Issue No. 31 January-March 2010

LEGISLATIVE WATCH

AURAT PUBLICATION AND INFORMATION SERVICE FOUNDATION

Founded by Shahla Zia Patron-in-Chief: Nigar Ahmad

Women of the world unite for equal rights and status

54th CSW session and Global NGO Forum spell out strategies and goals for women during Beijing + 15 review

By Mahnaz Rahman

Time flies like a swift bird and leaves only hazy events in its wake. However, some special events always appear clearly no matter how much the sands of time try to cover them. It was 1975, while working for daily Mussawat, I came to know that UN had declared 1975 as year of women and a women's conference was going to be held in Mexico City. This first world conference on women promoted the vision of "equality, development and peace". I remember Ms. Nusrat Bhutto had led the delegation of Pakistani women in that conference. Then there was that landmark event of 4th world conference on women in Beijing in 1995, where Pakistan was represented by the then prime minister Mohtarma Benazir Bhutto (who left us in utter shock on 27 December 2007). Pakistani women's rights groups and activists played a major role in preparing the national report for the Beijing conference. There was Beijing + 5 review in 2000 (I remember my mentor and Aurat Foundation's co-founder Shahla Zia participated in the event among others) at the UN; and Beijing +10 review, five year later in 2005.

And now after 15 years of the adoption of Beijing Platform for Action, we the human rights and women's rights activists of Pakistan were attending the 54th session of the United Nation's Commission on the Status of Women (CSW). Ms. Anis Haroon, chairperson of the National Commission on the Status of Women was leading the government of Pakistan's delegation, which included prominent women parliamentarians Ms. Shazia Marri, Ms. Uzma Bukhari and Amna Khan, officials of the Ministry of Women's Development and members of the NCSW.

NGO activists, including from Pakistan, at the Global NGO Forum during B+15 review at New York.

The NGO delegation from Pakistan comprised representatives from Aurat Foundation (Naeem Mirza & Mahnaz Rahman), Shirkat Gah (Khawar Mumtaz, Naureen Tawakkal, Sara Ali), ASR (Nighat Saeed Khan), Rozan (Shabana Arif), Sungi (Arifa Mazhar), Khowendo Kor (Maryam Bibi), Bargad (Sabeeha Shaheen) and Church of Pakistan (Ayra Inderyas). Two members of Citizens' Action Committees of Aurat Foundation, Ms. Amar Sindhu from Hyderabad and Ms. Nigar Rauf from Nowshera were also invited by the Oxfam-GB to share experiences on women's political participation at the grassroots level in Pakistan during this event. Mr. Naeem Mirza and myself represented Aurat Foundation (AF) at the CSW session and the Global NGO Forum, which was convened on the eve of the CSW session.

Address to the CSW session by Ms Anis Haroon, head of the Pakistan delegation on pages 7. See also Editorial

The 54th CSW session 54 was a review of the implementation of the Beijing Declaration and Platform for Action and the Outcome of the 23rdspecial session of the General Assembly (Beijing +5) as a basis for creating a more comprehensive gender equality perspective towards the achievement of Millennium Development Goals. It was meant to identify linkages to advance the status of women and women's rights.

One campaign that dominated the entire 54th session was the GEAR (Gender Equality Architecture Reform) campaign which is a network of more than 300 organizations all over the world. Ms. Shabana Arifa from Rozan kept tirelessly advocating and lobbying for the GEAR campaign by holding frequent

Continued on Page 6

Review of Protection Against Harassment at Work Place Act, 2010

By Maliha Zia

The Protection Against Harassment at the Workplace Act 2010 (PAHW) was signed by the President on 9th March 2010, making harassment 'illegal' at the workplace. This new Act, along with the Criminal Law (Amendment) Act 2009, which made an amendment in Section, 509 Pakistan Penal Code, 1898, criminalising sexual harassment, has effectively provided protection to women all over from harassment in its different forms. It is a monumental occasion for the women's rights movement which has been striving for years to create a harassment-free work and social environment for women in Pakistan.

While this has been a substantial movement towards gender equality in Pakistan, the society needs to focus not just on formal equality but translating this into the actual, practical reality. We have been given a tool, we need to wield it - but importantly, we need to know how to wield it!! Where does the responsibility lie? It lies with the State and State departments, but it also lies on the society to accept and embody this change.

It is necessary for each and every one of us citizens, nationals, women's rights activists, human rights activists and human beings to work towards this goal. While acknowledging that a law has been passed, celebrating it and congratulating ourselves, we have to be determined not to leave it at that. It is essential that we educate ourselves not just with the knowledge of the passing of the legislation but also of its contents, how it can be applied and how we can use it to create the change we wish to create! Accordingly, this article focuses primarily on the contents of the Act and the amendment in order to first and foremost educate ourselves on the content to understand the substance of the change being created. It then goes on to outline the necessary next steps to be taken in order to secure this right and protection being given to women.

