case documented in newspaper or in police station like FIR or complaint via helplines) but source of identification like newspaper and report copy will be maintained in proper way so if

police or some other institute required backlog working then we will show them with actual evidence.

- C. Duplication will be sorted out by project officers and verified by forum members.
- D. In case of high-profile cases, which were shown in any TV channel or highlighted in social media could be documented despite the fact that these were not found in any newspaper, but proof should be maintained as well in terms of link of social media or TV show etc.
- E. During case stories collection, if survivors agreed to share that information, it might be obtained, otherwise suggestions about gaps in different mechanism would be captured.
- F. No picture of any survivor would be published but for the credibility the source of information and its details will be maintained in their offices.

### **Scope and limitations of the study:**

The study deals with the available numerical data only. Therefore, it was not possible to analyze many other aspects of the crime. First Information Report (FIR) Status and Marital Status of VAWG Victims & Survivors in Pakistan were not available and or monitored. The Age group of Victims/ Survivors of Violence was not available of all but found for some cases only. Information about the Literacy level of victims, survivors and perpetrators was not monitored. VAWG reported in English newspapers (English newspapers were not included on purpose as it is often widely (mis) perceiving that English Press supports (unfairly) NGO sector and issues of VAW get better or more favorable reception there. It was also beyond the scope of this study to examine the portrayal of women and girls in the reports of VAW or to assess the extent of gender sensitivity.

### **Overall Expected Outcomes:**

A short and useful report for public policy makers and influencers among all stakeholders including media, donors, technical and aid agencies and women's rights advocates and activists.

Report capturing qualitative and quantitative data analysis based on the study. It also carries a useful glossary to ensure that readers/users have the similar understanding of the key terminologies and concepts used or referred to in this report.

Readers/Users are also requested to refer annexes 1, 2 and 3 for more information on the questionnaire and questions developed for interviews.

The research study is expected to be supporting JAZBA project at the following three levels:

- An annual data sheet and report comprising all forms of VAWG would be developed and circulated to different institutions for their respective actions.
- An analysis of 14 case studies court settlement will be developed in the form of a booklet to share the actual face of marginalization and struggle for survival.
- Resource directories for 4 provinces with detailed information would be developed by the project and circulated within forums, Government institutions and other communities through different ways.

To avoid any biased interpretation, this report deliberately refrains from highlighting individual districts included in the sample again and again and associating a particular form of VAW/VAWG with a specific geography. The report, therefore, has not drawn any concrete conclusions but identified probabilities of prevalence of certain anti-women practices, mindsets and systems. Due to the pre-determined scope and data constraints the report has not too much analyzed statistical data (chapters 2 & 3) with background characteristics of the victim, survivor, accused and alleged. Despite the constraints, it was considered pertinent by the organizations who developed this report (AF & SAP-PK) to record concerns and challenges faced by our women, girls even minor girls and suggest a way forward by not looking at the statistical and qualitative aspects of the data and information captured in this report but to apply different lenses (feminist, intersectionality<sup>5</sup>, SDG, Gender and Context specific) complemented with many decades of earned experience of the teams involved in finalizing the analysis (chapter 5).

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<sup>5</sup> "Intersectionality" was coined in 1989 by Dr. Kimberlé Crenshaw, a civil rights activist and legal scholar. In a paper for the *University of Chicago Legal Forum*, Crenshaw wrote that traditional feminist ideas and antiracist policies exclude black women because they face overlapping discrimination unique to them. "Because the intersectional experience is greater than the sum of racism and sexism, any analysis that does not take *intersectionality* into account cannot sufficiently address the particular manner in which Black women are subordinated," she wrote in the paper. "Intersectionality" quickly caught on and made it into the *Oxford English Dictionary* in 2015, which calls it a sociological term meaning "The interconnected nature of social categorizations such as race, class, and gender, regarded as creating overlapping and interdependent systems of discrimination or disadvantage; a theoretical approach based on such a premise." Merriam-Webster's definition is a little less academic: "the complex, cumulative way in which the effects of multiple forms of discrimination (such as racism, sexism, and classism) combine, overlap, or intersect especially in the experiences of marginalized individuals or groups." Source: [https://www.cjr.org/language\\_corner/intersectionality.php](https://www.cjr.org/language_corner/intersectionality.php)

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*Don't let fear stop you from reporting it."*

*Not only fear, anything, report it!*

*A woman is not in Braille, you don't need to touch her to know her."  
So do not touch if you do not have the consent to do so.*

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## Chapter 2: Reported Cases of VAW in 25 Districts of 4 Provinces of Pakistan and Gilgit-Baltistan

This chapter documents regional data. Selected districts from all four provinces and Gilgit Baltistan were included in the sample as mentioned in chapter 1. Six specific forms of VAW and five different forms of VAW namely, Incest, Child Marriage, Forced Marriage, Domestic Violence, Dowry Violence and Denial of inheritance are clubbed together under the miscellaneous category<sup>6</sup>.

### Findings and Analysis

**Key findings of the available and accessible data for each province (in alphabetical order) is as follows:**

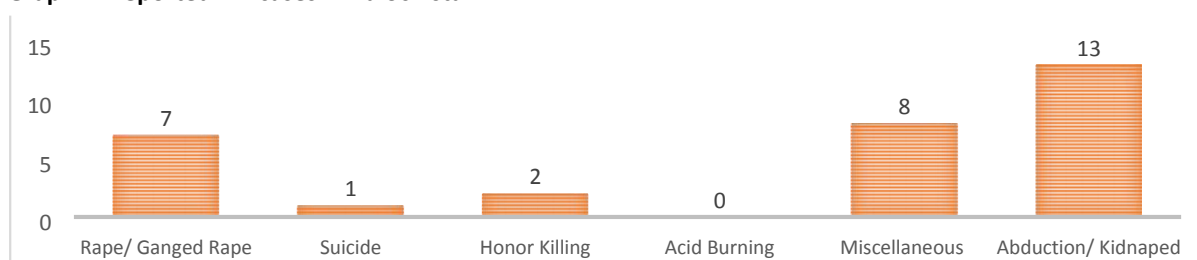
#### 1. Balochistan

Police data and reported cases from three news sources in Balochistan's four districts, 47 cases of the reported cases of VAW thus making it the province with least reported cases in this study. Quetta, the provincial capital has the highest (29) reported cases of VAW. The provincial data showed highest number of reported murders, followed by rape/gang rape crimes and miscellaneous crimes of violence.

**Table 1: District-wise distribution of the reported cases of VAW & the source of Data**

District	Source	Murder	Rape/ Ganged Rape	Suicide	Honor Killing	Acid Burning	Misc	Abduction/ Kidnaped	Total
Gwadar	Police Data						1	1	2
Turbat	Intekhab hub(www.dailyintekhab.com.pk)	3	0	0	0	0	0	0	3
Quetta	1. Daily Jang Quetta	13	6	0	1	0	6	3	29
	2. Edhi WhatsApp News Group								
Sibi	1. Daily Jang Quetta	0	1	1	1	0	1	9	13
	2. Edhi WhatsApp News Group								
<b>Sub- Total Balochistan</b>		<b>16</b>	<b>7</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>8</b>	<b>13</b>	<b>47</b>
<b>%</b>		<b>4</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>2</b>
<b>47/2297x100=2</b>									

**Graph 1: Reported FIR cases in Balochistan**



<sup>6</sup> 15% of the overall reported cases fall under the category of miscellaneous that in turn includes 6 grave forms of VAW & VAWGC.

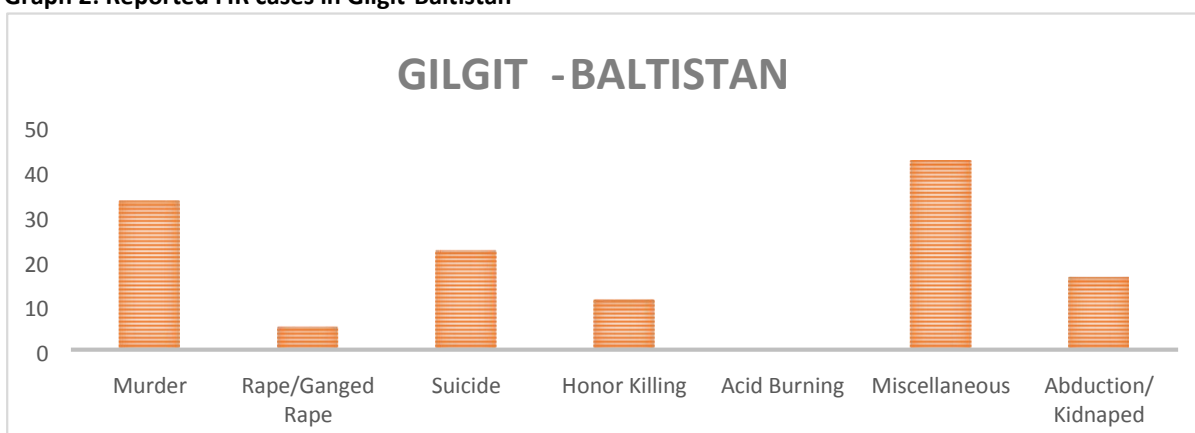
## 2. Gilgit-Baltistan

Police data and reported cases from three news sources from 2 districts of G-B (one in each region) documented 129 cases of the reported cases of VAW thus making it the province with second least reported cases in this study. Gilgit, the provincial capital has the highest (118) reported cases of VAW. The provincial data showed highest number of reported suicides, followed by acid crimes and murders.

**Table 2: District-wise distribution of the reported cases of VAW& the source of Data**

District	Source	Murder	Rape/Ganged Rape	Suicide	Honor Killing	Acid Burning	Misc	Abduction/ Kidnaped	Total
Ghizer	Ausaf Newspaper G-B & Police Dept	0	1	9	0	0	0	1	11
Gilgit	Ausaf & Police station	33	4	13	11	0	42	15	118
<b>Sub- Total Gilgit Baltistan</b>		<b>33</b>	<b>5</b>	<b>22</b>	<b>11</b>	<b>0</b>	<b>42</b>	<b>16</b>	<b>129</b>
<b>% 129/2297x100=6</b>		<b>8</b>	<b>2</b>	<b>19</b>	<b>14</b>	<b>0</b>	<b>9</b>	<b>2</b>	<b>6</b>

**Graph 2: Reported FIR cases in Gilgit-Baltistan**



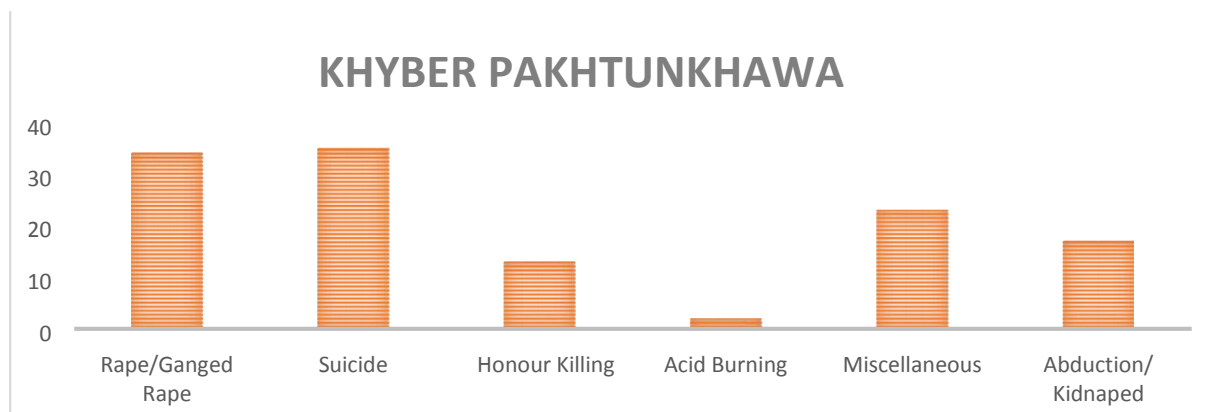
## 3. Khyber Pakhtunkhwa (KP)

The reported cases from five news sources (5 Urdu dailies) from 5 districts of KP documented 193 of the reported cases of VAW thus making it the province with third highest reported cases in this study. Peshawar, the provincial capital has the highest (64) reported cases of VAW. The provincial data showed highest number of reported murder (68), followed by suicide (35) and rape/gang rape crimes (34).

**Table 3: District-wise distribution of the reported cases of VAW & the source of Data**

District	Source	Murder	Rape/Ganged Rape	Suicide	Honor Killing	Acid Burning	Misce	Abduction Kidnaped	Total
Mardan	Express	13	2	4	5	0	1	1	26
Charsada	Charsdda News	3	3	7	4	0	10	3	30
Peshawar	Daily Aaj + Mashariq	30	2	11	8	1	2	10	64
Nowshera	Daily Mashriq	6	8	6	3	0	4	2	29
Haripur	Shamal News	16	19	7	0	0	1	1	44
<b>Sub- Total KPK</b>		<b>68</b>	<b>34</b>	<b>35</b>	<b>20</b>	<b>1</b>	<b>18</b>	<b>17</b>	<b>193</b>
<b>% 183/2297x100=8%</b>		<b>17</b>	<b>10</b>	<b>30</b>	<b>25</b>	<b>6</b>	<b>4</b>	<b>2</b>	<b>8</b>

**Graph 3: Reported FIR cases in Khyber Pakhtunkhwa**



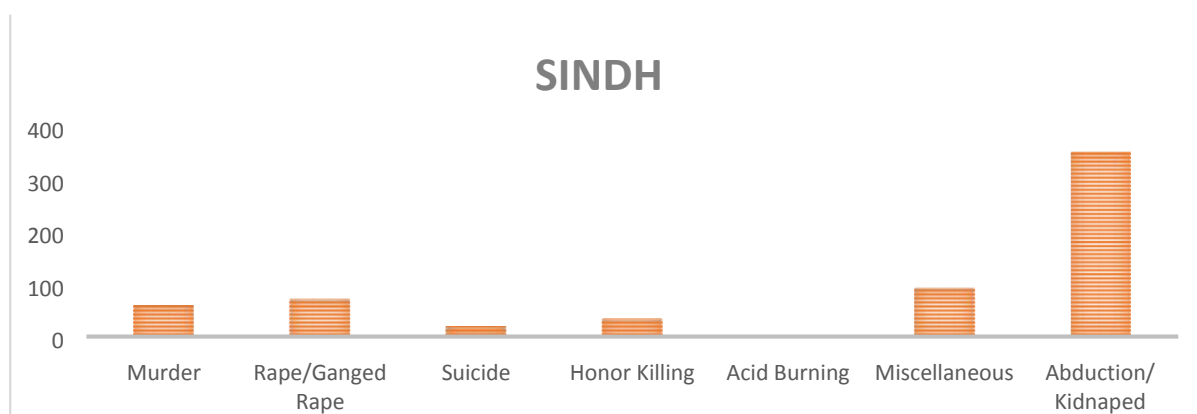
#### 4. Sindh

Data from police, official website of Sindh High Court, three Sindhi newspapers reported cases from 6 districts of Sindh (Korangi is a district in Karachi city) documented 626 cases of the reported cases of VAW thus making it the province with the second highest reported cases in this study. District Korangi has the second highest (382) reported cases of VAW after Lahore. The provincial data showed highest number of reported abduction, followed by murder and rape/gang rape crimes. The pattern in terms of incidence looks similar to that in Punjab. Annex 1 may be consulted for mapping of the newspapers included in the study.

**Table 4: District-wise distribution of the reported cases of VAW & the source of Data**

District	Source	Murder	Rape/Ganged Rape	Suicide	Honor Killing	Acid Burning	Misce	Abduction / Kidnaped	Total
Shaheed Benazirabad	Iberat	2	2	2	1	1	11	9	28
Ghotki	Awami Awaz	7	15	0	18	0	39	28	107
Hyderabad	epaper.pknewspapers.com /the-kawish.html & Official website High Court of Sindh	8	6	10	7	1	15	14	61
Korangi	Kawish & police	27	37	3	1		21	293	382
Thatta	Kawish Newspaper	2	0	2	1	0	4	0	9
Sukkur	Kawish Newspaper	13	11	2	5	0	2	6	39
<b>Sub- Total Sindh</b>		<b>59</b>	<b>71</b>	<b>19</b>	<b>33</b>	<b>2</b>	<b>92</b>	<b>350</b>	<b>626</b>
<b>% 626/2297x100=31%</b>		<b>14</b>	<b>22</b>	<b>17</b>	<b>41</b>	<b>12</b>	<b>19</b>	<b>40</b>	<b>27</b>

**Graph 4: Reported FIR cases in Sindh**





## 5. Punjab

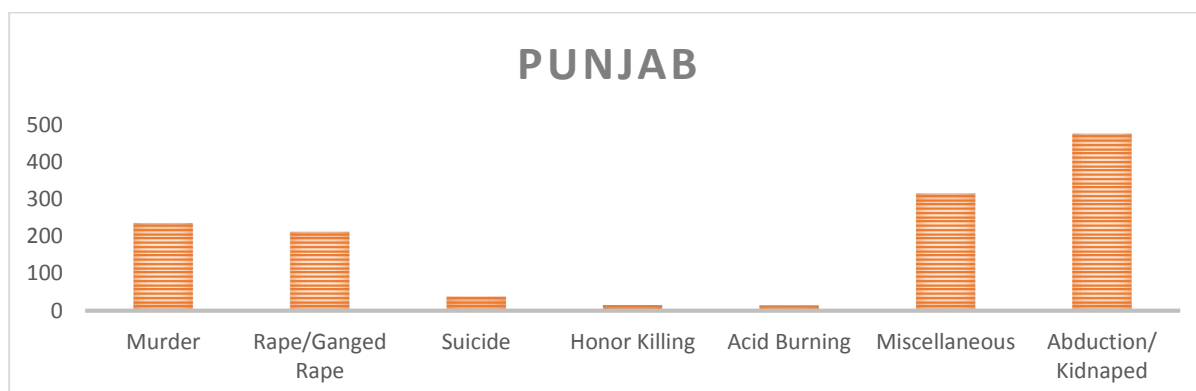
Punjab not only constitutes 57% of the reported cases but also ranks first in all forms of reported violence except for “honour killing” where Sindh is top on the list.