Important definitions in the PAHW

The PAHW contains a number of good definitions, including a wide definition of 'employee', which includes regular as well as contractual employees whether employed on daily, weekly, or monthly or hourly basis, and includes an intern or an apprentice. The definitions of 'employer' states an organization, a person or body of persons whether incorporated or not, who or which employees in an organization under a contract of employment.

The definition also extends to and includes amongst others persons responsible for the direction, administration, management and control of the management; a contractor or an organisation of a contractor procuring labour or services of employees for another; and office-bearers of a department of a Division of a Federal or a Provincial or local authority who belong to the managerial, secretarial or directional cadre or categories of supervisors or agents and those who have been notified for this purpose in the official Gazette.

Thereby, the wide scope of the definition also includes manager/supervisors as well as middle men and office-bearers of Federal and Provincial departments and local authorities.

Harassment is defined as 'any unwelcome sexual advance, request for sexual favors or other verbal or written communication or physical conduct of a sexual nature or sexually demeaning attitudes, causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition

Continued on next page

Review of Protection Against Harassment at Work Place Act 2010

From Page 1

for employment'.

The definition of 'workplace' clearly states that it will be considered harassment if it takes place at the place of work of premises, whatever form it takes, as well as any situations which are linked with official work or activity outside the office - thereby taking away the necessity that the harassment has to take place in the workplace only during work hours.

Procedures of the PAWH

There are two procedures for initiating a complaint under this Act: through the Inquiry Committee or the Ombudsman.

Inquiry Committee

An Inquiry Committee is to set up within thirty days of the Act being passed in all organizations consisting of three members, one of whom must be female: a senior employer, a senior employee and a third member who could be from the organization or co-opted from outside.

The committee will receive complaints which can be either, oral or written. On receipt, it will communicate a formal written receipt to the accused stating the charges and allegations against him and require him to submit a written defence within seven days. If he does not, the Committee will proceed ex-parte. The Committee will enquire into the charge examining documentary or oral evidence, allowing cross-examination.

The Committee shall submit its findings to the Competent Authority (to be designated by the organizations) with recommendations of penalty. The Competent Authority will penalize the accused within seven days and the Committee will continue to monitor the situation to be satisfied that their recommendations subject to decision, if any of Competent Authority and Appellate Authority have been implemented.

In case the complainant is in trauma the organization will arrange for psycho-social counseling or medical treatment and for additional medical leave. The organization may also offer compensation to the complainant in case of loss of salary or other damages. Appeals shall be made to the Ombudsman within thirty days - or until appointment of the Ombudsman, to the district court.

The possible penalties are stated in the Act as:

(i) Minor penalties:

(a) censure;
(b) withholding, for a specific period, promotion or increment;
(c) stoppage, for a specific period, at an efficiency bar in the time-scale, otherwise than for unfitness to cross such bar;
(d) recovery of the compensation payable to the complainant from pay or any other source of the accused;

(ii) Major penalties:

(a) reduction to a lower post or time-scale, or to a lower stage in a time-scale;
(b) compulsory retirement;
(c) removal from service; and
(d) dismissal from service.
(e) Fine. A part of the fine can be used as compensation for the complainant. In case of the owner, the fine shall be payable to the complainant.

One cause for major concern in this procedure is that the Inquiry Committee may recommend to Ombudsman for appropriate action against the complainant if allegations leveled against the accused found to be false and made with mala fide intentions. This could have severe repercussions for the complainant in situations where the Committee may be biased against her for any reason, including being biased against very fact that harassment at the work place has been made a penalized crime. A bias is already seen in this very clause i.e. the accused, if found guilty, is not referred to the Ombudsman but dealt with within the organizations, but a complainant who makes a 'false allegation' is immediately dealt with more harshly and 'sent' to the Ombudsman for appropriate treatment. If this clause was felt to be 'necessary', the treatment should have been the same i.e. within the company.

Ombudsman

The Federal and Provincial Governments are mandated to appoint Ombudsman(person) at both levels who shall have the qualifications of a high court judge. The Governments are also mandated to provide financial and facilitative support to the Ombudsman.

All complainants have the option of approaching the Ombudsman directly with their complaint. The Ombudsman shall issue a written show cause notice to the accused within three days of receipt of complaint. The accused shall submit a written defence within five days, failure of which allows proceedings to continue ex-parte. The Ombudsman shall conduct an inquiry into the matter according to the rules made under this Act and conduct proceedings as the Ombudsman deems proper. The Ombudsman may require any office or member of the organization for purposes of investigation, to furnish any information, document etc. which could be relevant of helpful. The Ombudsman shall record his decision and inform both parties and the management of the concerned organization for implementation of the orders.

Parties who are aggrieved by the decision may, within thirty days of decision, would like a representation to the President or Governor, as the case may be, who may pass such order thereon as he may deem fit.

The Ombudsman shall have the same powers as are vested in a Civil Court under the Code of Civil Procedures, 1908, in respect of matters of investigation e.g. summoning, compelling production of evidence, issuing commission for examination of witnesses. The Ombudsman shall have the same powers as the High Court has to punish any person for its contempt. On making a decision in this case, the Ombudsman may impose any of the discussed in the above section.

Responsibility of Employer

It is the responsibility of the employer to ensure implementation of this Act, including but not limited to incorporate the Code of Conduct for protection against harassment at the workplace as a part of their management policy and to form Inquiry Committee and designate a competent authority. The management is mandated to display copies of the Code in English and the language understood by the majority of employees at conspicuous place in the organization and the work place within six months of the commencement of this Act. On failure of an employer to comply with the provisions of this section any employee of an organization may file a petition before the District Court and on having been found guilty the employer shall be liable to fine which may extend to one hundred thousand rupees but shall not be less than twenty-five thousand rupees.

Criminal Law (Amendment) Act 2009

This amendment to the Pakistan Penal Code, 1890, effectively criminalized sexual harassment. The section makes it a crime to 'insult modesty' or 'cause sexual harassment'. It includes not just physical harassment but also the utterance of any word, making any sound or gesture of exhibiting any object intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman.

The amendment also includes as sexual harassment as any person who 'conducts sexual advances or demands sexual behaviour whether written, verbal or through physical conducts sexual advances, or demands sexual favours or uses written or verbal communication or physical conduct of a sexual nature which intends to annoy, insult, intimidate or threaten the other person or commits such acts at the premises of work place, or makes submission to such conduct either explicitly or implicitly a term or condition of an individual's employment, or makes submission to or rejection of such conduct by an individual a basis for employment decision affecting such individual, or retaliates because of rejection of such behaviour, or conducts such behaviour with the intention of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment,

It punishes both of these acts with imprisonment which may extend to three years or fine up to five hundred thousand rupees or with both.

This is a monumental step as it not only identifies harassment as a problem, but also declares it to be a punishable crime! It makes harassment a crime in both public and private spaces, as well identifying that sexual harassment does not purely need to affect an individual's work performance, but it also reflects in the work environment.***—The author is a retainer consultant of Aurat Foundation***

Future Steps

As mentioned in the article, the change created by both these Acts is appreciated and celebrated but we need to take them forward.

Some steps need to be indentified in order to push this into a practical reality. Some suggestions are given here:

1. Start lobbying with the Government to adopt the Code of Conduct in all of its Ministries, Departments and Offices, including contractual and sub-offices;
2. Lobby with the Government to change the rules of incorporation of organizations to mandate adoption of the Code of Conduct in order to be registered;
3. Identify organizations which have yet to adopt the Code of Conduct and set up Committees and report them and/or lobby with them to adopt the Code;
4. Ensure your own organization has adopted to Code and set up Committees;
5. Refuse to associate/create business deals/work for or with organizations that have not adopted the Code of Conduct;
6. Lobby with the Government for appointment of the Ombudsman immediately;
7. Lobby with the Government for the creation of Rules to support the PAWH with immediate effect.

These steps need to be taken by the society as a whole to create a change, but also by us as individuals in our own lives and those around us.

Law on 'honour' crimes requires key amendments

In Pakistan 'honour' killings are prevalent throughout the country, though in some areas, the incidents of 'honour' have taken an alarmingly high proportion in recent years. According to Aurat Foundation's statistics, collected for its annual reports on violence against women, a total of 604 women were killed in the name of 'honour' in Pakistan during 2009, whereas, 475 women were killed in the name of 'honour' in 2008.

'Honour' killings are usually known as karo-kari in Sindh, where pre-meditated honour killings of a condemned woman or man or both for maintaining 'illicit' relations are condoned to restore lost respect to the family. Kalakali is a Balochi and Seraiki expression for culturally condoned 'honour' killings.

Why this most shameful of all crimes is continuing and its prevalence is increasing day by day despite the fact that Federal Government made a law against 'honour' killings in 2004 through the enactment of a Criminal Law (Amendment) Act 2004, is a big question?

However, this might not be a big question for many among those in the women's rights groups, and individual activists, who waged a long struggle for this law in close collaboration with committed women legislators and political party women.

Why this was not a big puzzle for these activists and some of the concerned legal experts, who became closely associated with the process of its law-making in 2004, was quite obvious as the law that was being made, tend to ignore two core issues relating to the 'honour' crimes. These were:

i) the offence was not being made non-compoundable and;
ii) the waiver to qisas was not being finished.

The apologists of the law were of the view that since the Act amended the Pakistan Penal Code (PPC) and the Criminal Procedure Code (CrPC) to define karo kari as murder and with penal punishments, this was a positive step towards identifying karo kari as murder, therefore it should be welcomed, as anything which is secured through the 'window of opportunities' be received and the efforts for more be continued.

The critics held that the law was toothless and would not deliver because it was not dealing the core issues, i.e. mainly the same issues spelt out above. It is now sixth year to the enactment of law on so-called honour killings, and history is proving true the concerns of the critics. There are other factors, indeed, for instance, poor enforcement of law, lack of justice sector and police reforms and ruling elite's support to tribal and feudal power structures.