**Table 5: District-wise distribution of the reported cases of VAW & the source of Data**

District	Source	Murder	Rape/ Ganged Rape	Suicide	Honor Killing	Acid Burning	Misce	Abduction/ Kidnaped	Total
Lahore	Jang Lahore	58	20	4	3	0	189	125	399
Nankana Sahib	DPO Office	52	88	1	0	1	57	81	280
Faisalabad	Daily Business report	40	16	1	4	4	17	9	91
Layyah	Layyah Today	9	16	11	1	2	6	7	52
Rawalpindi-ICT	Daily Jang Newspaper	15	32	10	0	4	7	207	275
Sargodha	Al Jalal	35	10	2	5	0	12	9	73
Jhang	Daily Express Newspaper	9	4	5	0	2	20	4	44
Okara	Daily Jang News	17	26	4	2	1	6	32	88
<b>Sub- Total Punjab</b>		<b>235</b>	<b>212</b>	<b>38</b>	<b>15</b>	<b>14</b>	<b>314</b>	<b>474</b>	<b>1302</b>
% 1302/2297x100=57		<b>57</b>	<b>64</b>	<b>33</b>	<b>19</b>	<b>82</b>	<b>46</b>	<b>48</b>	<b>57</b>

The reported cases from seven news sources (Urdu and English) and police officials of eight districts of Punjab showed that Lahore, the provincial capital remained highest in terms of reported cases (399) of VAW. Nankana Sahib has second highest cases (285) while Rawalpindi has the third highest (109) reported cases of VAW. The provincial data showed highest number of reported cases in abduction, followed by murder and rape/gang rape crimes.

**Graph 5: Reported FIR cases in Punjab**



The statistics from each province should not be attached to the centuries old culture and inherited DNA of the land but to the centuries old subjugation caused by patriarchy and nurtured capability to disallow out of box thinking and critique. Here is an opportunity to look at the landscape of the reported crimes of VAW and VAWGC through different lenses that may challenge the prevalent rules of business in the governments as well as the development sector. The very prevalence of even one form of violence in any province should be a matter of deep concern for all the duty bearers. The custodians and curators of development projects and programs must pause for a while and try to initiate an inward conversation. What happened to our well calculated strategies, our carefully written long reports and skilled management? Where did we go wrong? Why could not we bring any attitudinal shift in the minds of men who are largely the head of households, community gatekeepers and occupy

key resources and positions? Who is responsible for unchecked patriarchal resistance and mainstreamed patriarchy? The report is presenting the cumulative picture in the following table as an essential reminder that women and girls are abused through various means and this is happening in actual spaces not in the flight of imagination of someone's brilliant mind. It is high time to end the speculation and the denial about occurrence of such crimes in our own homes, villages, towns, cities, fields, bus stops, bazaars, offices and where not?

**Table 6: 25 District Summary Sheet for the Period of 1st Jan. to 31st Dec. 2020**

S. #	Province	District	Source	Murder	Rape/ Ganged Rape	Suicide	Honor Killing	Acid Burning	Domestic Violence (Forced marriage, child marriage, Dowry)	Abduction/ Kidnaped	Total
1	Punjab	Lahore	Jang Lahore, Nawa a waqat, Express News, Police	58	20	4	3	0	189	125	399
2		Nankana Sahib	DPO Office	52	88	1	0	1	57	81	280
3		Faisalabad	Daily business report	40	16	1	4	4	17	9	91
4		Layyah	Layyah Today	9	16	11	1	2	6	7	52
5		Rawalpindi	Daily Jang Newspaper	15	32	10	0	4	7	207	275
6		Sargodha	Al Jalal	35	10	2	5	0	12	9	73
7		Jhang	Daily Express Newspaper	9	4	5	0	2	20	4	44
8		Okara	Daily Jang News	17	26	4	2	1	6	32	88
9	KP	Mardan	Express	13	2	4	5	0	1	1	26
10		Charsadda	Charsdda News	3	3	7	4	0	10	3	30
11		Peshawar	Daily Aaj + Mashariq	30	2	11	8	1	2	10	64
12		Nowshera	Daily Mashriq	6	8	6	3	0	4	2	29
13		Haripur	Shamal Newspaper	16	19	7	0	0	1	1	44
14	Sindh	SBA	Iberat	2	2	2	1	1	11	9	28
15		Ghotki	Awami Awaz	7	15	0	18	0	39	28	107
16		Hyderabad	epaper.pknewspapers.com/the-kawish.html & Official website high court of sindh	8	6	10	7	1	15	14	61
17		Korangi	Police Data	27	37	3	1		21	293	382
18		Thatta	Kawish Newspaper	2	0	2	1	0	4	0	9
19		Sukkur	Kawish Newspaper	13	11	2	5	0	2	6	39
20	Balochistan	Gwadar	Police Data	0	0	0	0	0	1	1	2
21		Turbat	Intekhab hub(www.dailyintekhab.com.pk	3	0	0	0	0	0	0	3
22		Quetta	1. Daily Jang Quetta 2. Edhi WhatsApp News Group	13	6	0	1	0	6	3	29
23		Sibi	1. Daily Jang Quetta 2. Edhi WhatsApp News Group	0	1	1	1	0	1	9	13
24	G-B	Ghizer	Ausaf News paper G-B & Police Dept	0	1	9			0	1	11
25		Gilgit	Ausaf & Police station	33	4	13	11	0	42	15	118
<b>Grand Total</b>				<b>411</b>	<b>329</b>	<b>115</b>	<b>81</b>	<b>17</b>	<b>474</b>	<b>870</b>	<b>2297</b>
<b>%</b>				<b>18</b>	<b>14</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>21</b>	<b>38</b>	<b>100</b>

**2297** is the total number of reported cases of VAW from 25 districts of all four provinces and Gilgit-Baltistan, during January to December 2020. Major Categories of VAW retrieved through the monitoring of the sampled newspapers are: Murder, Abduction/ Kidnapping, Rape/Gang Rape, 'Honour' Killing, Suicide and Miscellaneous (Domestic, Dowry, Acid, Inheritance, Child and Forced Marriage). 57% cases were reported from Punjab. Sindh had the second highest instance of reported VAW cases with a 27% of the total cases reported in Pakistan, while in KP it is 8%, 6% in G-B and 2% of the reported cases are from Balochistan, in increasing order of frequency.

While it is unfair to compare the intensity, damages including psychological trauma caused by one form of violence with another, one cannot fail to observe with deep desolation, disbelief and discomfort that VAWG forms labelled as murder, "honour killing" and suicide actually lead to the lethal and irreversible outcome i.e., loss of life. 624 out of 2297 (19-Balochistan, 66-G-B, 116-KP, 302-Punjab and 124-Sindh) reported cases fall under the categories of murder, suicide and "honour killing" thus constituting nearly 30% of the overall reported cases. This statistic alone is sufficient to establish misogynist mindset of the society at large.

Absence of a reported case in any form in any district of any province does not necessarily establishes the evidence of the absence of crimes falling under the broad category of VAW. Rather, underreporting or non-reporting should raise more questions and concerns regarding deteriorated value system and mental health complementing unapologetic patriarchal mindset and defeating of social justice.

A total of 411 murders, 870 cases of abduction, 474 cases under the category miscellaneous, 329 cases of rape/gang rape, 114 incidents of suicide, 81 cases of 'honour killings" and 17 cases of acid crimes were reported. This also means that while 30% of women and girls who were killed (murder & or "honour killing") or made to commit suicide are dead in the reported period remaining 70% are actually buried alive. Silencing of 70% of women and girls should be seen as a critical concern by the leading voices in the corridors of power and politics. Living with the stigma of rape, gang rape, incest and trauma of domestic violence, dowry violence, forced marriage, denial of inheritance and forced child marriage are yet to be measured and examined in detail in any form of research study in Pakistan.

**Table 7: Districts with highest number of reported case of a specific category of VAW/VAWG in decreasing order of frequency**

Rank	District	Number of reported cases of VAW
1.	Lahore	399
2.	Korangi	382
3.	Nankana Saheb	280
4.	Rawalpindi-ICT	275
5.	Gilgit	121
6.	Ghotki	107
7.	Faisalabad	91
8.	Okara	88
9.	Sargodha	73
10.	Peshawar	63
11.	Hyderabad	60
12.	Layyah	52
13.	Jhang	44

14.	Sukkur Hari Pur	39
15.	Quetta Nowshera	29
<b>Total Number of Districts: 15</b>		

The table above shows 15 districts, in decreasing order of frequency, the highest number of reported cases of VAW. All 8 districts from Punjab are included there. Four districts (shown in green) are from the province Sindh and three districts (shown in colour purple) are from the province KP. Another table shows the district-wise distribution of the highest number of 7 specific categories of VAW/VAWGC reported in the selected newspapers in this study.

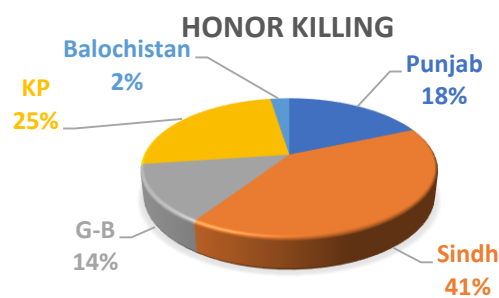
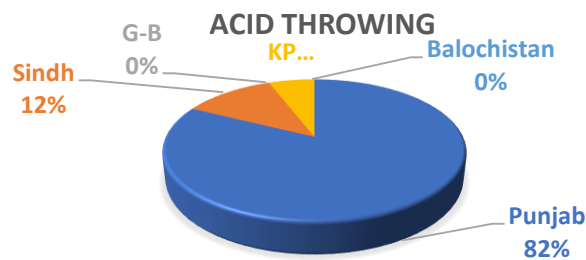
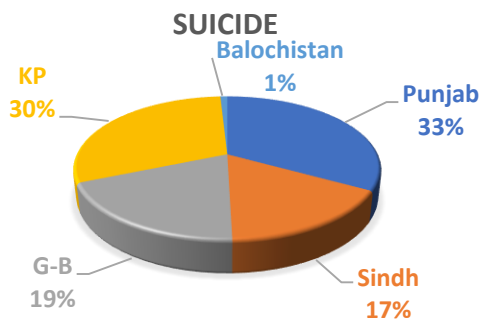
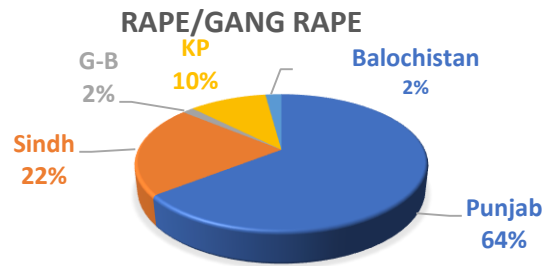
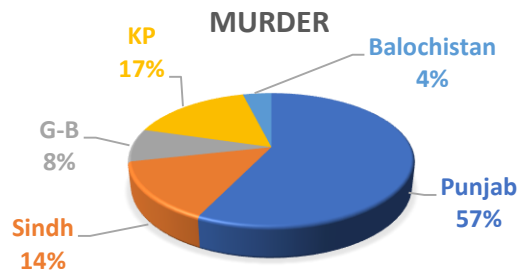
**Table 8: Highest number of a specific type of reported form of violence-district-wise**

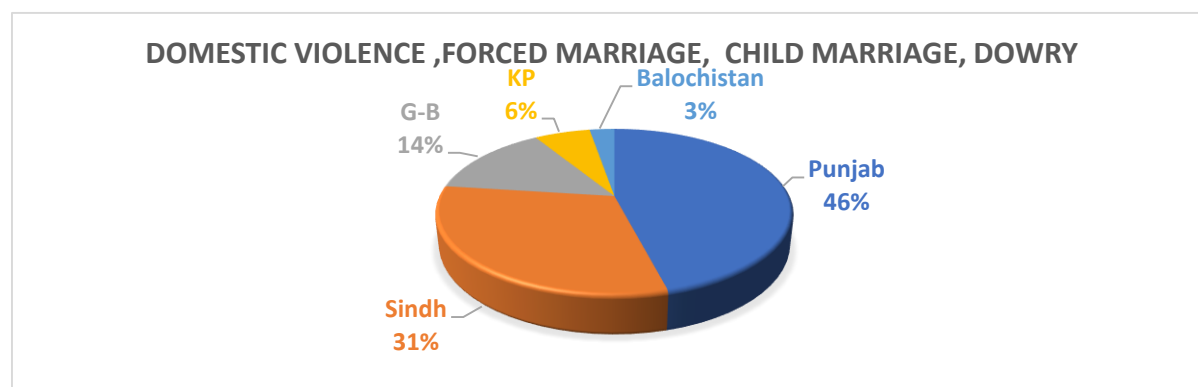
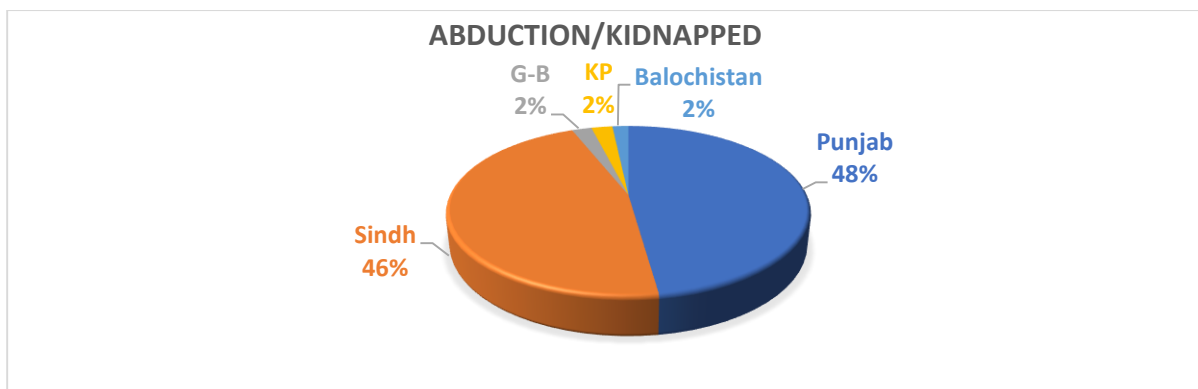
S#	Type of Violence	Highest number of reported cases	District	Province
1	Murder	58/411	Lahore	Punjab
2	Abduction	293/870	Korangi-Karachi	Sindh
3	Rape/Gang Rape	88/328	Nankana Saheb	Punjab
4	“Honour Killing”	18/75	Ghotki	Sindh
5	Acid Crimes	4 & 4=8/18	Faisalabad, Rawalpindi/ICT & Peshawar	Punjab KP
6	Suicide	13/114	Gilgit	G-B
7	Miscellaneous (Domestic Violence, Dowry violence, Inheritance, Forced and Child” Marriage” )	125/304	Lahore	Punjab

The character of the numerical distributions too draws the mind of an aware one towards the prevalence and social approval of many harmful cultural practices/traditions, deficient implementation of pro-women legislation and the need of more pro-women and pro-poor laws without any loopholes. This also bares patriarchal interpretation that is prone to serve the interest of the privileged. The political climate of all provinces too can be adjudged through the digits given in all the tables and graphs given in this chapter. If one compares the data revelations from this study with the key findings<sup>7</sup> of PDHS<sup>8</sup> 2017-18 on VAW one can instantly see contrasts. This in turn is not surprising as the sample size and analytical techniques of these two studies are totally different.

<sup>7</sup> **Experience of violence:** 28% of women age 15-49 have experienced physical violence since age 15, and 6% have experienced sexual violence. Seven percent of women who have ever been pregnant have experienced violence during pregnancy. **Marital control:** 8% of ever-married women report that their husbands display three or more specific types of controlling behaviours. **Spousal violence:** 34% of ever-married women have experienced spousal physical, sexual, or emotional violence. The most common type of spousal violence is emotional violence (26%), followed by physical violence (23%). Five percent of women have experienced spousal sexual violence. **Injuries due to spousal violence:** 26% of ever-married women who have experienced spousal physical or sexual violence have sustained injuries. Cuts and bruises are the most common types of injuries reported. **Help seeking:** 56% of women who have experienced any type of physical or sexual violence have not sought any help or talked with anyone about resisting or stopping the violence (PDHS 2019).

<sup>8</sup> The survey (PDHS) was conducted under the aegis of the Ministry of National Health Services, Regulations and Coordination, and implemented by the National Institute of Population Studies (NIPS). The United States Agency for International Development provided financial support through ICF. The United Nations Population Fund (UNFPA) and Department for International Development (DFID) provided logistic support for monitoring the fieldwork of the survey. The Pakistan Bureau of Statistics (PBS) provided assistance in the selection of the sample and household listing for the sampled primary sampling units. Technical assistance for the survey was provided by ICF.





Aurat Foundation used to prepare similar reports on VAW data in the past. Its last such report in 2014 showed 10,070 incidents of violence against women in over 120 districts of Pakistan through comprehensive monitoring and rigorous media scanning. In 2020, the number of such cases in 25 districts stands at 2,297 within only seven categories of VAW with slightly limited media scanning. This surely reflects increase in the occurrence of VAWG incidents.

As stated earlier in this chapter 2, the report does not accept absence of reported cases of VAW/VAWGC in any district as the absence of such prevalence. Higher number of reported cases are reflection of mature media, more vibrant civil society and perhaps more openminded men in their role as police, head of the household or community member. Barring few exceptions, nearly all segments of the society and even state (in spite of so many pro-women legislation) have been fully exposed in terms of their audacity to blame and shame women and girls especially the marginalized ones, translate crimes of violence as case of morality and decision not to go beyond a certain point against the accused especially if the latter belongs to the class of the powerful and the privileged.

*Words may be mightier than the sword, but in a battle for our brains, visual images win every time. Colin Ware, author of "Information Visualization: Perception for Design"*

The sample of this study irrespective of its smaller size and limitations was successful in generating numbers that constituted a data set and this data tells a story that needs to be told and repeatedly taken to the tables where power of choice, challenging, confrontation and compromises are covertly contested. Following visualization, it is expected, would help the readers and intended audience (from diverse corridors of power) to see trends and patterns and raise critical questions that need to be addressed with vision persuasion and last but not least monetary resources.