The critics were of the view that the Act fell short of providing actual protection to women ensuring punishment for the perpetrators and supporters of this heinous crimes, mostly dealing with the existing Qisas and Diyat provisions in the PPC.

We would take an overview of major problems/gaps there are in the bill (with reference to 'honour' crimes)

1. The main and most fatal problem in the Act continues to be that it has not made punishment for 'honour' crimes mandatory, which defeats the whole purpose of introducing legislation in this regard.
2. The provisions of waiver or compoundability, which inevitably pave the way for compromises, particularly since most crimes of this nature take place within close members of the family, remain valid in cases of 'honour' crimes [no exclusion of the provisions of sections 309, 310, 311 & 338E].
3. Section 311 does not cover situations in which the penalty of qisas is not applicable or enforceable and in which, therefore, the question of waiver or compounding of the right of qisas does not even arise. (discussed under point 2)
4. There is no provision in the Act to ensure that others who are usually involved in, encourage or validate such killings (e.g. jirgas, panchayats, family members/elders etc.), and are thus primarily responsible for perpetuating these practices, become equally liable to penalty under the law.
5. There is no provision in the Act to ensure that when courts allow compounding of offences, they must first satisfy themselves that the offence is not an 'honour' crime. It must be remembered that if stronger penalties for such crimes are incorporated in the law, the offenders might well choose not to mention honour as a motive for the crime. Therefore, it becomes important for courts to properly determine the issue before allowing compounding of offences.

What needs to be done to make the law more effective. Ideally, the Act should ensure that:

1. There is a minimum mandatory punishment for all 'honour' crimes. In the case of murder, this should be a minimum of 14 years and in the case of other crimes, at least half the maximum punishment provided.
2. The provisions of waiver and compounding, as also the exemptions available to close relatives, are made non-applicable in cases of 'honour' crimes.
3. The offence of "honour' killing or any such attempt, under the The definitions of 'honour' killing and other 'honour' crimes are separated and improved.
4. All those who are usually involved in, encourage or validate 'honour' crimes are made equally liable to penalty under the law.

5. Courts, before allowing the compounding of any offence, must first satisfy themselves that the offence is not an 'honour' crime.— ***By NM***

Herstory of the law!

By Naeem Mirza

I would like to go into past for a little more detail as to ascertain how the process of law reform for addressing the issue of 'honour' crimes started and culminated at the enactment of the law. The purpose is to remind and reaffirm ourselves of the efforts that have gone into the process and renew the commitment to give it another chance and reform the law so that this stigma is removed from the face of Pakistan.

I remember that by the end of 2003, the draft bill prepared by Shahla Zia of Aurat Foundation, in consultation with a few like-minded NGOs, friends and country's top legal minds (Justice Majida (Retd.) Rizvi, Hina Jillani, Anis Haroon, Syed Iqbal Haider, Justice (Retd.) Shaiq Usmani and senior lawyer Rasheed Rizvi). The draft bill was handed over to the MoWD and senior representatives of all major political parties. The MoWD was then headed by Ms. Nilofar Bakhtiar as Advisor to PM (she is a Senator now). The draft bill was given to her and she being a strong exponent of women's rights among political party women expressed all keenness to carry it forward and make it a law. The initiatives by some political circles started materializing in the beginning of 2004. The PPPP submitted its bill on 'honour' killing in the NA secretariat (February 2004) on the personal initiative of its MNA Sherry Rehman, which was exactly and gladly the same as prepared by Shahla Zia. The bill is part of the National Assembly record and it could be seen that it carried all those amendments that made the offence non-compoundable and also ending the waiver of qisas to the perpetrators of the crime, among so many other positive things. PML-Q MNAs Mehnaz Rafi and M. P. Bhindara also tried to move a private members bill on the issue, on the basis of the Aurat Foundation's bill, but were stopped by their party saying that the government was bringing its own bill.