## A rapid analysis of incidents of VAWG during Covid-19 period

Following table and visual data<sup>9</sup> reflects monthly distribution of the reported crimes against women and children in the year 2020. Pakistan confirmed first case of the COVID 19 on 26 February 2020, and on 18th March, cases had been registered in all four provinces and Gilgit-Baltistan, by 17 June, each district in Pakistan had recorded at least one confirmed case of COVID-19. The month of July recorded highest number of any form of VAWGC included in this study. This correlation merely reconfirms that there is no morality in poverty, pandemic and patriarchy. The impact of a pandemic like COVID 19 has merely exposed the dynamics of abusive power, magnitude of misogyny, extent of lack of social protection and rule of law. The data depicted here are in fact descriptions of our collective collapse in governance and adoption of apathy without any embarrassment. The very occurrence of VAWGC-the crimes against humanity either in the sacred month of Ramadan (month of fasting) or in the midst of a devastating Pandemic has exposed the reality of the hollowness of the notions of piety, cultural and family values that are very often pitched to sanction harmful cultural practices.

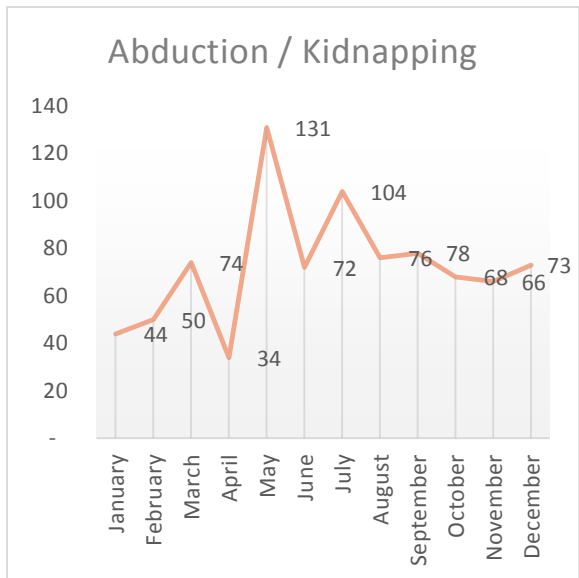
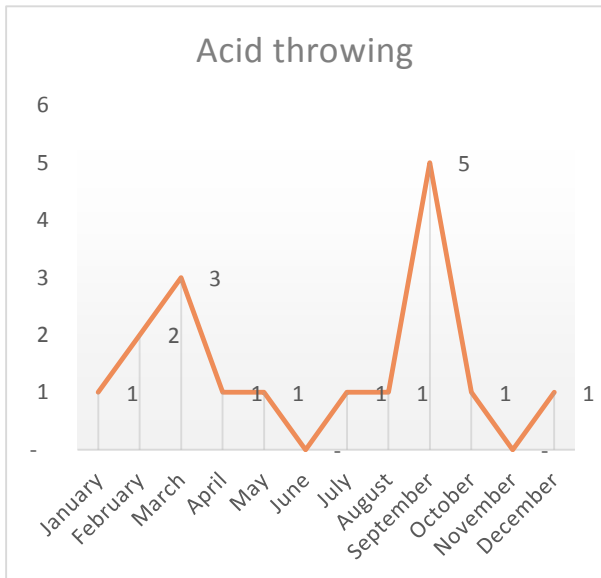
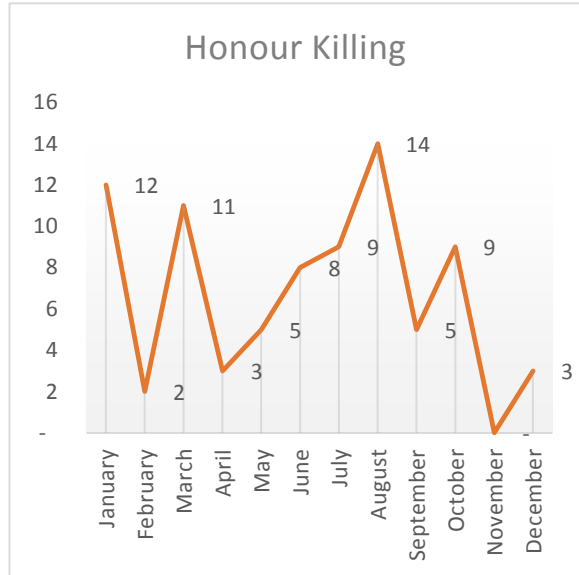
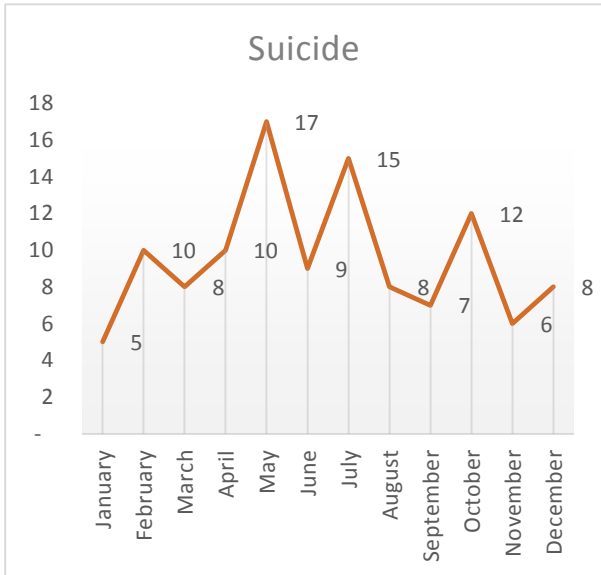
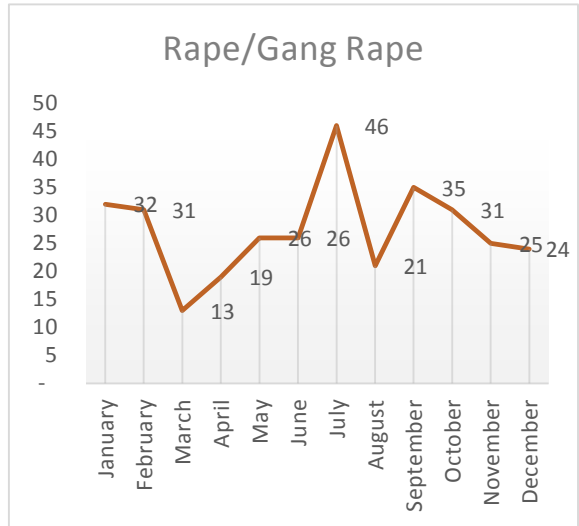
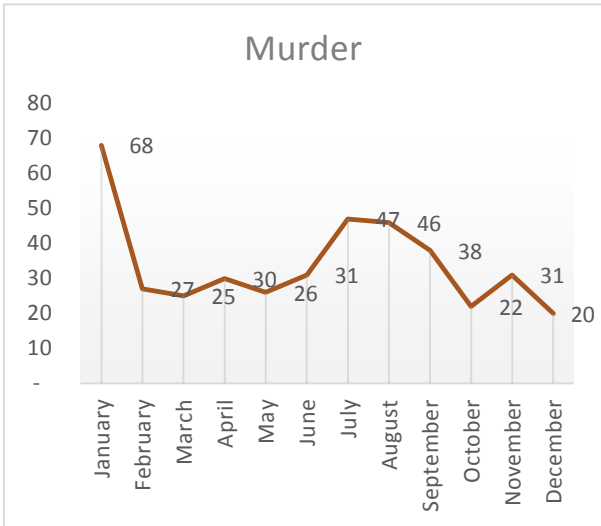
Research<sup>10</sup> from previous health, economic, and political crises supports that there is an increased risk for diverse forms of violence during COVID 19. More sophisticated research is needed to examine the risks in local contexts. More public disapproval of mainstreaming charity and protectionist models to address the situation is needed as it has effectively taken the focus from empowering ideas and approaches involving entrepreneurial risks, creativity and changes in the status quo.

**Table 9: Year 2020: MONTHLY Distribution of CRIMES AGAINST WOMEN & GIRLS**

S#	Months	Highest reported number of crime/VAWG	Form of crime/VAWG
1	January	68	Murder
2	May	17	Suicide
3	May	131	Abduction/Kidnapping
4	July	46	Rape/Gang Rape
5	July	326	Total (all categories)
6	August	14	“Honour Killing”
7	September	05	Acid throwing
8	September	117	Miscellaneous

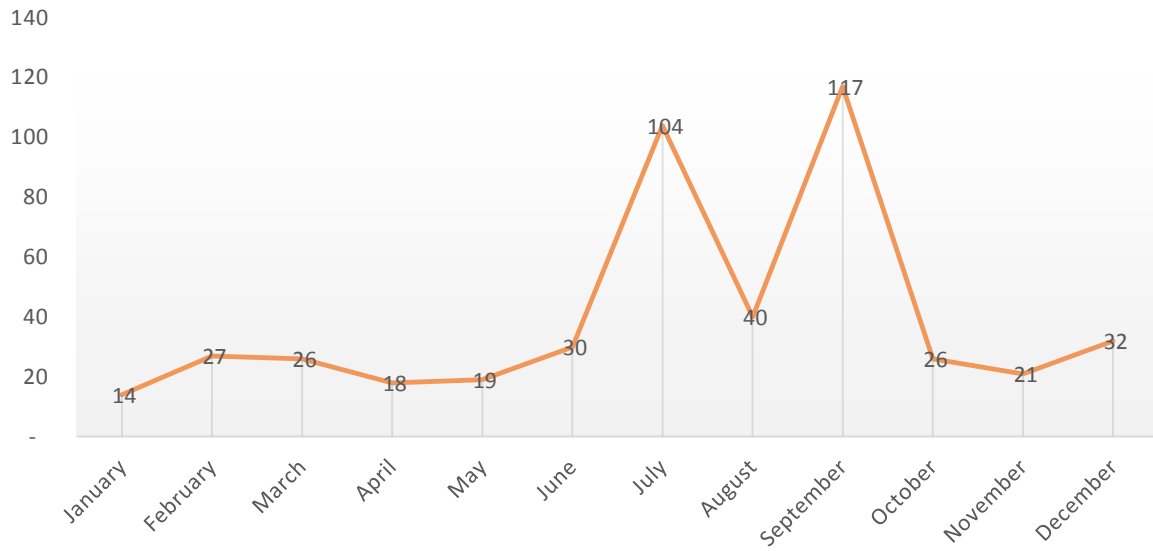
<sup>9</sup> “While it is easy to produce such statistics, it is nearly impossible to identify meaningful changes based on simple month-to-month reporting from administrative data. This is due to numerous factors, including seasonality (i.e., certain events—including crimes—may be more likely to occur during certain times of the year), general time trends (i.e., VAW/C may be already increasing or decreasing at different rates in different locations), and noisiness of the data (accuracy of administrative data may be compromised, due to a variety of factors, including incomplete or poor reporting systems). Further, VAW/C data specifically suffers from widespread underreporting due to stigma, shame, and fear of retaliation, which may further compound biases in reported data. This makes it difficult, if not impossible, to understand underlying trends from month-to-month reports from specific service data.” Source: <https://www.cgdev.org/publication/covid-19-violence-against-women-and-children-what-have-we-learned-so-far>

<sup>10</sup> Source: <https://www.cgdev.org/publication/covid-19-violence-against-women-and-children-what-have-we-learned-so-far>

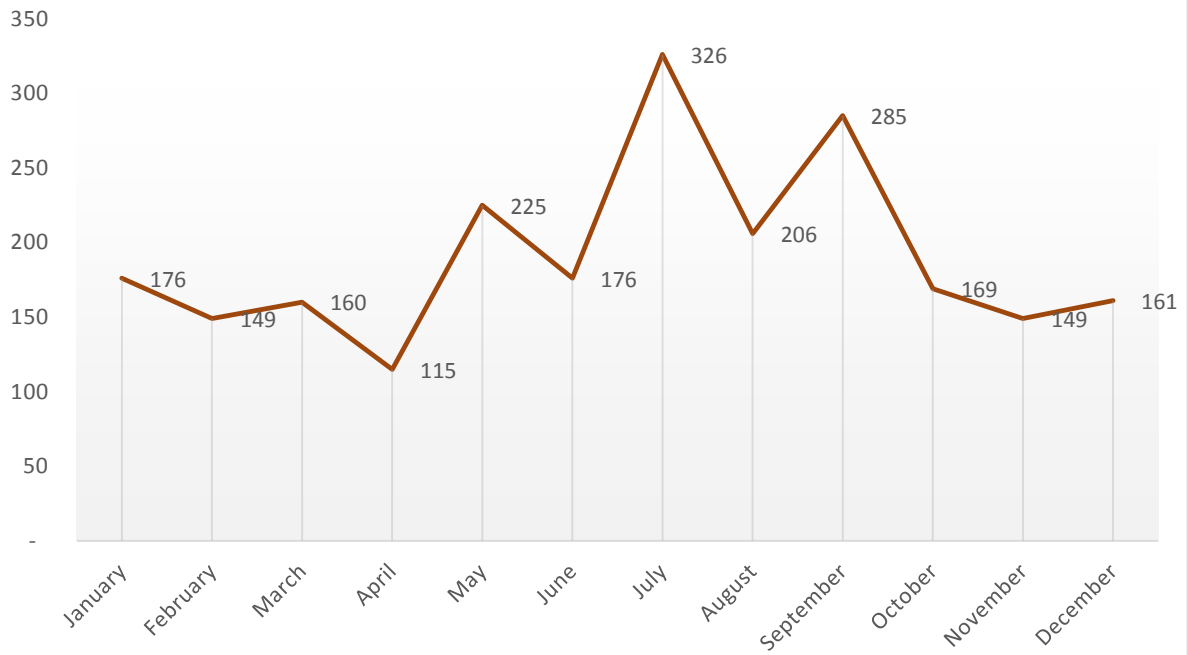




Miscellaneous (DV, Dowry Violence, Incest, Forced Marriage, Child Marriage, Denial of inheritance)



Total crimes



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*This body is mine, you can't touch it, you can't abuse it and you can't kill it."*

*Got it? It cannot be put any straighter than that.*

### ***Campaign against gender violence***

*No one asked me how my assailant was dressed."*

*A very curious and at the same time shameful fact: the number of times an aggressor's behavior is justified by how the victim dresses (or speaks or acts). Why don't we ask ourselves what is really important and act to put an end to it?*

### ***Campaign against gender-based violence***

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## Chapter 3: Stories of 14 women/girls/child girl survivors and victims of violence

This chapter has analyzed 14 case studies. See annex 3 for the questionnaire. As may be appreciated from this annex only three key specific forms of VAW and VAWG i.e. Harassment including sexual harassment and rape (including gang rape & date rape) and murder were included while documenting the case studies. All interviews were conducted by the authorized officials of AF and SAP-PK and reviewed thoroughly for ensuring all ethical and legal considerations<sup>11</sup>. These case stories from different regions are summarized as follows.

### Balochistan

#### Case Study 1:

**C** is a 9-year-old Muslim girl who was kidnapped on 10<sup>th</sup> August 2020 by an unknown person from near her home. She was blindfolded and taken forcibly to an abandoned place at around 10:00 PM. She was then sexually assaulted by an unknown rapist who fled from the scene after committing the crime. The rapist also threatened to kill C if she told anyone about him and what happened to her. The father of the rape survivor, a retired cop, with the support of his former department, was successful in registering a FIR with the City Police Station Sibi. He did not face any challenges in registering the FIR and so far, there is no pressure from the relatives or friends to withdraw the case. However, the alleged perpetrator is still at large and investigations by the area police are far from satisfactory.

#### Case Study 2:

**D** is a middle aged, unmarried, educated woman from a middle class family in Quetta who faced sexual harassment at the workplace. The accused, an educated person was also employed in the same organization as D, is a middle aged married man. The case has been decided by the Provincial Ombudsperson, Protection of Harassment against the Women at Workplace in Quetta. The accused has been terminated from his job. Moreover, he has been charged a cash penalty of PKR 300,000. The head of the organization has also been fined PKR 100,000 for not constituting a committee on the matter and for violation of the Code of Conduct on the anti-sexual harassment law. D herself registered the complaint of sexual harassment with the office of the Provincial Ombudsperson. This was after she had already complained to her employer who instead of taking action against the accused, fired the complainant from her job. As reported in the interview the attitude of the Provincial Ombudsperson was very encouraging and friendly and tremendous support was extended by his office. Although some colleagues pressurized the complainant to stay silent, D's family facilitated and supported her to get her complaint registered and get justice.

### Gilgit-Baltistan (G-B)

#### Case Study 1:

**M** is a 19-year-old educated girl. She was seeing a man of her age for two years. In May 2020 she was raped by her male friend. She filed a formal complaint with the police and a FIR was registered under section 376 of the Pakistan Penal Code (PPC) on the fourth day of the

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<sup>11</sup> In spite of the consent to disclose names and photographs this data is not disclosed in this report though these may be used if required in any power point presentation by the concerned NGOs at any appropriate forum/s). Consultant.

reported rape incident. A *Challan* of the case was submitted in the court of law. However, during trial both the parties (complainant and accused) affected compromise.

### Case Study 2:

**B** is a married Muslim girl studying at the University. She reported a case of verbal and sexual harassment by an official at the office of the Vice Chancellor. Her report led to the disclosure of many other incidents of harassment on campus. In spite of detailed procedural hearings by the anti-harassment committee of the university, B could not prove her credibility. It was taken as an exaggeration of an ordinary/routine matter where an official did not appear polite to a woman student. Due to the supremacy of male privileges, the influence of high socio-economic class, prevalent cultural norms and notion of honour, B was silenced like many other female students.

## Khyber Pakhtunkhwa (KP)

### Case Study 1:

**N**, the victim, was a 12-year-old Muslim Pashtun girl from Maidan Lower Dir. She was “married” and had completed her primary education. Prior to “marriage,” she was dependent on her stepmother and father who is a daily wage worker in Karachi. She was married to a young Pashtun man on 9<sup>th</sup> July 2020. According to the FIR, N fell ill the day after her marriage and was shifted to District headquarter Hospital Timergara. After her recovery, she was taken back home. But she fell ill again and was shifted to the hospital. After her health deteriorated further, her husband and father-in-law took her back to her stepmother’s home where she mysteriously died on 11<sup>th</sup> July 2020. The FIR was registered in Lal Qila police station. The post-mortem report was received on 21<sup>st</sup> July 2020 and as per police findings, her death was pronounced a ‘natural death’ by the doctors. Nevertheless, the police arrested people, invoking the Child Marriage Restraint Act. This case was pursued by a local NGO, International Human Rights Organization. The organization’s representative stated that the case had been mishandled by the police and that N’s death was not natural. He alleged that informed sources had told the organization that the child N was tortured by her stepmother and she died of the torture. The said representative also shared that the post-mortem report from the police was never received.

### Case Study 2:

**L** was an 8-year-old Muslim Pashtun girl. On November 18, 2020, LA went missing. The next day, her body was recovered from a graveyard, completely burned. The accused attended the girl’s funeral, but he later went into hiding. On December 12, 2020, the police arrested him. On December 14, 2020, he recorded his confession before a magistrate and admitted to raping the child. He claimed his wife had gone to attend the marriage of a relative and that the victim had visited his residence asking about his wife. He stated that because the child started crying, he put a hand on her mouth and another one on her neck which resulted in her death. After midnight, he took the body to a graveyard on a motorcycle and set her on fire by sprinkling petrol over her. The complainant in the case is the father of the victim. He registered the FIR at the Police Station on November 19, 2020. He stated that the police cooperated in the registration of the case, that they were supportive and when his daughter went missing, they accompanied him in searching for her. The case is in its initial stages. Trial has not begun. The case has received much media attention. The accused belongs to a poor family and is not in a position to exert any pressure on the complainant.

### Case Study 3:

**Z**, the victim, was a two-and-a-half year old Muslim Pashtun child. The accused is around 45 and unmarried. He is a Pashtun and a neighbor of the deceased girl. Z went missing on October 6, 2020, after which her father approached the police on October 7 and an FIR was registered under section 364-A (kidnapping a child below 14) of the PPC. The next day, her body was found dumped in a field in Peshawar. Her autopsy showed that she was stabbed to death after a sexual assault. On October 12, the local police and provincial government announced the arrest of the accused. After remaining in police custody for a few days, the accused was brought before a magistrate in Charssada, but he refused to confess his guilt. The accused is stated to be suffering from some 'mental' ailment. The police have recovered aphrodisiacs in his possession. Police as well as local people helped initially in searching for the child. Media persons in the area were also supportive and ran several stories in print and electronic media.

### Case Study 4:

**G**, a 5-year-old Muslim Pashtun girl, did not return home alive when she went to play outside in the afternoon of 15 August 2020. Family members started searching for her and hours later, found her severely tortured dead body. Some 100 yards from the victim's house was the location of the crime-a poultry farm where two bricks full of blood, blades and a knife spoke to the brutality of the murderer. According to the 18-year-old murderer, he killed G because he was afraid that she would tell her family what he had done. The police claimed he confessed to his crime and explained the whole event in which he dragged the victim to the deserted poultry farm, harassed her upon which she started shouting and made use of blades and knife to silence her and later used bricks to end her life before finally putting her dead body in a gunny bag tying it around and leaving it out. After committing the crime, he went home to change his clothes and then joined the victim's family to search for the murderer. The dead body of the 5 years old was first taken to the DHQ hospital and then shifted to Khyber Teaching hospital. The tragic incident garnered media attention and this facilitated the process of FIR registration. Currently the culprit is in the Mardan jail and the trial is in the process.

## Punjab

### Case Study 1:

**Y** is a 26-year-old married Muslim woman and resident of a village in Tehsil of Sargodha. She belongs to a high family caste in the locality. The accused include three men, residents of the same area, who kidnapped Y from the local market. When Y did not return home on the day of her kidnapping, her in-laws and parents searched for her. In the morning, her father-in-law reported the case to the police and registered a FIR. The police were receptive to the case but slow to act and community members spread false rumors about Y and her family. After four days, the accused released Y and she returned back to her family. The police then arrested the accused. Even after the arrest, the community pressured Y to drop the case, claiming that she went with the men willingly. She had difficulty proving her innocence. The mistrust of the community and the degree of trauma eventually compelled Y to "agree" to settle out of court by "forgiving" the offenders. To the court and before the judge, she said that the matter was a misunderstanding, that Y had only run away to her parents and that no rape had occurred.

### Case Study 2:

**H**, a highly educated, married woman from Punjab earned a senior position in a public department. She was accused of using her sexual appeal to get her much deserved promotion. Besides verbal abuse and being the topic of office gossips, she was harassed by repeated episodes of chasing and one day a male co-worker, junior to her, sexually harassed her. Terrorized and shocked by the incident, she called her husband after leaving the office and discussed the matter with her family (parents, siblings, in-laws). Strengthened by their courage, she formally lodged a complaint against her harasser with the office of the provincial ombudsperson, but she continued to be afraid that people would blame her for his actions. The accused in this case was a powerful person and typical victim blaming, shaming and discrediting continued. The accused also tried to convince H that he had reformed himself. Finally, the survivor succumbed under pressure and withdrew the case. Due to her failing health, she opted for an early retirement and is living in fear of revenge from the accused.

### Case Study 3:

**V** is a highly educated Christian woman schoolteacher, cherished by her community. By attending university, Ms. V broke several barriers holding back underprivileged girls in her community and got a job in a public school. She is married with two kids. She was harassed at her workplace by a superior who not only terrorized her by using indecent language but openly asked for sexual favours. She lodged a complaint with the office of the ombudsperson but eventually she withdrew her case under pressure. She was also made to “forgive” the accused who still works at the same position and in the same premises despite reassurances from higher ups that he would at least be transferred from that school. Ms. V not only failed to get justice but seeing that man on an almost daily basis revived her trauma. Eventually she requested a transfer to any other school which was accepted. She now continues her job at a new school with painful memories of what she suffered.

## Sindh

### Case Study 1:

**K** was a 12-year-old Muslim girl from the Lyari district of Karachi. Her 6 months long pregnancy was revealed when her mother took her to a local hospital where she claimed to have abdominal pain. Probing disclosed that while her mother was working in different houses and her husband was addicted to drugs, she used to leave her daughter at her aunt’s (*Tai Ammi-wife of the elder brother of her father*) house where she thought her daughter would be safe and could get food as well. K told her mother that she had been serving food to the accused in his room upon the directions of her aunt. The accused repeatedly raped her and threatened her and told her that if she told anyone what he did, he would kill her and her mother. The accused was notorious for his cruelty to his deceased wife.

After this revelation, a private charity hospital admitted the girl and she gave birth to a healthy baby boy. Since she did not wish to keep the child, the newborn was adopted. K’s aunt registered a FIR at the police station in Lyari with the help of locals. Initially, the police refused to register the FIR but due to the involvement of the neighbors and evidence from the medical report, they formally registered the case and began court proceedings.

Police officials repeatedly suggested that the women should drop the case because it would be difficult for them to move along with it. Since the rape survivor and accused's family are close relatives, the family's elders also firmly opposed registering the case. They claimed that it was a family/domestic matter and so best sorted out internally without involving outsiders such as the police and courts. Due to their poverty, lack of time, and pressure from relatives, the survivor's family faced difficulty pleading their case in court. Ultimately, the pressure from family members forced K, the complainant and other witnesses not to identify the culprit at trial. Finally, the issue was settled out of court.

### Case Study 2:

**E** is a 10-year-old orphan Muslim girl who lives in East Karachi. A shopkeeper raped her. E's mother was a housemaid and when her mother would go to work, she would care for her little sister and brother. Often, she would buy house items particularly milk from a shopkeeper. One day, the shopkeeper asked the girl to go to a nearby place where he used to keep the milk and the milk was boiled. He trapped her there, raped her and threatened her that if she told anyone he would kill her and her mother. He forced the girl to visit him whenever he asked, otherwise he would kill her and her other family members.

The minor girl was silenced, and she kept going to his shop where he continued raping her. One day, she started vomiting and claimed to have abdominal pain. Hearing this, her mother suspected that she was pregnant and took her to the doctor who confirmed the fact. The mother of the girl, then, registered a FIR against the accused at the police station and the accused was arrested by the police. The police collected DNA samples of both the accused and the girl and sent them to Karachi University Center. Both mother and daughter were shocked to learn that the DNA found on the girl did not match that of the accused but the girl on oath told her mother that the accused had been raping her. The mother faced difficulty pleading her case and area persons including the accused's family forced her to compromise. The police resisted registering the case at first, claiming that the girl faced behavioral issues and might have consented to intercourse. But after a medical examination which confirmed the rape; the police arrested the accused.

Challenges faced by the aggrieved party included resistance on part of the police, relatives, neighbors, and doctors to declaring the case as rape. Since the mother of the girl was working at various houses and was financially independent still she was pressurized due to her low-income background and higher socio-economic status of the family of the accused. Even then she put a good fight until report of the DNA test came back negative whereupon she lost all hope and reached a compromise out of the court. She received support from the NGO WAR, and they provided her with a lawyer to plead the case, but she did not consult the lawyer before entering into the compromise.

The accused is an unmarried, 19-year-old Muslim man. His family is wealthier than that of the rape survivor. He lives with his brothers and other family members in a local Colony and hails from a district in interior Sindh. His family tried to silence the rape survivor's family with money and asked them to withdraw the case but when they refused to settle, they accused the girl of lying and having illicit relations with someone else. The case was, then, sent to the City Courts East Karachi, but after the DNA results were found negative, the court granted the accused bail. Ultimately, both parties agreed to withdraw the case because the man agreed to marry

the girl. The girl gave birth to a baby girl on November 2020. Once she submits an affidavit in the City Court East, the case shall officially be disposed of.

### Case Study 3:

S is a 15-year-old girl from a Town in West Karachi, who was allegedly raped by her neighbour. Her widow mother had re-married a man who worked in the factory. The woman had three children from her first marriage and the rape survivor was her middle child. The rape survivor's elder sister used to give tuitions to students in their houses and the third child was still too young to go out. A married man lived in the neighborhood and whenever his wife and mother were out of the house, he would bring the girl there and rape her, allegedly with her consent. It continued until the mother of the rape survivor learned of the relationship and stopped her daughter from going to the accused's house. When the mother of the rape survivor confronted the accused, he said on oath that the girl was like his daughter and that she came to the house to play with his daughters.

The relationship between the girl and the man continued until one day, both went missing and allegedly got married. The police then recovered the girl and registered the case under the Sindh Child Marriages Restraint Act 2013, arresting the accused, the *Nikah Khuwah* and the lawyer involved. The girl gave a statement before the magistrate of the East City Court that she had left home of her will and married the accused without any pressure whereupon all the arrested were granted bail.

The accused is a 33-year-old married Muslim man who lived with his wife and mother in a rented house in the same vicinity where S lives. He has two children. According to neighbours, the accused is a member of an alleged racket which deceives minor girls promising them marriage but later selling them or forcing them to become prostitutes. However, the police could not track any such group and so the man received bail. The City Courts in the West District of Karachi heard the case. The main accused, the *Nikah Khuwan* and the involved lawyer were arrested but later released on bail.

The mother of the girl decided to enter into a settlement with the accused due to confusing statements from her daughter. The case is still under trial but will stand disposed of once the complainant gives a statement withdrawing the case from court.

The mother of the rape survivor registered a FIR at the local police station. Initially, the police were reluctant to register the FIR but after the girl and her alleged husband reappeared, the formal case was registered. The FIR was registered with the support of factory workers, unions, and neighbours and there was no major challenge during the process of registering the case. There was no pressure on the part of family members, but the stepfather of the girl asked the girl's mother to drop the case after the girl gave a statement in support of the accused.



**Table 10: Following matrices give a mapping of the key features of these stories (region-wise)**

<b>Balochistan</b>							
District	Age/type of violence	Date of incident	Date of interview	Respondent/s	S/V	Legal action/status	Response/s from the CSO ,Media, Public sector
Sibi	9 year old/Rape	10-8-20	19-01-21	Father of the victim	S	FIR Registered	Father of the Victim filed the case
Quetta	Middle aged woman/ Sexual harassment at the workplace	October 2020	19-01-21	Ombudsperson office, protection against harassment of women at workplace	S	Complaint lodged & FIR Registered	Family & ombudsperson supported Justice dispensed
<b>Gilgit-Baltistan (G-B)</b>							
District	Age/type of violence	Date of incident	Date of interview	Respondent/s	S/V	Legal action/status	Response/s from the CSO, Media, Public sector
Ghizer	19 year old/Rape	14-05-20	22-01-21	S, Policy & Family	S	FIR Registered	S withdrew the case/ Family and police cooperated
Gilgit	Young woman student/ harassment at university	17-11-20	23-01-21	Any other	S	Formal complaint lodged at the office of the Vice Chancellor	The anti-harassment committee decided that the charge of harassment by the student is unfounded/ There was no support by other institution. But a lot of institution raised their voice against this issue like NGO s and social media.
<b>KP</b>							
District	Age/type of violence	Date of incident	Date of interview	Respondent/s	S/V	Legal action/status	Response/s from the CSO ,Media, Public sector
Lower Dir	12 years old/ Child & forced marriage /"death"	11/07/2020	09/01/2021	Police; an NGO Worker, Family(in laws)	V	FIR registered by the child's father-in-law registered the FIR at the police station in Lal Qilla. The child's father and grandfather were charged under clause 107/151/150 of the CrPC. All perpetrators were also charged under clause-6 of	A local NGO, International Human Rights Organization, Dir chapter is supporting the case. The organization has filed a complaint in the Ministry of Human Rights, Islamabad, requesting justice. The organization has also lodged a complaint on the

						Child Restraint Act 1929.	Prime Minister Complaint Cell.
<b>Peshawar</b>	8 years old/Rape with murder	Nov 18,2020	Jan 13,2021	Victim's Father	V	FIR registered	Father of the victim is the complainant
<b>Charsadda</b>	2.5 years old/Kidnapping, Rape with murder	Oct 6, 2020	Jan 13, 2021	Police and local media	V	FIR registered-Initially, the case was registered as kidnapping, but when the body was found and post mortem was conducted, sections related to murder and rape in the PPC along with the KP Child Protection and Welfare Act were included.	Police as well as local people helped initially in searching for the child. Media persons in the area were also supportive and ran several stories in print and electronic media.
<b>Charsadda</b>	5 years old/Kidnapping, Rape with physical torture & murder	16 Aug 2020	J15 Jan , 2021	Family	V	Father of the victim registered the complaint.	The incident was viral on social media where everyone was demanding justice for the 5 year old victim /Currently the culprit is in the Mardan jail and trail is in the process

### Punjab

District	Age/type of violence	Date of incident	Date of interview	Respondent/s	S/V	Legal action/status	Response/s from the CSO ,Media, Public sector
<b>Sargodha</b>	26 year old married woman Abduction & Rape	27-10-2020	18-01-21	Survivor	S	FIR registered/out of court settlement	Disapproval from the community and family
<b>Lahore</b>	Middle aged married woman / Harassment at workplace accompanied with verbal abuse and emotional trauma	Feb 2020	22-01-20	Survivor	S	Complaint lodged with the office of the provincial ombudsperson	Family and friends were supportive/Pressure from coworkers led her to withdraw the case/ S decided for an early retirement

<b>Lahore</b>	Harassment at workplace accompanied with verbal abuse and emotional trauma	2020	23-01-21	Survivor	S	Complaint lodged with the office of the provincial ombudsperson	Pressure from Family ,friends coworkers led her to withdraw the case
<b>Sindh</b>							
<b>District</b>	<b>Age/type of violence</b>	<b>Date of incident</b>	<b>Date of interview</b>	<b>Respondent/s</b>	<b>S/V</b>	<b>Legal action/status</b>	<b>Response/s from the CSO ,Media, Public sector</b>
<b>Layari-Karachi</b>	12 years old/Rape leading to pregnancy -birth of a child	Aug-2020	11-01-2021	Lawyer	S	FIR registered	Aunt of the Rape Survivor is the complainant The organization, War Against Rape, provided assistance including appointing a lawyer.
<b>Karachi</b>	10 years old/Rape leading to pregnancy- birth of a child	Feb-2020	14-01-2021	Lawyer	S	FIR registered/out of court settlement without consulting the lawyer	Mother of the Rape Survivor is the complainant The organization, War Against Rape, provided assistance including appointing a lawyer.
<b>Karachi</b>	15 year-olds/Rape & "child marriage"	Apr-2020	17-01-2021	Lawyer	S	FIR registered/out of court settlement The mother of the girl decided to enter into a settlement with the accused due to confusing statements from her daughter. The case is still under trial but will stand disposed of once the complainant gives a statement withdrawing the case from court.	Mother of the Rape Survivor is the complainant The organization, War Against Rape, provided assistance including appointing a lawyer.