In February 2004, an intense process of consultation started between the MoWD and Aurat Foundation to prepare an official bill. The first meeting in this regard was held on 23 February between Shahla Zia and the legal experts of the MoWD. On 3 June, the Legislative Watch Group, Islamabad, comprising Shahla Zia, Sabira Qureshi, Tahira Abdullah, Farzana Bari, Shehnaz Ahmed and Naeem Mirza had a meeting with Nilofar Bakhtiar and her team for a discussion on the proposed content of the official bill. The group reiterated their position that if the government was sincere to reform the law, it must stick to the basic features of the civil society bill. The MoWD while agreeing to the broad points of the civil society bill, expressed concern that it was meeting tough resistance from certain quarters. On 30 July, the government silently submitted the bill in the National Assembly and the Speaker referred it to the concerned Standing Committee. The copy of the bill obtained by the Aurat Foundation revealed that it was an extremely weak, as well as, highly convoluted piece of legislation, which Aurat Foundation felt, if enacted in its present shape, would offer nothing substantially to address the issue. On 9 August, another meeting took place at the women's ministry, where Shahla Zia and Naeem Mirza tried to convince the Advisor to PM and her team about the glaring defects in the bill. The ministry in turn requested Shahla Zia to give suggestions in writing how these could be removed, on an urgent basis, as the Standing Committee was meeting on 11 August to review the bill. Shahla while overcoming her extreme sense of frustration with the official bill, and privately telling her colleagues that the government is not at all serious in bringing a strong bill, worked on it on 9-10 August and completed a set of alternative amendments to improve the bill (the text of the amendments along with the critique of the official bill was later published by the Aurat Foundation as a booklet "We Demand Strong and Effective Legislation to Eliminate 'Honour' Crimes"), which was handed over to Nilofar Bakhtiar and some other members of the Standing Committee before the start of the meeting on 11 August. The suggestions, it was learnt later, actually divided the committee and stopped it from rushing to clear it in its present form. In a last ditch attempt to save the bill from complete disaster, another meeting was held at the MoWD on 11 September between Shahla Zia, Naeem Mirza and Nilofar Bakhtiar along with her team, including representatives from law ministry, where the government plainly told the AF people that the ruling party, the law ministry and some other elements in the government were not ready to incorporate civil society\s vierwpoint in the bill.

Continued on next page

Herstory of the law!

From Page 3

In the meantime, sensing the mood of the government, the civil society organizations held a rally against 'honour' killings on 8 October in Islamabad, to press the government and the parliamentarians for a strong position on this core issue of violence against women. On 15 and 16 October Shahla Zia was again invited to the women's ministry and requested that if civil society organizations wanted to suggest changes in the existing official bill, except for the issue of Qisas and Diyat, they could even suggest these now. Very reluctantly, Shahla Zia prepared another set of amendments, with the purpose of making the bill a bit more effective, and handed over these to the ministry with a letter (which was suggested by Nigar Ahmad) that Aurat Foundation did not agree with the complete eyewash of the core issues in the bill, particularly the issue of compoundability and minimum mandatory punishments.

As the last session of the 2nd parliamentary year of the NA had begun, the government apparently looked in great hurry to enact legislation on the issue. The bill came up on the agenda in the NA on 22 October (Friday). On Saturday and Sunday (23-24 March) the NA was in recess. On 25 March, the concerned Standing Committee presented its report on the bill; the House also had its first reading and a short debate the same day. The next day, on 26 March, also being the last day of the second parliamentary year of the NA, the bill was passed with a simple majority in the absence of the opposition members. Unfortunately, except for a few changes of a minor nature introduced by Mehnaz Rafi and M. P. Bhindara among others, none of the main amendments suggested by AF (Shahla Zia) were incorporated by the treasury benches when the bill was finally passed by the NA. However, since the issue of 'honour' killing had become a focal point in national politics, and a sizeable section among political parties and media had already highlighted the core issues of compromises and compoundability in the cases of 'honour' crimes, several MNAs from PPPP and MQM strongly opposed the official bill when it was being passed. The CSOs issued a strong press statement on 27 October, rejecting the bill in its present form. A press conference was held in Islamabad on 29 October denouncing the bill. In pursing the advocacy further with legislators, a strategy meeting was held with the Senators at the Parliament House, where Shahla Zia, Tahira Abdullah, Rashida Dohad, Nasreen Azhar and Naeem Mirza talked to a group of Senators that included Senator Raza Rabbani, Senator Latif Khosa and Senator Asfand Yar Wali , as the bill was awaiting the Senate approval; and briefed them about the lacunas in the bill. Anyway the bill became law later.

Bill on 'acid throwing' awaits NA nod

Acid throwing is the most ignominious of all gender-based crimes. The attack leads to severe burning and badly damages skin tissues often exposing and sometimes even dissolving the underlying bones. The consequences of these attacks include blindness and permanent scarring of the face and body. A total of 53 cases of acid throwing were registered across Pakistan. Four women legislators from different political parties submitted a private members bill with National Assembly Secretariat in December 2009 suggesting severe punishment to the culprits of heinous act of acid throwing. PML-Q MNA Marvi Memon is the principal mover of the bill, which has been co-authored by PPP MNA Shehnaz Wazir Ali, PML-N MNA Anushay Rehman Khan and PML-Q MNA Shehnaz Sheikh. The selceted contents of the Acid Control and Acid Crime Prevention Bill, 2009, are as follows:

1. Short Title and Commencement
(1) This Act may be called the Acid Control and Acid Crime Prevention Act, 2009.
2. Amendment of Section 332, Act XLV of 1860
In the Pakistan Penal Code, 1860 (Act XLV of 1860), section 332 sub-section (1) shall be amended as following:-
"332. Hurt
(1) Whoever causes pain, harm, disease, infirmity or injury to any person or impairs, disables, disfigures, defaces or dismembers any organ of the body or any part thereof of any person without causing his death, is said to cause hurt."
3. Insertion of Section 336A, Act XLV of 1860
In the Pakistan Penal Code, 1860 (Act XLV of 1860), after section 336, the following new Sections 336A and 336B shall be inserted, namely:-
"336A. Voluntarily causing hurt by dangerous means or substances
(i) Whoever voluntarily causes hurt by means of fire or any heated substance, or by means of any poison or any corrosive substance or acid, or by means of any explosive or arsenic substance or by means of any substance which is deleterious to the human body to come into contact with, to inhale, to swallow, or to receive into the blood is said to cause hurt by dangerous means or substances.
336B. Punishment for causing hurt by dangerous means or substances
(i) Whoever, by doing any act with the intention of causing hurt to any person, or with the intention that he is likely to cause hurt to any person, causes hurt by dangerous means or substances to any person, shall be punished with imprisonment for a term which may extend to life, or with fine which may not be less than five hundred thousand rupees, or with both.
(ii) Notwithstanding the provision contained in sub-section (i) hereof, the court may, at any stage of the trial on an application by the aggrieved person, direct the accused to pay monetary relief to meet the expenses incurred and losses suffered by the aggrieved person and such relief may include, but is not limited to:-
(a) loss of earning; and
(b) medical expense.
(iii) The accused shall pay monetary relief to the person aggrieved within the period specified in the order made in terms of sub-section (ii) and in accordance with terms thereof.
(iv) The court may, upon failure on part of the accused to make payment in terms of the order under sub-section (iii) direct an employer or debtor, of the accused, to directly pay the aggrieved person or to deposit with the court a portion of the wages or salaries or debt due to or accrued to the credit of the accused, which amount may be adjusted towards the monetary relief payable by the accused or recover the same as arrears of land revenue."
5. Amendment of Section 2(1), Act XII of 1919
In the Poisons Act, 1919 (Act XII of 1919), Section 2 sub-section (1) shall be amended, namely:-
"(1) The Provincial Government may by rules consistent with this Act regulate or prohibit, within the whole or any part of the territories under its administration, except under and in accordance with the conditions of a license granted as provided by this Act and those rules, the manufacture, possession, use, sale and purchase, whether wholesale or retail, of poisons or any specified poison."
6. Amendment of Section 2, Act XII of 1919
In the Poisons Act, 1919 (Act XII of 1919), in Section 2, after sub-section (2), the following sub-sections (3), (4) and (5) shall be added, namely:-
"(3) Except as provided by sub-section (4), a person shall not manufacture, distribute, supply or sell by wholesale or retail any poison unless he is licensed pursuant to the provisions of Section 2A to do so.
(4) Subject to this Act and the rules,
(a) a pharmaceutical chemist is authorized to manufacture, have in his possession, and to use, supply or sell at his pharmacy in the ordinary course of his retail business any preparation, admixture or extract containing any poison;
(b) a medical practitioner or veterinary surgeon is authorized to have in his possession and to use, supply or sell in the lawful practice of his profession any poison; and
(c) any dentist is authorized to have in his possession and to use in the lawful practice of his profession any poison.
(d) any other category of person notified by Provincial government in the official gazette.
(5) Subject to this Act and the rules,
(a) it shall not be lawful to sell any non-medicinal poison to any person unless that person is either:-
(i) certified in writing in the prescribed manner by a person authorized by the [rules] to give a certificate for the purposes of this section, or
(ii) known by the seller or by a pharmacist in the employment of the seller where the sale is effected,
to be a person to whom the poison may be properly sold;
(b) the seller of any such poison shall not deliver it until:-
(i) he has made or caused to be made an entry in a book to be kept for that purpose stating in the prescribed form the date of the sale, the name and address of the purchaser and of the person (if any) by whom the certificate required under paragraph (a) above was given, the name and quantity of the article sold, and the purpose for which it is stated by the purchaser to be required, and
(ii) the purchaser has signed the entry."
7. Insertion of new Section 2(A), Act XII of 1919
In the Poisons Act, 1919 (Act XII of 1919), after Section 2, the following new Section shall be inserted namely:-
"2A License to sell poisons
(1) Subject to this Act and the rules, a licensing authority may grant a license:-
(a) to make any poison;
(b) to manufacture and distribute or sell by wholesale any poison;
(c) to sell by wholesale any poison;
(d) to sell by retail any poison; or
(e) to import across a customs frontier any poison.
in or at any pharmacy or other premises or place of business specified in the license, to any person who satisfies the licensing authority that he is a fit and proper person to be the holder of such a license.
(2) An application for a license under this section shall be made in the prescribed manner to the licensing authority, which may in its discretion grant or refuse the license.
(3) The licensing authority shall not grant any license under this section unless and until it is satisfied that the premises of the applicant are suitable for the purpose in respect of which application is made for the license, and are properly and hygienically equipped for that purpose.
(4) All existing pharmacies, dealers, vendors, manufacturers, suppliers and other persons who require a license pursuant to sub-section (1), shall apply to the licensing authority for the relevant license not later that six months from the date of promulgation of rules under the Acid Control and Acid Crime Prevention Act, 2009."
8. Amendment of Section 6(1), Act XII of 1919
In the Poisons Act, 1919 (Act XII of 1919), Section 6(1) shall be amended as following:-
"6. Penalties
(1) Whoever---
(a) commits a breach of any condition contained in Section 2 or of any rule made under Section 2,
(b) imports without a license into Pakistan across a customs frontier defined by the Federal Government any poison the importation of which is for the time being restricted under Section 3, or
(c) breaks any condition of a license granted to him under Section 2A,
shall be punishable-
(i) on a first conviction, with imprisonment for a term which may extend to one year or with fine which may extend to one hundred thousand rupees, or with both, and
(ii) on a second and subsequent conviction, with imprisonment for a term which may extend to two years, or with fine which may extend to two hundred thousand rupees, or with both."