Child Sexual Abuse and Exploitation (CSEA) was the type of violence in 9 case studies. Irrespective of the manifestation the abuse in our society is supported by the patriarchal resistance and conveniently endorsed in the name of culture, faith, religion and honour. Out of 12 documented case studies, 9 were minor girls who were kidnapped and raped. 4 were killed and 5 survived and 2 (aged 10 and 12 years) gave birth to babies<sup>12</sup>. Age range of victims/survivors is between 2.5 years old girl child to 30 something years old women. The socio-economic strata varies from very poor, under privileged to middle class comfortably living urban families. Other background characteristics included minor, unmarried, adult, married, mothers with or without family and community support. The <sup>13</sup>places of violence are educational institutions/campus, offices and homes. 07 survivors “willingly” withdrew the case/FIR in spite of reported cooperation of the police, parents and public departments including the office of the ombudsperson. This means what? The State and society have failed to offer justice and security to those women and families who do not possess any abusive power? Does this mean that power of determination is overcome by the power of pedigree, privileges and politics? Females of any age group are safe nowhere. These stories in spite of being deficient in many details do disclose something about the men who acted as perpetrators. They have neither self-respect nor any respect for womenfolk. They are sexually frustrated and mentally sick. Ironically some case studies (including those not incorporated in the report) illustrated that alleged rapist was not mentally stable. Does this mean that when a man is not mentally stable he is sanctioned to commit rape or physical assault? Does this also mean that when a minor girl is kidnapped, raped and murdered, the society (and police is also a microcosm of the society) would be more bothered about the moral standing and modesty of the clothes of the abused? This argument of “asking for a rape by inviting attention” is baseless and if at all one finds audacity to support it with twisted interpretations of faith and moral principles one can only ask in a shocked state that how seductive and debauched an under 5 girl child could be? These stories also inform about the careful silence

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<sup>12</sup> In 2002, WHO estimated that globally at least 150 million girls and 73 million boys under 18 years had experienced forced sexual intercourse or other forms of sexual violence involving physical contact. Statistics show that females are much more likely than males to develop PTSD as a result of experiencing child abuse. The highest rates of sexual abuse are found among children who have reached puberty or adolescence and in most places, boys are the victims of beatings and physical punishment more often than girls, while girls are at higher risk of infanticide, sexual abuse, and forced prostitution, educational and nutritional neglect. Source: <https://dailytimes.com.pk/180989/understanding-child-abuse/> According to the NGO Sahil's 'Cruel Number Report 2019,' an average of 8 children was sexually abused each day in the year 2019 despite the fact that reporting of child abuse cases in 2019 was decreased by 26 % as compared to the year 2018. The findings of 'Cruel Numbers 2019' shows a total 2846 child abuse cases were reported from all four provinces including Islamabad Capital Territory (ICT), Azad Jammu and Gilgit-Baltistan (GB). The major crime categories of the reported cases are 778 abductions, 405 missing children, 348 sodomy cases, 279 rape cases, 210 attempted rapes, 205 gang sodomy cases, and 115 gang rape. A total of 104 cases of child marriages were recorded by Sahil in 2019. The gender divide shows that out of the total 2846 cases of child abuse, 54 per cent of victims were girls and 46 per cent were boys. A total 3722 abusers were identified in which 2222 were the acquaintances of the victims. Age-wise information shows that children are most vulnerable to abuse in the age group 6-15 years. The research shows that children as young as 0-5 years are also sexually abused. The data collected by the organization says that a total of 35 incest cases were reported out of which 30 were girls and 5 boys. Total of 70 cases have been identified of pornography cases and 104 cases of child marriages were recorded by Sahil in 2019. Out of the total number of 2846 cases, 64% (1816) were reported from rural areas and 36 % (1030) cases were reported from urban areas and 405 cases of missing children were reported during the last year. SOURCE: <https://pakistan.timesofnews.com/breaking-news/cruel-number-report-launched.html>

<sup>13</sup> Academia and educational institutions also popped up in some studies not included in the report. Some otherwise reputed Universities gained media attention in the last 2-3 years due to repeated episodes of harassing women students by the faculty and administrative staff. Media attention soon faded away due to existing power dynamics, elitist consensus and notion of contributory negligence. The impact of losses for the women students from humble backgrounds and remote areas has yet to be gauged in academic and activist research. What remains a bigger tragedy is the apathy and ceremonial sympathy of many of our legislators including women legislators. Consultant.

and calculated compromises, conveyed shamelessly by most of the relatives, friends and coworkers.

Pakistan has an anti-harassment law titled “The Protection against Harassment of Women at the Workplace Act 2010”, that functions in a weak system and does not robotically make harassment against women or other people an easy case to win. However, it reflects good judgment of the State and the sagacity of its civil society<sup>14</sup>. The allegation of sexual harassment at work places should command special introspection. Besides, sexual harassment what men, women and other genders confront more often at work places are asexual forms of harassment, enclosing biases of different origins and bullying of varying degrees. Bullying, which is much more grueling to ascertain when compared to sexual harassment at workplace is not chained by any law or ethics anywhere (to the best of my knowledge). 70-90 percent of women who are intimidated and sexually harassed at workplaces do not report it even in highly developed Western countries including the US. Thus, such mistreatments and manipulations are not restricted to any society, state, culture or industry. Their existence must be equated as the acceptance of social injustices and inadequacy of the organizational cultures. Subsequently, there is an integration of many such malpractices in day to day business. Contrary to popular wisdom, ageing and competent women also face nastier forms of bullying and bigotry at work places from other women, however, men are always in bigger numbers as offenders and accused around the world in nearly all forms of antagonism and aggression against women and girls.<sup>15</sup> These stories once again establish that patriarchy is not biological but ideological. These stories also hint at the ironic selective activism of the civil society and assessment of newsworthiness of the media. These soul crushing tragic tales perhaps require a grand writer to make the reader actually feel the pain and trauma of the survivors and loved ones of the victims. This report can only relatively dispassionately put their stories in a rational style so that demand for effective mechanisms to address this complex spectrum of violence could be raised (yet again) and conscience of all those who can make or who should be able to make a difference may be jolted.

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<sup>14</sup> <https://dailytimes.com.pk/129007/sexual-harassment-workplaces/>

<sup>15</sup> <https://dailytimes.com.pk/219121/harassment-and-bullying-after-metoo/>

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*"Institutional mechanisms for the advancement of women" is one of the twelve critical areas in the Beijing Platform for Action. The Beijing Platform for Action adds a new and additional focus to the role of national machineries in promoting the status of women: the mandate to support mainstreaming gender in all government policies and programmes. The document identifies the mainstreaming of gender issues as the central responsibility of national machineries when it states that: "A national machinery for the advancement of women is the central policy coordinating unit inside government. Its main task is to support government-wide mainstreaming of a gender-equality perspective in all policy areas." (paragraph 201)*

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## Chapter 4: Institutional Mechanisms & Legislation for Women on Elimination of VAWG

This chapter is divided into three sections:

- a) Background and Overview of Institutional Mechanisms & Legislation
- b) Interviews of the Influencers with Mandate
- c) Impressions, Concerns and Queries

### a) Background and Overview of Institutional Mechanisms & Legislation

The Constitution of Pakistan promises all citizens equality before the law and declares that women shall have the ability to participate fully in the civic, political, and economic life of the nation. Article 25 Subsection (2) specifically claims that “[t]here shall be no discrimination on the basis of sex” and Article 34 ensures the “full participation of women in all spheres of national life.” To achieve these lofty ideals, Pakistan has enacted pro-women legislation and created institutional mechanisms to promote and enforce women’s rights such as commissions focused on gender and ombudspersons to address VAWG. In addition to its national obligations, Pakistan is part of several international agreements that reinforce women’s rights and underscore the importance of these institutional mechanisms.

Pakistan is a signatory to the Beijing Platform for Action and Beijing Declaration which were signed at the Fourth World Conference on Women, held in Beijing, China, in 1995. The then Prime Minister of Pakistan, Mohtarma Benazir Bhutto represented Pakistan at the conference along with a government delegation and a delegation of the civil society representatives. One of the twelve critical areas in the Beijing Platform for Action (BPfA) is "Institutional mechanisms for the advancement of women." The BPfA focuses on the role of national machineries in promoting the status of women: the mandate to support mainstreaming gender in all government policies and programmes. The document identifies the mainstreaming of gender issues as the central responsibility of national machineries when it states that: "A national machinery for the advancement of women is the central policy coordinating unit inside government. Its main task is to support government-wide mainstreaming of a gender-equality perspective in all policy areas."<sup>16</sup> (paragraph 201).

In 1996, Pakistan ratified the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) and seven other international human rights treaties (and two optional protocols), which are legally binding on countries once ratified. The most relevant treaty for the purposes of this report, CEDAW, underscores the significance of institutional mechanisms for the delivery of women’s rights and the development agenda in conjunction with compliance with its other substantive articles. CEDAW Article 2 (Policy Measures) articulates that: “States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake: (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet

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<sup>16</sup> Paragraph 201, Beijing Platform for Action.

incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle”.

Article 4(1) of the CEDAW further states: “Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.”

Locally, the women’s rights movement, rights-based organizations and committed activists working for women, as well as women active in political parties have advocated and struggled for almost three decades for the establishment of institutional mechanisms for women which have a mandate to influence the process of change in women’s lives. Simultaneously, following international commitments (BPfA and CEDAW), successive governments in Pakistan have undertaken policy and affirmative measures to actually bring about a transformative change in the status and situation of women. In 1998, the GoP succeeded at the federal level to develop and introduce the ‘National Plan of Action.’ The plan addressed the BPfA’s 12 Critical Areas of Concern, adding another Critical Area of Concern for the ‘Girl Child’ and proposed that measures be taken with regard to prevention of sexual harassment at the workplace and domestic violence.

In 2000, these collective efforts bore more fruit and the “National Commission on the Status of Women (NCSW)” was formed at the federal level through the Presidential Ordinance. It later came under an Act of the Parliament, in 2012, with its powers substantially enhanced. Also, in 2000, thousands of women were elected as councilors through local government elections in all four provinces. In 2002, the GoP reserved the 17 percent quota for women in all legislatures, including the Senate, under the Article 25(3) of the Constitution that allows “affirmative measures for women.” This resulted in increased representation of women in the legislatures as well as at the grassroots level bringing about a “silent revolution’ in Pakistan, where women have entered in masse into the public and political sphere.

The 18th Constitutional Amendment devolved several federal subjects and functions to the provinces, including women’s development, in 2010-11. This was an important development that resulted in increased legislative activity in the provinces by women legislators and their male supporters, civil society organizations and the relevant provincial ministries and departments. It changed the entire landscape vis-à-vis legislation on women’s rights issues and institutional mechanisms for women on issues of sexual harassment and domestic violence.

Provincial women’s commissions and ombudspersons for anti-sexual harassment offences were established during the last ten years in all provinces, and new positive legislation was undertaken by the provinces. The federal law ‘The Protection Against Harassment of Women at the Workplace Act, 2010’ had already existed.

The chart below presents the current status of federal and provincial women’s commissions and ombudspersons for anti-sexual harassment institutions.



## Status of Institutional Mechanisms for Women in Pakistan

### 1. At the Federal Level

Name	Status	Established since
<b>The National Commission on the Status of Women (NCSW)</b>	Position of Chairperson vacant since October 2019; positions of 12 Members filled, positions of Secretariat staff including Acting Secretary/Chief and Directors filled	2000 (under the XXVI Ordinance and later by the NCSW Act of 2012)
<b>Federal Ombudsperson for the Protection Against Harassment of Women at the Workplace (and as of 2020 decides cases related to inheritance of property by women as well)</b>	Active, current Ombudsperson is Kashmala Tariq	2010 (by the Protection Against Harassment of Women at the Workplace Act)

### 2. At the Provincial Level and in Administrative Territories

Name	Status	Established since
<b>Punjab Commission on the Status of Women (PCSW)</b>	Position of Chairperson vacant since May 2019; positions of all Members are vacant, position of Accounts Officer vacant, positions of Additional Secretary and Admin Officer filled	2014 (by the PCSW Act)
<b>Punjab Ombudsperson for the Protection Against Harassment of Women at the Workplace</b>	Active, current Ombudsperson is Rukhsana Gillani	2012 (by the Punjab Protection Against Harassment of Women at the Workplace [Amendment] Act)
<b>Sindh Commission on the Status of Women (SCSW)</b>	Active, current Chairperson is Nuzhat Shireen, position of 17 Members filled, 4 vacant, secretariat staff unknown	2015 (by the SCSW Act) (there was a delay in implementation starting 2017)
<b>Sindh Ombudsperson for the Protection Against Harassment of Women at the Workplace</b>	Active, current Ombudsperson is Justice (Retd.) Shahnawaz Tariq	2010 (by the Protection Against Harassment of Women at the Workplace Act) with the first Ombudsperson appointed in 2012
<b>Balochistan Commission on the Status of Women (BCSW)</b>	Not yet created (first meeting to select Chairperson was in July 2020)	2017 (established by the BCSW Act) but not yet operational
<b>Balochistan Ombudsperson for the Protection Against Harassment of Women at the Workplace</b>	Active, current Ombudsperson is Sabira Islam Asad	2016 (under the Balochistan Protection Against Harassment of Women at Work Place Act) with the first Ombudsperson appointed in 2019
<b>The Khyber Pakhtunkhwa Commission on the Status of Women (KPCSW)</b>	Active, current Chairperson is Riffat Sardar, positions of 14 Members filled, position of 1 Member vacant, secretariat staff unknown	2009 (under the North West Frontier Province Establishment of a Commission on the Status of Women Act) (and again in 2016 by the KPCSW Act)

<b>The Khyber Pakhtunkhwa Ombudsperson for the Protection Against Harassment of Women at the Workplace</b>	Active, current Ombudsperson is Rukhshanda Naz	2018 (under the Protection Against Harassment of Women at Workplace (Amendment) Act) with the first Ombudsperson appointed in 2019
<b>The Gilgit-Baltistan Ombudsperson for the Protection Against Harassment of Women at the Workplace</b>	Not yet appointed	2013 (by the Gilgit-Baltistan Protection Against Harassment of Women at the Workplace Act)

### 3. Important Legislation Focusing on the Elimination of VAWG

#### At the Federal Level

- 1) The Anti-Rape (Investigation and Trial) Ordinance, 2020
- 2) The Zainab Alert Recovery and Response Act, 2020
- 3) The Enforcement of Women's Property Rights Act, 2020
- 4) The Transgender Persons (Protection of Rights) Act, 2018
- 5) The Criminal Law (Amendment) (Offences in the name or pretext of Honour) Act, 2016
- 6) The Criminal Law (Amendment) (Offense of Rape) Act, 2016
- 7) The Prevention of Electronic Crimes Act, 2016
- 8) The NCSW Act of 2012
- 9) The Acid Control and Acid Crime Prevent Act, Criminal Law (Second Amendment) Act, 2011
- 10) The Prevention of Anti Women Practices – Criminal Law (Third Amendment) Act, 2011 [to deal with customary practices like forced marriages]
- 11) The Protection Against Harassment of Women at the Workplace Act, 2010 & the related Criminal Law Amendment Act, 2010
- 12) The Protection for Women (Criminal Law Amendment) Act, 2006 [to change the Hudood Ordinances]
- 13) The Child Marriage Restraint Act, 1929

#### At the Provincial Level and in Administrative Territories

##### **Punjab Provincial Assembly**

- 1) The Punjab Women Protection Authority Act, 2017
- 2) The Punjab Protection of Women Against Violence Act, 2016
- 3) The Punjab Marriage Restraint (Amendment) Act, 2015
- 4) The Punjab Partition of Immovable Property (Amendment) Act, 2015
- 5) The Punjab Land Revenue (Amendment) Act 2015
- 6) The Punjab Protection against Harassment of Women at the Workplace (Amendment) Act, 2012

##### **Sindh Provincial Assembly**

- 1) The SCSW Act, 2015
- 2) The Domestic Violence (Prevention and Protection) Act, 2013
- 3) The Sindh Child Marriages Restraint Act, 2013

- 4) The Sindh Child Protection Authority Act, 2011

#### **Khyber Pakhtunkhwa Provincial Assembly**

- 1) The Domestic Violence against Women (Prevention and Protection) Act, 2021
- 2) The Khyber Pakhtunkhwa Enforcement of Women's Property Rights Act, 2019
- 3) The Khyber Pakhtunkhwa Harassment of Women at Workplace (Amendment) Act, 2017
- 4) The KPCSW Act, 2017
- 5) The Khyber Pakhtunkhwa Elimination of Custom of Ghag Act, 2013

#### **Balochistan Provincial Assembly**

- 1) The BCSW Act, 2017
- 2) The Balochistan Child Protection Act, 2016
- 3) The Balochistan Protection Against Harassment of Women at Workplace Act, 2016 4) The Balochistan Domestic Violence (Prevention and protection) Act, 2014

#### **Gilgit-Baltistan Assembly**

- 1) The Gilgit-Baltistan Child Protection Response Act, 2017
- 2) The Gilgit-Baltistan Prohibition of Corporal Punishment Against Children Act, 2015
- 3) The Gilgit-Baltistan Child Marriages Restraint Act, 2015
- 4) The Gilgit-Baltistan Protection Against Harassment of Women at the Workplace Act, 2013

### **b) Interviews of the Influencers with Mandate**

This section includes interviews of six key officials. The AF contacted PCSW, KPCSW, BCSW, SCSW and ombudspersons against harassment in Balochistan, KP, Punjab and Sindh for the interviews. Response was received from the following officials:

- i. Mr. Imran Javed Qureshi, Senior Legal Executive, PCSW
- ii. Ms. Nuzhat Shireen, Chairperson, SCSW
- iii. Ms. Sabira Islam, Ombudsperson Harassment Workplace, Balochistan
- iv. Ms. Rukshanada Naz, Ombudsperson Harassment at Workplace, KP
- v. Ms. Rukhsana Gillani, Ombudsperson Harassment at Workplace, Punjab
- vi. Justice (Retd.) Shahnawaz Tariq, Ombudsman Harassment at Workplace, Sindh

Their interviews are reproduced below with minor editing for the purpose of clarity only.

Note that the report does not contest the merit of any information received from the honourable offices. The report regards all references and recommendations as important pieces of knowledge and learning that could and should assist the ministries to which these offices are affiliates and all concerned stakeholders involved and engaged with these offices to deeply analyze the institutional voids and oversight mechanisms.

**Punjab Commission on the Status of Women**

Mr. Imran Javed Qureshi

Senior Legal Executive

**Q.** *What are the specific responsibilities of your position in addressing the issues of gender based violence & VAWG? What constraints did you face while performing the designated functions?*

**Ans.** The PCSW is a special institution of the Government, enacted through [the] PCSW Act 2014. PCSW has the mandate to review and examine all the laws, rules, regulations, policies, and programs to eliminate any kind of discrimination that persists. The PCSW may call and inquire about any complaints related to women issues. The PCSW is running a 24/7 Helpline 1043 for the guidance and redressal of women's issues. I, the Head of Helpline 1043, am responsible for managing all the operation and legal matter of the Helpline including conducting training sessions of the Helpline staff, disseminating new laws and policies with the staff as well as to the community people, redressing the women caller's issues through phone calls, guiding the procedure to avail remedy, conducting follow-up with the concerned government authority for help and support of women victims and conducting awareness sessions regarding pro-women laws in colleges, universities and liaison institutions.

**Q.** *What are three key obstacles and disappointments including the gaps in the institutional capacity that are faced by the aggrieved party in accessing justice?*

**Ans.** Women do not know about their rights. And where they do know about their rights, they do not know the procedure to avail their rights. Women who approach our department request urgent redressal without going to any other concerned government authority. As per legal requirement, we are duty bound to refer the matter of victim women towards the concerned government authority. Our major challenge is that the response of the government authority is late, which need to be quick and efficient.

**Q.** *Kindly provide candid reflections on the following;*

- Culture of out of court settlement,
- Institutional gaps,
- Politicization of the case of women empowerment and gender equality.

**Ans.** As per the legal mandate of the PCSW Act 9(2), we have only a mandate to guide and propose recommendations to the concerned authority for the redressal of women's issues. Generally, women are a vulnerable segment of the society and wish to compromise with the family rather than to contest a long case. In our PCSW Helpline women, family members or political representative rarely approach us, because we are a referral body.

**Q.** *Do you think that our concerned policy makers have demonstrated the required sensitivity to combat gender based violence particularly during COVID-19 including lockdown situation with concrete recommendations of zero tolerance for it at all levels?*

**Ans.** The government of Punjab and concerned policy makers are doing their level best to combat gender based violence especially during the Covid-19 period, but it is a difficult subject. Family culture and illiteracy cause it. Unfortunately, in urban areas, gender based violence persists but with a different kind of mental agony etc. The government is taking

rational steps for awareness of the society through institutional development to which WDD and PCSW is performing their best role under the law.

**Q.** (a) What are the three key achievement that your office (even before your appointment) has achieved? (b) What could be your two key policy recommendations for addressing the multi-dimensional and multi-layered challenge of VAWG and SGBV?

**Ans.** (a) The main achievement of our PCSW is to run the Punjab Women’s helpline 1043, 24/7 Helpline for women across Punjab. PCSW has successfully published three Gender Parity Reports for policy makers. PCSW has prepared a Training Manual on Muslim Family Laws and has conducted Trainings for the Nikkah Registrars of Punjab.

(b) The Punjab Protection of Violence against Women Act 2016 is a comprehensive law to redress VAWG, SGBV cases, under one roof with all legal facilities and rehabilitation. Unfortunately, it is only operational in the District of Multan and there is dire need to implement and replicate it in the other 35 Districts of Punjab.

Sindh Commission on the Status of Women	
Ms. Nuzhat Shireen <sup>17</sup>	Chairperson

**Q.** What are the specific responsibilities of your position in addressing the issues of gender based violence & VAWG? What constraints did you face while performing the designated functions?

**Ans.** The SCSW is tasked with acting as a bridge between the civil society and government. My main responsibilities include sharing a gender perspective on women-related issues, creating WhatsApp groups to connect the police and civil society members, and presenting reports in court identifying the gaps in GBV cases.

**Q.** What are three key obstacles and disappointments including the gaps in the institutional capacity that are faced by the aggrieved party in accessing justice?

**Ans.** The main challenges I have faced include lack of a proper staff or an appropriate budget, lack of awareness about SCSW’s role, the fact that some judges and SHOs are not sensitized to gender issues and pro-women laws, and aggrieved parties facing issues to file FIRs and proceed with cases. She has several goals and tasks at the moment including:

1. Building a system of experts to provide support to women.
2. Reducing pressure from a survivor’s family that increases the culture of out of court settlement.
3. Promoting the mandatory induction of women in police.
4. Raising awareness on SCSW’s functions.
5. Providing training to all judges in the judicial academy and legal aid society.
6. Identifying gaps in the 27 GBV courts in existence including vis-à-vis training of IOs.

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<sup>17</sup> Since November 2017, Nuzhat Shireen has been the chairperson of the Sindh Commission on the Status of Women (SCSW). On January 2021, her tenure was renewed for three more years.

7. Connecting judges and IOs with the Lawyers Bar Association.
8. Preparing a free legal aid directory for Karachi, Sukkur & Hyderabad.
9. Forming 12 Committees for public private partnerships to share best practices in the area.

**Q.** Do you think that our concerned policy makers have demonstrated the required sensitivity to combat gender based violence particularly during COVID-19 including lockdown situation with concrete recommendations of zero tolerance for it at all levels?

**Ans.** With the onset of COVID-19, SCSW has undertaken many actions. Members have actively gathered on WhatsApp groups, receiving, responding, and addressing complaints on the phone about violence or lack of food. SCSW ensured that the police and safe houses respond in five minutes to complaints. We have distributed kits at shelter home to assist women and made isolation wards for women suffering from COVID-19 following SOPs. We have created a new shelter home to protect women. When women in factories were laid off, they approached the chief minister and chief secretary to take action. We have introduced the gender provincial policy to help governments face emergency situations in a gender responsive manner and have presented this policy to the chief minister for notification. The policy covers general lack in gender equality and gender budgeting and declares that all scattered women/girls' institutions should be placed under one umbrella.

<b>Balochistan Provincial Ombudsperson for the Protection of Women Against Harassment at the Workplace</b>	
Ms. Sabira Islam	<b>Ombudsperson</b>

**Q.** What are the specific responsibilities of your position in addressing the issues of gender based violence & harassment & VAWG in the workplace? What constraints do you face while performing your designated functions?

**Ans.** The specific responsibilities of the position/office of the Ombudsman, Balochistan Protection against Harassment of Women at Workplace (BPAHWW) are:

- i. Registration of the complaints about harassment at workplace. This can be done just on a plain paper by the complainants;
- ii. Issuance of a show cause notice to the accused directing him or her to submit a reply within seven (07) days on the complaint;
- iii. Conducting a hearing of both (complainants and accused) in person, directing them to provide evidence under civil court procedure;
- iv. Deciding the cases i.e., issuing an order/judgment on the basis of facts/evidence and sentencing the accused to major or minor penalties;
- v. Ensuring self-respect/dignity of the women at their respective workplaces; and
- vi. Creating much needed awareness among women about various kinds of harassment.

**Q.** What are three key obstacles that are faced by the aggrieved party in accessing justice?

**Ans.**

- i. Resistance from the society: the society is mostly conservative and tribal.

- ii. Fabrication of the facts as well as predatory behaviours of male counterparts of the aggrieved women.
- iii. Lack of necessary awareness about the laws even the Protection against Harassment of Women at Workplace Act.
- iv. Lack of confidence among working women that makes them vulnerable to various kinds of harassment at the hands of male colleagues/teachers (If the harassed/aggrieved are students).

**Q.** *How do you reflect on the culture of out of court settlement?*

**Ans.** It is our utmost endeavour to provide justice to the victim/complainant as there is a zero tolerance on the issue of harassment of women at workplace. However, in some cases, it happens, that an out of court settlement is made between the two parties (victim and accused). Here, the accused tenders an unconditional apology to the victim, who withdraws her complaint.

**Q.** *What are the three key achievements that your office (even before your appointment) has achieved?*

**Ans.** I had started from zero after my appointment as the first woman Ombudsman in April 2019 after the promulgation of the relevant Act in 2016. I slowly got the place for office and established it at its feet for the last one and half year setting off work.

I created awareness to a great extent among the working women at the workplaces (government/private organizations' offices and educational institutions) and among girl students in schools against harassment through awareness raising sessions and lectures.

I registered and attended to 25 complaints by women regarding harassment at workplaces. I have decided 18 cases so far and 7 are still pending. Most of the complaints were lodged from the Health and Education sectors.

**Q.** *What could be your two key policy recommendations for addressing the multi-dimensional and multi-layered challenge of harassment at the workplace and other forms of violence that prevail at the workplaces? Would you like to share any observation and/or suggestion in the specific context of the COVID-19 pandemic?*

**Ans.** I think raising awareness on harassment among women particularly girls are particularly important. We have to make them realize that they are not at fault when they are harassed by the men at workplace. The subject should also be included in the academic syllabus.

In the COVID situation, the women belonging to the poor segment of the society and marginalized groups as well as those working in the private sector (NGOs) faced issues of harassment. More incidents of domestic violence were also reported.

There is a need to give confidence to the women against their harassment at workplace by their male counterparts.

**KP Provincial Ombudsperson for the Protection of Women Against Harassment at the Workplace<sup>18</sup>**

Ms. Rukhshanda Naz

Ombudsperson

**Q.** *What are the specific responsibilities of your position in addressing issues of gender-based violence and harassment and VAWG at the workplace? What constraints do you face while performing the designated functions?*

**Ans.** The ombudsperson has several responsibilities:

- In 2010, the Protection Against Harassment of Women at the Workplace Act passed. The ombudsperson's office was created to hear cases of workplace harassment under this Act. Section 509 of an amendment to the act extended its jurisdiction to cover character harassment in public places and anything that creates an environment of the sort. In 2019, KP and Federal Government legislation, the Women Property Rights Act, further expanded jurisdiction to cover women property rights issues.
- The ombudsperson decides cases but has no *suo moto* power. Still, as compared to other ombudspersons, the ombudsperson for harassment at the workplace has more power equivalent to that of a High Court judge. For example, if the ombudsperson summons a person and he or she does not appear, the ombudsperson can apply contempt of court.
- Another responsibility of the ombudsperson is to ensure standing inquiry committees are present in all institutions whether governmental or non-governmental. KP is ahead in this and just this month, we have given many fines of Rs.1 lakh and; at the government level, we have 100% achieved the target.
- The ombudsperson also has a program to train the standing inquiry committees.
- In terms of legal function, the ombudsperson is the same as any other ombudsperson so she can summon parties, visit institutions, access the records, produce witnesses etc. Ombudspersons also have a role of investigation beyond the complaint and defense and can send a commission to investigate the case further.

There are also a number of constraints:

- Since the past 20 months, there has been no registrar and I stay up late to record judgments.
- The ombudsperson's office is both under-resourced financially and in terms of human resources.
- In terms of legal issues, further amendment is needed to create regional offices in KP. There, people who have property issues face difficulty traveling from far flung areas like Upper Dir and the ombudsperson has to send reminders to multiple DCs repeatedly. In fact, I have held the salary of a DC because he has not responded to us for one year. □ The institutions which are mandated with legal implementation also limit us. **Q.** *What the key obstacles does the aggrieved party face in accessing justice?*

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<sup>18</sup> In addition to the interview, the ombudsperson emailed and consistently referred to a detailed note as well.



**Ans.** There are three major obstacles faced by us, which are:

- (1) Either there should be a new law on domestic workers or universities should understand that domestic workers come within our jurisdiction.
- (2) Women become influenced and withdraw their cases. I ask them to trust the process but there is only so much I can do. They should stay with their cases and not give in to pressure from others.
- (3) Women sometimes bring administrative cases to us and other non-relevant cases and we refer them elsewhere, but it looks bad because it is as if there are no genuine cases of harassment. Women should not bring administrative cases here. We often refer them to other places. We have created an institutional referral committee to help activate these other institutions we refer people to and ensure access to justice. For example, for cybercrimes, women should go to the cyber-crime unit.

**Q.** *What are your reflections on the culture of out of court settlement?*

**Ans.** I am firmly against out of court settlements. These cases often involve the opposing party talking women into dropping their legitimate cases.

For example, I had a case where a brother brought his sister to file a complaint. Under the law, within three days we have to send this to the DC and in 15 days to resolve it. But the next day, the brother came without his sister to withdraw the case. I told him he could not do this, that only the complainant could withdraw her case and to bring in his sister with her CNIC to withdraw it. When his sister came in, she said she did not want to withdraw.

I had another case of a nurse who worked at a kidney center and faced harassment. The clerk came with a letter that said the complainant has agreed to reconcile. I told him he could not drop the case, that the individual has to appear and that he had 7 days to file his defense. The opposing party has to give a response.

But, of course, we can never continue the case against the wishes of the complainant.

**Q.** *What are three key achievements of your office (even before your appointment)?*

**Ans.**

- (1) There was no ombudsperson office when the law passed in 2010. The office was created in 2019.
- (2) The office started with one person and now there is a women facilitation desk, inquiry committees, and an entire setup even though there is continued struggle with lack of staff.
- (3) The jurisdiction of the ombudsperson has expanded to cover general harassment and property.

**Q.** *What could be your two key policy recommendations for addressing the multi-dimensional and multi-layered challenges of harassment at workplace and other forms of violence that prevail at workplaces? Would you like to share any observations and/or suggestions in the specific context of the COVID-19 pandemic?*

**Ans.** My two policy recommendations are:

1. The law should be amended to clarify that the ombudsperson has jurisdiction over domestic workers.
2. The definition of harassment should be divided into two. Harassment and sexual harassment should be separate.

Responding to COVID-19, we have been doing online hearings. Just yesterday, we had a successful hearing in which the litigant was in Manshera and the lawyer in Islamabad and we facilitated the discussion like a proper court.

However, the state machinery and service delivery institutions have largely failed and are weak. For example, in the first two weeks of the lockdown, I had nine cases of women who could not register a First Information Report (FIR) because of COVID. There needs to be a strategic plan for resource allocation in times of crises. A gender audit should be done including related to finance and human resources.

In COVID, domestic violence and cyber harassment at the workplace have also increased. People sitting at home only need a phone to invade someone's privacy and get individual numbers through official WhatsApp groups. I have also heard complaints from the education department where male teachers are responsible for increased domestic violence and I think what are they teaching their children?

Employers also often do not follow SOPs and force women to work even though they are pregnant, lactating and over 50. We have received many such complaints.

<b>Punjab Provincial Ombudsperson for the Protection of Women Against Harassment at the Workplace</b>	
Ms. Rukhsana Gillani	<b>Ombudsperson</b>

**Q.** *What are the specific responsibilities of your position in addressing the issues of Gender Violence & Harassment & VAWG at workplaces? What constraints you face while performing the designated functions?*

**Ans.** The Protection Against Harassment of Women at the Workplace Act, 2010” covers whole of the Punjab. Any employee (as per definition given in “The Protection Against Harassment of Women at the Workplace Act, 2010”), of organizations (as defined in “The Protection Against Harassment of Women at the Workplace Act, 2010”), can file her/his complaint of harassment at the workplace (as defined in the said Act).

Since its establishment in 2013, this office has been taking up cases of those harassed at their workplace. The complainants include class IV employees to senior officers of both public and private organizations. This shows that establishment of this quasi-judicial forum was inevitable for redressal of grievances of women who suffer non-conducive/intimidating environment at their workplaces/ offices.

Office of Ombudsperson takes up cases of harassment keeping in view its comprehensive definition in “The Protection against Harassment of Women at the Workplace Act, 2010.” Women who bring their complaints in person or post their complaints, are heard at the

preliminary stage by members/ officers of the core team as well as by the Ombudsperson to see whether their complaints are covered under “The Protection Against Harassment of Women at the Workplace Act, 2010.” Once the complaint is admitted, the case is heard at length, both parties (complainant & accused) as well as their witnesses/ evidence are examined, and decision announced.

The Ombudsperson, Punjab has the jurisdiction to deal with the cases of all organizations, i.e. Provincial Government Ministry, Division or department, a corporation or any autonomous or semiautonomous body, Educational Institutes, Medical facilities established or controlled by the Provincial Government or District Government or registered civil society associations or privately managed, a commercial or an industrial establishment or institution, a company, any other registered private sector organization or institution, situated in whole of the Punjab.

The Ombudsperson may appoint such staff as may be required to achieve the purposes of this Act. Ombudsperson to enquire into complaint.

Ombudsperson shall within three days of receiving a complaint issue a written show cause notice to the accused.

Ombudsperson may proceed ex-parte. Ombudspersons conduct an inquiry into the matter according to the rules made under this Act and conduct proceedings as the Ombudsperson deems proper.

Our office follow[s] the law, The Protection Against Harassment of Women at the Workplace Act 2010, if we try to go outside the legislation, we face problems. In the cases of domestic violence, harassment at public places like in markets, in parks on the road etc. and some other kind of VAW, our office just guide[s] the victim and refer her to the concerned platform.

**Q.** *What are three key obstacles that are faced by the aggrieved party in accessing justice?*

**Ans.** The key obstacles we face are as under we cannot deal public place harassment cases under this particular law, and the cases of domestic violence.

We have no power of taking *suo moto* action, if we come to know and hear about any news of workplace harassment through any source like media etc., we cannot take action against the offender until the victim file complaint in the office of Ombudsperson.

During COVID-19 pandemic, ombudsperson office received virtual complaints and took up cases to proceed them online, but it was not successful experience due to lack of internet excess in far-off districts, and sometimes staff and people do not have knowledge of IT technology in various far-flung areas.

Sometimes, the accused persons submit fake documents to show compromises between him and the survivor.

**Q.** *What are the three obstacles faced by victims/complainants?*

**Ans.** i) Social attitudes and pressurizing tactics discourage the complainant to access us; ii) Poor societal attitude towards women economic empowerment iii) Provision of equal and

safe workplace to women iv) Dissatisfactory Institutional mechanism and individual attitudes of the officials can also create obstacles.

**Q.** *How do you reflect on the culture of out of court settlement?*

**Ans.** Only 20% women complainants agree to withdraw their applications and stop proceedings against the offender, or they are reluctant to go to formal proceedings or agree for out of court settlements and go to settle the matters in an informal way due to the patriarchal pressures, while 80 % applicants fully pursue their case even facing pressure from various sides.

**Q.** *What are the three key achievements that your office (even before your appointment) has achieved?*

**Ans.**

- a. Information dissemination through campaigns in 18 districts of province since the establishment of this office. More than 550 complaints have received and solved during the period of 2014 to 2020, in 70% cases culprits got penalties. More than five to six thousand women approach this office in other cases of their rights violation at public level or domestic violence our office facilitated them.
- b. Establishment of inquiry committees under this law in all over Punjab.
- c. Starting training session at law at Ombudsperson office and government departments.
- d. Holding and attending lectures, meetings, seminars and conferences at provincial and country level and for the appraisal of legislation on Sexual harassment at workplace Act and recommendations for further reforms made.
- e. Coordination and collaboration with NGOs and media
- f. Developing and disseminating IEC material with special slogans for example "FREE AND FORI INSAF"
- g. Handling online harassment case.<sup>19</sup>

**Q.** *What could be your two key policy recommendations for addressing the multi-dimensional and multi-layered challenge of harassment at the workplace and other forms of violence that prevail at workplaces? Would like to share any observation and or suggestion in the specific context of the pandemic COVID 19?*

**Ans.**

- I. Ombudsperson office should give the legal powers of *suo moto* actions in the cases such as highlighted in media, but victims do not approach the ombudsperson office, II. By legal review of this particular law and rules penal powers need to enhance.
- III. Review this Act, and the powers of ombudsperson should enhance to produce the accused for inquiry.
- IV. Women's property rights Act 2020 passed in center and KP to secure the women's right of inheritance and women victims being facilitate by this law in ombudsperson

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<sup>19</sup> The Ombudsperson provided a copy of the case decision.

offices in Islamabad and KP, so this law should be pass in Punjab province so we would be able to facilitates the complainants in such kind of cases.