EDITORIAL

The 54th session of the United Nations' Commission on the Status of Women was held from 1 to 12 March, 2010, at the General Assembly Building of the UN. The CSW undertook a fifteen-year review of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session of the General Assembly. Member States, representatives of non-governmental organizations and of UN entities participated in the session. The overwhelming emphasis of the 54th session of the CSW after two weeks of deliberations was on prioritizing gender equality and empowerment of women in national policies, strategies, programmes and actions, based on the Platform for Action, for the achievement of all Millennium Development Goals. It called upon the Member States to review, amend and abolish all laws, regulations, policies, practices and customs that discriminate against women, in accordance with international human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Economic, Social and Cultural Rights and the ILO Conventions. Member States were urged to strengthen the capacity of national mechanisms for gender equality to effectively participate in the planning, development, implementation and evaluation of all policies, programmes and strategies, as well as in data collection and analysis.

Pakistan reiterated its resolve to carry forward it national gender reform agenda under the vision of' Shaheed Mohtarma Benazir Bhutto for women's empowerment under a four-pronged strategy, which includes, reducing feminization of poverty; promoting gender equality; ending violence against women; and introducing necessary legislative stricture to empower women.

This time apart from the main Global NGO Forum that was held for two days on the eve of the CSW session, it was an unprecedented show of parallel events arranged by NGOs, mainly by American women's rights organizations, in addition to by other donors and UN agencies. Prominent activists from the women's movement across ethnic, cultural, religious and geographical boundaries were speaking with one voice and a shared vision. The enthusiasm and commitment to the cause of women's empowerment was amazing and moving. It looked as if "another Beijing" was being held there; the mood and sensibility was overwhelming conveying a clear message that 'world cannot be a better place without women's fullest participation in all walks of life, particularly in the decision-making."

LEGISLATIVE WATCH

Legislative Watch is produced by the Resource Service of the Legislative Watch Programme for Women's Empowerment of Aurat Publication and Information Service Foundation at Islamabad.

Advisory Board:
I.A. Rehman, Tahira Abdullah

Editorial Board
Naeem Mirza, Wasim Wagha

Letters, opinions and contributions are welcome. Please write to House 28, Street 39, G-6/2, Islamabad
Tel: (051) 2277512 - 2277547, Fax: (051) 2822060
Email: lwprs@af.org.pk
Website: www.af.org.pk

Peoples' Resolution for a new social contract

Since June 2009, the civil society in Pakistan has been thinking of pathways to peace, and their role in it. These deliberations reaffirmed peace as an overarching and holistic goal, which demands a re-structuring of the relation between citizen and state, between the state and the socially excluded, and between the state and the region - and beyond. The process resulted in an informal launch of the Aman Ittehad, in October 2009, a platform of human rights organizations and different public interest groups and individuals from academia, educational institutions, media, lawyers community, parliamentarians, councilors etc. Charged with collective objective of building bridges between citizens and citizen organizations across Pakistan, Aman Ittehad organized a series of activities at mass level all over the country. On 1st January 2010 - at the dawn of a new year and decade -- ordinary citizens observed a Solidarity Day in 53 locations across Pakistan to reaffirm their resolve to overcome and to prevail. The rapidly changing context and circumstances in Pakistan demanded a more active citizenry. The next was the planning and holding of a series of 'Peoples Assemblies' in all major cities.

One objective, among others, of the proposed peoples' assemblies was to reflect on the original spirit of the '1940 Resolution' and to develop a 'People's Resolution' and share it with the citizens at large on the occasion of the 70th anniversary of the Lahore Resolution. 'The People's Resolution', prepared and agreed during the process of the peoples assemblies was read and passed at the final peoples' assembly held at Lahore, on March 22-23, 2010. The Peoples' Resolution provides the vision for a social contract that makes a paradigm shift from a security state to a state that is responsive to the needs and rights of its citizens. Below is the text of the Peoples' Resolution:

23 March 2010, Lahore

WHEREAS the people of Pakistan have in the past six decades been denied the rights and benefits of the citizenship of an independent and sovereign state;

WHEREAS the provinces of Pakistan have not enjoyed the autonomy promised in the Lahore Resolution of 1940;

WHEREAS the country has failed to evolve institutions of peace, human security and service delivery.