- V. Ombudsperson offices should establish at divisional and district level in Punjab in this way the women complainant timely and safely seek justice at their working areas,
- VI. For the phycological support and deal with the traumatized complainants, seats should be sanctioned and appoint phycologists in the office of ombudsperson Punjab.
- VII. For cases investigation government should facilitate this office to retrieve and recover data for evidence of cases.
- VIII. Free legal aid to the deserving applicants as they demand in many cases.
- IX. FIA should linkup with ombudsperson office to search and identification of such harassers who do commit harassment with the main offender but not exactly work at that same work place or department or institutions (a case of this nature was shared with interviewer)
- X. NADRA should linkup with ombudsperson office
- XI. A summary of setting up sub offices in south Punjab has sent to Chief Minister with the approval of CM secretariat this summary is now at Inspection and Coordination (I&C) department Punjab for their approval it should be finalize on early basis.
- XII. Allocation of budget for establishment of emergency helpline for sexual harassment complaints in province.
- XIII. To avoid the raise in cases of VAW during pandemic of COVID awareness campaign need to start.
- XIV. Mindset change program will make workplace safe.

<b>Sindh Provincial Ombudsperson for the Protection of Women Against Harassment at the Workplace</b>	
Justice (Retd.) Shahnawaz Tariq	<b>Ombudsperson</b>

**Q.** *What are the specific responsibilities of your position in addressing issues of Gender Violence & Harassment & VAWG at Workplace? What constraints you face while performing the designated functions?*

**Ans.** Regards responsibilities in addressing issues of gender violence & harassment & VAWG, the only responsibility that rests with this office is to deal with the cases of Sexual Harassment of Women at the Workplace. In discharging this responsibility, the following points are kept into consideration:

- a. To establish whether the case filed is well within the definition of sexual harassment as given in the Act, 2010. In that scenario the case is admitted, and a Show Cause Notice is issued to the accused.
- b. The case is investigated into as per procedure laid down in the Act, 2010.
- c. The accused is penalized if found guilty of the charges levelled against him/her as per Section-4 of the Act, 2010.

d. The Act, 2010 makes no provision for proceeding against the accused ex-employee and vice-versa complainant ex-employee also cannot file a complaint under the aforementioned Act.

**Q.** *What the key obstacles that are faced by the aggrieved party in accessing justice?*

**Ans.** The major obstacles faced are as under:

- Collection of evidence on the part of the complainant/aggrieved.
- Witness(s) is/are reluctant to come and record their statement.
- Fear of adverse action like removal from service or any other kind of threat. **Q.** *How do you reflect on the culture of out of court settlement?*

**Ans.** There seems to be no harm if settlement is made voluntarily by the complainant/aggrieved party without any coercion or undue influence either from the side of the accused or the employer whatever the case may be.

**Q.** *What the three key achievements that your office (even before your appointment) has achieved?*

**Ans.** Key achievement are narrated below:

- Established a proper office to house the officers and staff and establishment of regional offices likewise in Hyderabad, Mirpurkhas, Sukkur, Larkana while establishment at other places are in the pipe-line.
- Act and Rules have been drafted and forwarded to the quarters concerned for further processing.
- Pro-bono legal assistance is provided to complainant (in case makes such a request or is unable to represent herself through a counsel).
- Provides justice at the doorstep of the complainants hailing from other Divisions/Districts.

**Q.** *What could be your two key policy recommendations for addressing the multi-dimensional and multi-layered challenge of harassment at workplace and other forms of violence that prevail at workplaces? Would like to share any observation and or suggestion in the specific context of the pandemic COVID-19?*

**Ans.**

- The employer be restrained/restricted to take adverse action against the complainant(s)/Witness(s) which could be removal from service or creating hostile environment for the complainant.
- During the pandemic though some cases of sexual harassment have been received, nevertheless, it has been observed that the parties (complainant(s) and accused) are hesitant to make their physical presence to proceed into the case(s) and requests for adjournment.
- This office, however, is strictly following the SOPs during hearing of the cases and does not allow anybody to attend the hearing without mask(s) and maintaining social distancing.

### **C). Impressions, Concerns and Queries**

As the information above indicates, Pakistan has one federal and four provincial commissions on the status of women – in Punjab, Sindh, Balochistan and Khyber Pakhtunkhwa (KP). The national commission was established in 2000 through an Ordinance and later formalized by a 2012 statute, the NCSW Act. The KP Assembly set up the oldest provincial commission in 2009, intended to take effect in 2010 following the Eighteenth Amendment to the Constitution of Pakistan (that devolved more power and independence to the provincial governments). Several provinces later passed laws to establish their own commissions with the most recent one passed in Balochistan in 2016. One province that has yet to create a commission is Gilgit Baltistan.

Unfortunately, even the laws passed face several obstacles to implementation though. The commission in Punjab has no members appointed and no chairperson. The national commission too has no chairperson. No members of the Balochistan commission have ever been appointed. Only the Sindh commission is currently fully functioning and even it has four vacant seats.

The other institutional mechanism in place are ombudspersons. In accordance with the federal Protection Against Harassment of Women at the Workplace Act of 2010, there is a federal Ombudsperson for the Protection Against Harassment of Women at the Workplace. The ombudsperson's jurisdiction, as of 2020, extends to cover women's property rights disputes. There are also four provincial ombudspersons in Punjab, Sindh, Balochistan and KP. Several provinces have amended the federal act to meet local needs and contexts, namely Punjab, Balochistan and Sindh. Each of these provinces also has a Provincial Implementation Watch Committee, facilitating and monitoring compliance in their respective provinces. While the Gilgit Baltistan Assembly, though, passed an act in 2013 to create an ombudsperson, the government has her failed to implement the law and has not yet appointed one.

Interviews with key officials within these institutional mechanisms reveal some of the hurdles women face accessing justice and some possible ways to address these as well as the roles commissions and ombudspersons can and do play.

As concerns commissions, representatives of the PCSW and SCSW respectively described the primary function of their respective commissions as referral and acting as a bridge between the government and civil society. From PCSW, Mr. Qureshi noted two key hurdles women survivors of VAWG face in accessing justice. The first is that women lack awareness of their rights and the mechanisms for redressal of these rights. Underlying this is a conservative culture and illiteracy. The second is that because of limited government capacity, response by the relevant government officials may be late and insufficient. The representative of the SCSW, Ms. Shireen, in turn, is actively trying to address some of these hurdles by seeking to raise awareness among women and pushing the government to adopt a more gender sensitive, gender responsive approach.

Moving to Ombudspersons, these institutional actors play a significant quasi-judicial role in Pakistan. In cases of workplace harassment, women may bring their complaint directly to the ombudsperson to resolve and the ombudsperson has the same powers as a court to come to a final decision and to order its enforcement. Unlike courts, ombudspersons typically provide

speedy justice within a fixed timeframe set by the relevant act. All ombudspersons highlighted the same general obstacles victims of harassment face, particularly pressure from the opposing party, society, colleagues, family members and others to drop their cases. Lacking confidence and succumbing to this pressure, many women fail to pursue their cases and pardon the perpetrators. According to several ombudspersons, the primary way to address these is to raise awareness and provide support to women who have faced harassment, giving them confidence to stand up to their harassers. Another option presented by one ombudsperson is to give *suo moto* powers to the ombudsperson. Some ombudspersons, like Ms. Naz of KP add the problem of lack of capacity and resources, limiting the ombudsperson's reach and the ability of people to reach ombudspersons, the police and others especially people residing in rural and distant parts of the country. Moreover, while others have had success with online hearings during COVID19, some, like Ms. Gillani in Punjab, have struggled given the lack of internet access in certain places and in the case of Ms. Tariq who went forward with SOP-compliant physical hearings, there was a reluctance on people's part to come in person during the pandemic. The limitations on women's mobility during COVID-19 then means that often the most marginalized fail to access justice.

Problems with the functioning of institutional mechanisms are not new. An earlier report submitted by Aurat Foundation and Legal Aid Society as a shadow report to the CEDAW Committee,<sup>20</sup> documented similar problems with national and provincial institutional mechanisms.

Reporting and monitoring on Article 2 of CEDAW, the report states: “National and provincial CSWs - Khyber Pakhtunkhwa (KP), Punjab and Sindh, and provincial implementing agencies (line ministries, Women’s Development and Social Welfare Departments) face financial, administrative and human resource challenges. The Balochistan Commission is notified but not established.” It documents how in 2019, the Commissions’ functionality suffered from the delayed appointments of Chairs and/or members – KP in January (2020) to end-May (2020), Punjab end-May to today (with the summary removal of the Chairperson without due procedure), NCSW October (2020) to date.

Additionally, the commissions faced several coordination and administrative difficulties. Lack of SoPs for NCSW’s dealings with its administrative Ministry (Human Rights), other key Ministries, Divisions and the Women’s Parliamentary Caucus negatively affected the streamlining of contacts. The coordination mechanism established to harmonize interprovincial approaches suffered from resource shortages. NCSW staff approval and recruitment faced prolonged delays. Approved professional staff posts are still vacant. Service rules were approved but only after a seven-year delay. Business Rules are still awaited for the NCSW, PCSW and SCSW. Financial autonomy was undermined by underfunding and budget cuts, forcing the CSWs to survive with volunteers and donor funding. There was also a lack of conceptual clarity among implementers, outdated databases, missing or unclear policies and plans and poor management capacity, leading to the inadequate achievement of women’s advancement. All this also indicates low government priority for women’s issues and raises

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<sup>20</sup> <https://www.af.org.pk/Reports/Civil%20Society%20Alternative%20Report%20on%20CEDAW%20Pakistan%202020.pdf>



concerns that future Chairpersons and Members could be selected based on political affiliations instead of on merit and that the commissions will remain weak.

The Alternative Report on CEDAW gave the following recommendations:

1. A well-resourced and empowered Balochistan Commission.
2. Reinforcement and empowerment of Women's Commissions and implementing entities, with clarity of mandates, plus adequate and secure funding.
3. Timely appointment and capacity building of personnel, provision of clear rules of business, and operating protocols.
4. Awareness creation and engagement of all stakeholders with regular, systematic and well documented information sharing.
5. Reinforced planning and communication linkages between the Ministry of Human Rights, Parliamentary Caucuses, Commissions, Federal and Provincial Line Ministries, and Civil Society.

Meanwhile, there are several VAWG related legislation at both the federal and the provincial levels, but in many cases, these laws are inadequate and even praiseworthy elements are imperfectly implemented. Two key laws on VAWG are laws against child marriage and those against rape.

Child marriage is proscribed by the federal Child Marriage Restraint Act of 1923. This law is old, outdated and in defining a "child" for the purposes of the Act, distinguishes between girls and boys for no rational reason. Section 2(a) of the Act defines child if male as under eighteen years of age and if female, as under sixteen years. The punishment for contracting a child marriage remains only a month imprisonment or a PKR1,000 (US\$6) fine. Following international best practice, the Sindh Child Marriage Restraint Act of 2013 and the Gilgit Baltistan Child Marriage Restraint Act of 2015 modify the federal law to define a child in Section 2(a) as under eighteen years of age whether the child is male or female. Punishment, moreover, is at least two years in prison and a fine. An update of the federal law and adoption of similar laws in all other provinces is critical.

Moving on to rape, the definition and basic punishment of the offense comes from the Pakistan Penal Code (PPC). According to Section 375 of the PPC,

"A man is said to commit rape who has sexual intercourse with a woman under circumstances falling under any of the five following descriptions:

- i) against her will
- ii) without her consent
- iii) with her consent, when the consent has been obtained by putting her in fear of death or of hurt
- iv) with her consent, when the man knows that he is not married to her and that the consent is given because she believes that the man is another person to whom she is or believes herself to be married; or
- v) With or without her consent when she is under sixteen years of age."

Section 376 establishes the penalty of rape at a minimum of 25 years in person and permits imposition of the death penalty for the offense.

At the end of 2020, the President signed a new Anti-Rape Ordinance that makes several modifications to the rape law. In some ways, these modifications make the law more friendly to women, but in other ways, they pose certain human rights problems.<sup>21</sup> Some of the positives of the law include the establishment of special courts for rape to help speed rape trials and ensure that women can access justice, the establishment of anti-rape crisis cells, the creation of independent support advisors for survivors, the provision of legal assistance to facilitate and support survivors and their families to bring cases, ensuring victim and witness protection to encourage reporting, mandating the non-disclosure of the identity of victims and the prohibition of the two-finger virginity test in rape cases. Some general human rights concerns with the ordinance deal with basic protections of the defendants' rights including the punishment of chemical castration for repeat offenders and the creation of a sex offender register. Ultimately though, the value of the Ordinance will depend on how and whether it is implemented.

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<sup>21</sup> Note that as per the Constitution of Pakistan, ordinances are temporary and automatically expire at the end of 120 days and can terminate sooner than this if parliament passes a disapproving resolution or the President withdraws the Ordinance (Article 89). However, many Ordinances eventually become acts of Parliament.

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*"I raise up my voice-not so I can shout but so that those without a voice can be heard... we cannot succeed when half of us are held back."*

*Let us all raise our voices, both men and women so that we can put an end to gender inequality.*

***Malala Yousafzai***

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## Chapter 5: The Epilogue

Globally, addressing violence against women is an urgent public health, human rights, economic and public policy priority. In countries across Asia and the Pacific, surveys indicate that between 15% and 68 % of women have experienced physical and/or sexual violence at the hands of an intimate partner. Pakistan, unfortunately, is no exception. According to the PDHS (2017-18), the percentage of women who have experienced spousal physical, sexual, or emotional violence is highest in (ex) FATA (66%), followed by Khyber Pakhtunkhwa (52%) Balochistan, (49%) and Punjab (30%). The percentage is lowest in Sindh (18%).<sup>22</sup>

There are no two opinions that reliable, comparable and nationally representative data on Violence Against Women and Girls (VAW/VAWG) are essential to prevention and response efforts. However, the technical capacity to collect such data safely and accurately is limited worldwide. Pakistan again is no exception in this regard. However, the case of response to the VAWG becomes quite controversial due to bigots, notion of honour, selective application of morality to female gender, systematic and structural patriarchy and misogyny prevalent almost everywhere. Violence including sexual violence against women and children are endemic in Pakistan- the sooner we accept this, the better! One wonders, where is the intellectual courage within the civil society (aka NGOs- striving to breathe in the shrinking space) to raise pertinent queries and even be able to visualize the transformative change (challenging all necessary status quo, changing position not only the condition of institutions and individuals including the survivors of violence).

Data is influenced by social context and, as such, is susceptible to biased collection, interpretation, and application. In the case of women and girls, seemingly neutral data can obscure inequalities and uphold harmful norms, a disastrous outcome for gender equality. But when it comes to public health, and especially the coronavirus pandemic, failing to collect data on the specific experiences of women can have deadly consequences. Lock downs and quarantine resulted in greater incidence of GBV, VAWGC and SV and lesser access to protective services by those who are most in need. Situation in Pakistan, where such services are too deficient and normalization of gender bias leading to overt and covert norms of violence was not less different from rest of the world. The findings documented in this report do not support the idea that impact of the Pandemic COVID 19 was also correlated while formulating any response to the incidents, prevalence and reporting of the VAW/ VAWG/ VAWGC. No data is collected in a vacuum. The global pandemic only uncovered inequalities and gaps between policies and practices, elitism-led emptiness of the rhetoric at all levels. There are no speedy and singular solutions. However, application of the intersectionality lens and serious efforts towards collecting accessible gender data further disaggregated by multiple dimensions are vital to create effective responses especially in times of a pandemic<sup>23</sup>.

Multilayered deficit of political motivation to eliminate VAWG and or GBV or SGBV must no longer remain a well-kept secret. Though focus on gender equality agenda or SDG 5 is a

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<sup>22</sup> <https://asiapacific.unfpa.org/en/knowvawdata>

<sup>23</sup> <https://data2x.org/an-intersectional-approach-to-a-pandemic-gender-data-disaggregation-and-covid19/><https://data2x.org/an-intersectional-approach-to-a-pandemic-gender-data-disaggregation-and-covid-19/>

priority, it cannot hide low budgetary allocations for gender experts and almost no resources for sustaining livelihoods and mental health counselling of the actual survivors of violence.

VAWGC can only be addressed effectively by sincerely and seriously challenging the mainstream wisdom. This means what? This means a lot of critical, creative and courageous thinking and loud thinking.

### A break in the clouds

Rights-based activists and development practitioners who work and should work for transforming an unequal world into a more equal one, at their core, are hopeful individuals. It is imperative for them to perform the politics of hope and mainstream the conviction that change is possible. Therefore, amidst the complicated concerns and challenges reflected through statistics and stories, there are some silver linings (not magic bullets) restoring the hope and belief that VAWGC /GBV/SGBV are preventable and can be addressed. Some sources of positivity are as follows:

- i. Pro-women and gender responsive legislation<sup>24</sup> is always welcomed. Women parliamentarians in the Parliament and different provincial assemblies have undertaken pro-active initiatives in this direction, with the support of women's rights organisations recent focus on mainstreaming transwomen is a watershed moment. Ms. Aisha Mughal, is the first transgender woman who works with the Ministry of Human Rights, Pakistan as a transgender rights expert and UNDP Expert Consultant. She has represented Pakistan in a National Delegation at the UN CEDAW (Convention on Elimination of Discrimination Against Women) committee in Geneva, Switzerland in 2020.
- ii. Participation of more women and young people in politics is also a sign of hope. If new cohorts of political workers and leaders are rightly and timely mentored on rights-based issues and gender equality, it can be expected that future legislators and political activists would be less misogynistic, more pro-poor and marginalized segments of the population.
- iii. Pakistani women peacekeepers in UN system, Pakistan's army, navy and air force and police services are also emerging as new inspirations for the newer generation and playing a significant role in breaking stereotypes and constructing positive image of the state and the society.
- iv. New narratives about the emancipation of women are evolving. The idea of preparing and positioning male champions of gender equality in gaining popularity in nearly all projects of social development sector. This approach if adopted with caveat and not to create new dependencies for women can be very effective to achieve gender

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<sup>24</sup> Transgender Person (Protection of Rights) Act 2018, Pakistanis may choose to self-identify as male, female, both or neither. They may express their gender according to their own preferences, and they may have their gender identity of choice reflected on their documents, "including National Identification Cards, passports, driver's licenses and education certificates." The act ensures transgender people's "fundamental rights to inheritance, education, employment, vote, hold public office, health, assembly, and access to public spaces and property. It confirms that they enjoy all the rights that the nation's constitution grants to its citizens.

equality because men are in higher number in all strategic corridors and hold far more power than women.

- v. Media in Pakistan is expanding, and new forms of communication are a promise of inclusivity and representation. Many commercial advertisements, talk shows and dramas are breaking stereotypes and reimagining gender roles. This does not mean that communication in media is doing justice to gender portrayals and language. It only suggests that media is the new game changer, and its full power must be tapped by redirecting resource allocation including focused attention on media literacy.
- vi. Entry and success of more women especially younger women in sports, adventure sport, techpreneurship, entertainment and fashion industry may also be considered not only exercising of a given right but countering orthodoxy with non-confrontational communication and innovation.
- vii. Discussions and discourse around many difficult areas of human lives e.g., identities, orientation, state violence, laws etc. have started in academia and civil society in spite of many latent and active threats and risks. This new awakening is indeed a silver lining.

### A Suggested Way Forward

**<sup>25</sup>VAWGC is not only a personal but a political choice too. Hence, its elimination requires:**

- a. reconceiving the relationship between the elimination of violence and economic growth, poverty of income and opportunities promoting social justice including tax justice<sup>26</sup>;
- b. mainstreaming gender, implementing gender equality and inclusion in policies, human resource management policies, budgets and actually allocating matching monetary resources to address a complex issue like VAWGC through gender and multidisciplinary experts and rehabilitation of the survivors of violence;
- c. implementing universal social protection with empathy and not for the sake of photoshoots, winning high profile awards and earning validation on twitter;
- d. identifying, accepting and then tackling inequalities of myriad forms and origins (social, political, financial, gender, legal);
- e. embracing participatory governance and integrating it with a not so easy community partnership;
- f. centering the role of government and internalizing the spirit of democracy ;
- g. building visible, actual, inclusive alliances with most vulnerable groups of women and girls including trans people amidst the pandemic COVID 19 to demonstrate solidarity and alignment the agenda 2030.

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<sup>25</sup> Inspirations borrowed from the report Advance Unedited Version Distr.: Genera-The parlous state of poverty eradication Report of the Special Rapporteur on extreme poverty and human rights by Philip Alston,

<sup>26</sup> Widows in Pakistan irrespective of their wealth status get exemption on property tax whereas women who are single through other pathways (divorced, abandoned, single mothers, never married etc.) do not get this rightful break. The author wrote a book "A tax break for economic empowerment" on this issue in 2010.

- h. An intersectional<sup>27</sup> approach is necessary in all areas of work relating to ending VAWG<sup>28</sup>
- i. Adapting with integrity international commitments like SDG agenda 2030, CEDAW, PoA, ICPD 1994 and BPFA 1995.

### Some Suggested Action Points:

1. Reproductive health including knowledge about sexuality should be mainstreamed so that men and boys may be less disturbed and motivated to abuse by mere sight of a feminine body.
2. Reassessment of the capacities, voids and arrangements of all relevant institutions by public and voluntary sector experts. Women machineries i.e., NCSW and Provincial CSW should be specially and preferably targeted as these have conveniently failed to deliver their full potential due to various reasons, including resource constraints and political interference.
3. Media is the 'fourth pillar' of the state and it controls the mindsets. Movers and shakers in the media and those who control the media overtly and covertly must be taken into confidence through skillfully measured actions on the issues of VAWGC so that ownership of this agenda may be found at some strategic locations.
4. Governments should be more attentive towards the psychological stability of academicians and administrative staff in educational institutions rather than issuing code of conduct to young student at college and universities that limit their choices of outfits and curtail their freedom of expression besides unwarily judging their morality.
5. Governments should be more attentive towards public display and demeanor of civil servants of our poor country. It would be a meaningful action if they are also taught value and relevance, empathy and austerity while functioning as public servants.
6. Governments need to implement schemes for expecting mothers, who do not have family support to start a life with just their child(ren), with children who are physically and or mentally disabled or have gender identity issues, are transgender etc. and single women and mothers (widows, divorced, unmarried, abandoned wives).
7. Funding and technical aid agencies must continue to push (and do not hesitate from increasing the bar and scope of incentivization where deemed necessary)) for improving the Policy response against VAW/VAWG/VAWGC /GBV/SGB by working closely with the policy makers and legislators.
8. Civil society in general and rights based NGOs in particular should continue to make meaningful interventions and miss no opportunity to make their voices heard by the

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<sup>27</sup> Intersectionality refers to particular forms of intersecting oppressions, for example, intersections of race and gender, or of sexuality and nation. Intersectional paradigms remind us that oppression cannot be reduced to one fundamental type, and that oppressions work together in producing injustice. References: Ambrose, S.A. et. al. (2010).

Source: <https://indigenousinitiatives.cilt.ubc.ca/classroom-climate/positionality-and-intersectionality/>

<sup>28</sup> In order to meaningfully address violence faced by women and girls, it is critical that VAWG services understand that intersecting inequalities not only define women's specific experiences of violence [understood as 'multiple discrimination'] but that VAWG services need to be designed in specific ways so that they respond to these intersecting oppressions [understood as intersectional service delivery]. Source: <https://www2.unwomen.org/-/media/field%20office%20eca/attachments/publications/2019/10/the%20value%20of%20intersectionality%20in%20understanding%20violence%20against%20women%20and%20girls.pdf?la=en&vs=3339> p.5

state, including the demand of allocating tangible resources to address, no matter at how smaller a scale it is, the issues of VAWGC would be.

9. Both NGOs and Government Organisations should be targeting interconnectedness of Violence Against Women (VAW) and Violence Against Children (VAC) to look for joint solutions to imminent problems.
10. Both NGOs and Government Organisations should be focusing on the attitudinal shift of men and boys so that they may be able to at least behave in public spaces and are conscious of consequences of using sexist language, asking for sexual favours and actually indulging in harassment.

### **Specific recommendations especially for the legislators for addressing VAWG as a Public Health issue<sup>29</sup>:**

Violence Against Women and Girls (VAWG) damages health and wellbeing and is a key public health issue. The World Health Organisation (WHO) recognises VAWG as a major public health problem and a violation of women's human rights. Violence against women remains a major global public health and women's health threat during emergencies including Pandemic COVID 19. Some practical recommendations for all key players in general and elected representatives in particular could be as follows:

1. Recognise the need to address VAWG as a public health issue and support a public health approach to be adopted to tackling VAWG in local communities.
2. Support the work of local Violence Against Women Partnerships by encouraging strategic links and shared outcomes on public health with other local partnerships.
3. Adopt a gendered approach to public health and promote an understanding of VAWG.
4. Support and champion early intervention and prevention services which address the impact of VAWG on women and children's health and wellbeing.
5. Champion the need to identify and change systems that perpetuate VAWG and hold perpetrators of VAWG to account for their behaviours.
6. Champion approaches that ensure men and boys are encouraged and supported to understand the gendered nature of VAWG, promote gender equality, and challenge the attitudes, behaviours and beliefs that underpin the continuing prevalence of VAWG across all its forms.

### **What can be done to address VAW during the COVID-19 response while recognizing that COVID-19 has placed an immense burden on health systems including frontline health workers, there are things that can help mitigate the impacts of violence on women & children during this pandemic<sup>31</sup>.**

- i. Governments and policy makers must include essential services to address VAW in preparedness and response plans for COVID-19, resource them, and identify ways to make them accessible in the context of social distancing measures.

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<sup>29</sup> Borrowed and adapted from different publications especially from the World Health Organization (WHO) <sup>31</sup>  
Copied from WHO's document. 26 March 2020. Source:  
<https://www.who.int/reproductivehealth/publications/emergencies/COVID-19-VAW-full-text.pdf?ua=1>



- ii. Health facilities should identify information about services available locally (e.g., hotlines, shelters, rape crisis centers, counselling) for survivors, including opening hours, contact details and whether these can be offered remotely, and establish referral linkages.
- iii. Health providers need to be aware of the risks and health consequences of VAW. They can help women who disclose by offering first-line support and relevant medical treatment. First line support includes: listening empathetically and without judgment, inquiring about needs and concerns, validating survivors' experiences and feelings, enhancing safety, and connecting survivors to support.
- iv. Humanitarian response organizations need to include services for women subjected to violence and their children in their COVID-19 response plans and gather data on reported cases of VAW.
- v. Community members should be made aware of the increased risk of violence against women during this pandemic and the need to keep in touch and support women subjected to violence, and to have information about where help for survivors is available. It is important to ensure that it is safe to connect with the women when the abuser is present in the home.
- vi. Women who are experiencing violence may find it helpful to reach out to supportive family and friends, seek support from a hotline, or seek out local services for survivors. They may also find it useful to have a safety plan in case the violence escalates. This includes having a neighbor, friend or relative or shelter identified to go to in the event they need to leave the house immediately for safety.

One last submission, request or repetition of what has been said clearly or attempted to slip in between the lines in the forementioned text is that it is high time to act in a way that enables an ordinary woman in Pakistan to exercise her choices beyond the idea of evil or good doing. Until and unless a common woman is free to find space for justice and other sources of empowerment with safety, elimination of VAW would remain a distant dream. VAWG and responses to it must be situated within larger socio-political, economic inequalities to start a journey towards the transformative changes that matter. There is a dire and urgent need to unpack the concepts of agency, freedom, autonomy, rationality and moral authority in specific local contexts. All important and influential individuals and institutions must look at the solutions with substance rather than style.

## Annexes

### Annex: 1

25 District Summary Sheet for the Period of 1st Jan. to 31st Dec. 2020												
S. No	Province	District	Source	Murder	Rape/ Ganged Rape	Suicide	Honor Killing	Acid Burning	Domestic Violence (Forced marriage, child marriage, Dowry)	Abduction/ Kidnaped	Total	
1	Punjab	Lahore	Jang Lahore, Nawa-a-waqat, Express News, Police	58	20	4	3	0	189	125	399	
2		Nankana Sahib	DPO Office	52	88	1	0	1	57	81	280	
3		Faisalabad	Daily business report	40	16	1	4	4	17	9	91	
4		Layyah	Layyah Today	9	16	11	1	2	6	7	52	
5		Rawalpindi	Daily Jang Newspaper	15	32	10	0	4	7	207	275	
6		Sargodha	Al Jalal	35	10	2	5	0	12	9	73	
7		Jhang	Daily Express Newspaper	9	4	5	0	2	20	4	44	
8		Okara	Daily Jang News	17	26	4	2	1	6	32	88	
9	KPK	Mardan	Express	13	2	4	5	0	1	1	26	
10		Charsadda	Charsdda News	3	3	7	4	0	10	3	30	
11		peshawar	Daily Aaj + Mashariq	30	2	11	8	1	2	10	64	
12		Nowshera	Daily Mashriq	6	8	6	3	0	4	2	29	
13		Haripur	Shamal Newspaper	16	19	7	0	0	1	1	44	
14	Sindh	SBA	Iberat	2	2	2	1	1	11	9	28	
15		Ghotki	Awami Awaz	7	15	0	18	0	39	28	107	
16		Hyderabad	epaper.pknewspapers.com/the-kawish.html & Official website high court of sindh	8	6	10	7	1	15	14	61	
17		Korangi	Police Data	27	37	3	1		21	293	382	
18		Thatta	Kawish Newspaper	2	0	2	1	0	4	0	9	
19		Sukkur	Kawish Newspaper	13	11	2	5	0	2	6	39	
20	Balochistan	Gwadar	Police Data	0	0	0	0	0	1	1	2	
21		Turbat	Intekhab hub(www.dailiyntekhab.com.pk	3	0	0	0	0	0	0	3	
22		Quetta	1. Daily Jang Quetta 2. Edhi	13	6	0	1	0	6	3	29	

			Whatsapp News Group								
<b>23</b>		Sibi	1. Daily Jang Quetta 2. Edhi Whatsapp News Group	0	1	1	1	0	1	9	<b>13</b>
<b>24</b>	<b>GB</b>	Ghizer	Ausaf News paper GB & Police Dept	0	1	9			0	1	<b>11</b>
<b>25</b>		Gilgit	Ausaf & Police station	33	4	13	11	0	42	15	<b>118</b>
<b>Grand Total</b>				<b>411</b>	<b>329</b>	<b>115</b>	<b>81</b>	<b>17</b>	<b>474</b>	<b>870</b>	<b>2297</b>
<b>%</b>				<b>18</b>	<b>14</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>21</b>	<b>38</b>	<b>100</b>

## Annex 2

### Questionnaire of Case Study

#### Case study of VAW&G Cases

Case Number: \_\_\_\_\_ Province: \_\_\_\_\_  
District: \_\_\_\_\_ Interviewer: \_\_\_\_\_  
Date of incident: \_\_\_\_\_ Date of interview: \_\_\_\_\_  
Type of case: (i) Rape (ii) Ganged rape (iii) Rape& Murders (iv) Sexual harassment at workplace  
Who respondent: (i) Self (ii) family (iii) relative (iv) Police (v) lawyer  
(vi) any other

**Victim/Survivor's details (Area, family, age, marital status, education, cast, religion, dependency level, kids etc.):** Enhance please words' space as required.

**Criminal/culprit/preparator's details: Area, family, age, marital status, education, cast, religion, dependency level, kids etc.):** Enhance please words' space as required.

**Details of the case and current status (which include Who, What, When Where, and & how):** Enhance please words' space as required.

**Who registered complaint/FIR and where it is registered; how challenging it was? Share difficulties?** Enhance please words' space as required.

**Who facilitated and supported to register your complaint; Share their challenges and difficulties?** Enhance please words' space as required.

**Family pressures (Yes/ No); if no, share challengers at family level: Enhance please words' space as required.**

**Share other pressures by others (society, relatives, colleagues, community elders, jirga, Panchaiyt etc.?) Enhance please words' space as required.**

**Share support from different institutions (police, workplace/ ombudsperson office (incase sexual harassment at workplan case), other NGOs or media etc.**

**Any other details and evidence need to be attached:**

**Consent of victim/ survivors or her family members:**

Signature or written at any page is required where its mentioned.

Please use this information without the original name of girl, family members. She has not given consent to participate in any event publicly. Reviewed by:

Name: \_\_\_\_\_

Provincial Lead, Aurat Foundation & SAP-PK

## Annex 3

### SUGGESTED QUESTIONS FOR PROVINCIAL OMBUDSPERSON/OMBUDSWOMAN HARRASSMENT AT WORKPLACE

1. What are the specific responsibilities of your position in addressing the issues of gender based violence & harassment & VAWG in the workplace? What constraints do you face while performing your designated functions?
2. What are three key obstacles that are faced by the aggrieved party in accessing justice?
3. How do you reflect on the culture of out of court settlement?
4. What are the three key achievements that your office (even before your appointment) has achieved?
5. What could be your two key policy recommendations for addressing the multi-dimensional and multi-layered challenge of harassment at the workplace and other forms of violence that prevail at the workplaces? Would you like to share any observation and/or suggestion in the specific context of the COVID-19 Pandemic?

### SUGGESTED QUESTIONS FOR National & Provincial women machineries (NCSW & CSWs)

1. What are the specific responsibilities of your position in addressing the issues of Gender Violence & VAWG? What constraints do you face while performing the designated functions?
2. What are three key obstacles and disappointments including the gaps in the institutional capacity that are faced by the aggrieved party in accessing justice?
3. Kindly provide candid reflections on the following:
  - culture of out-of-court settlement
  - institutional gaps
  - politicization of the case of women empowerment and gender equality
4. Do you think that our policy makers have demonstrated the required sensitivity to combat gender-based violence (GBV) particularly during COVID 19 including lockdown situation with concrete recommendations of 'zero tolerance' for GBV at all levels?
5. (a).What are the three key achievements that your office (even before your appointment) has achieved?  
(b).What would be your two key policy recommendations for addressing the multidimensional and multi-layered challenge of VAWG and SGBV?

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## Democracy and Empowered Women – Jamhooriyat Aur Baikhtiar Aurat (JAZBA)

South Asia Partnership-Pakistan (SAP-PK) and Aurat Foundation (AF) are implementing a four-year program which aims at enhancing inclusive democratic processes and political participation of women for the advancement of women and at risk populations, such as minorities & transgender communities in 40 districts (25 focused districts) of Pakistan spread all across four provinces and Gilgit-Baltistan. The program responds to challenges posed by gender gaps in electoral and political processes that limit opportunities for inclusion of women and marginalized section of society. The program offers more democratic and civic spaces to women so that they are able in exercising agency and define gender-based governance priorities. The overall strategy is two-fold: to influence both demand and supply side of governance, institutionalizing democratic rights & interests of women and the marginalized into structures & processes of the democratic governance. On the demand side, it supports voters & constituents to articulate democratic demands based on evidence, inclusion and broad mobilization of diverse groups including women, marginalized communities and men, especially the youth; on the supply side, it supports and strives to make systemic improvements in national and sub-national governance structures and representatives to respond effectively and efficiently to the demands of constituents and to be accountable. A total of 125 Union Councils (UCs), at least 5 in each district, are selected for implementation of specific community level activities. However, campaign activities, research and seed grants, national and provincial advocacy on pro-women legislation, policies and rights reach beyond these 25 districts to 40 districts.



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