THEREFORE, concerned citizens gathered together in People's Assemblies all across the country and voiced their support for a new social contract.

NOW, this Peoples Assembly held at the birthplace of the Lahore Resolution on its 70th anniversary, as a collective voice of all the People's Assemblies held hitherto,

RESOLVES that adequate, effective and mandatory safeguards must specifically be provided in the Constitution of Pakistan to all citizens including non-Muslims for the protection of their religious, cultural, ethnic, linguistic, economic, and political rights and interests, in consultation with them. These safeguards must encourage transparency and accountability, the pillars of a true democracy with a view to creating a politically stable and socially responsive state that ensures all its citizens a life of dignity.

That equal opportunity and rights must be ensured to all citizens through the strengthening of institutions and the supremacy of the parliament that through its laws, policies and governance mechanisms transforms it from a security to a welfare state and a judiciary that dispenses justice to all with independence and equity. It ought to become a state that provides justice, quality healthcare and education, and livelihood for all citizens; a state that promotes peace in the region through a policy of non-interference and regional trade with all particularly its neighbours, and a state that lives in peace and actively enables its citizens to do so.

It is also the considered view of this Assembly that no constitutional plan would be workable in this country or acceptable to its people unless provinces are autonomous and governed according to the aspirations of people of the province that exercise complete control over their resources that are used equitably for the benefit of the citizens.

It is the sense of this Assembly that the parliament must frame all laws and oversee their implementation so as to protect citizens particularly the poor and the marginalized from oppression; the state must protect the rights of all its citizens through the provision of justice and the rule of law that holds people, particularly the powerful, accountable for their acts and omissions.

The Assembly further resolves that a social contract must be framed between citizens, and between citizens and the state. All laws that are framed and mechanisms for their implementation must be in harmony with this document that all policies, international and inter-provincial relationships, must conform to the collective will of the people expressed as the new social contract.

Indian bill for 33% quota for women in legislatures

Women's Reservation Bill or the The Constitution (108th Amendment) Bill, is a pending bill in India which proposes to provide 'thirty three per cent of all seats in the Lower house of Parliament of India the Lok Sabha and state legislative assemblies shall be reserved for women.

The Women's reservation Bill was passed by the Rajya Sabha on 9 March 2010. It will now go to the Lok Sabha, and if passed there, would be implemented. The seats to be reserved in rotation will be determined by draw of lots in such a way that a seat shall be reserved only once in three consecutive general elections.

14 years after the first attempt was made in the Lok Sabha and repeated failures subsequently, the Constitution amendment bill was adopted in the mandatory division with 186 members voting for it and one voting against. The bill seeks to reserve for women 181 of the 543 seats in the Lok Sabha and 1,370 out of a total of 4,109 seats in the 28 State Assemblies.

"The women's reservation bill will ensure that women of Scheduled Caste, Scheduled Tribe, Other Backward Classes, poor women and Muslim women would benefit from it," Brinda Karat, a MPA said, addressing concerns that the bill would benefit only some sections.

JD(U), whose present Sharad Yadav is a staunch opponent of the Bill, appears to have backed the Bill fully with most of its 7 members voting for it in response to the call by one of its senior leaders and Bihar Chief Minister Nitish Kumar.

Women of the world unite for equal rights and status

From Page 1

meetings with different people and institutions, including Pakistan's Embassy officials.

On 27th and 28th February, AF team along with other members of the NGO delegation attended the Global NGO Forum for Women: Beijing +15, at the Salvation Army Auditorium, New York City. There were so many women waiting in front of the registration window that we thought we would never be able to get in but the kind volunteers kept on reassuring us that they would arrange seats for us. When we entered the auditorium, Dr. Sima Samar, Chair of Afghanistan Independent Human Rights Commission was delivering the keynote speech.

Dr. Sima Samar, while taking note of the present world situation that is full of chaos and problems, injustices and inequalities, wars and conflicts, repression and violence, made a statement that nobody among the participants could disagree with and the statement was: "We (the women) are the mothers of these bad men". There were various panel discussions on different women's rights issues, such as "Advancing women's rights 1975-2010: what the world conferences on women accomplished" and "the state of the world's women: patriarchy, violence against women and girls; women's health and climate change". Renowned activists and experts spoke on almost everything concerning women in a focused manner; then prioritized issues to prepare the final recommendations.

The most unforgettable event of the NGO forum was a tableau on feminist history presented by school children. This was the presentation of The Children's Theatre Company which is rooted in the conviction that through the magic of theatre, children and youth can be the voices of change and the agents of healing. It presented the journey of the struggle for women's rights throughout the history. A group work took place after that. Our Asia-pacific group was facilitated by a Nepalese activist. When she asked about positive things that happened to women during past fifteen years, the response of Aurat Foundation was: "enhanced political participation of women". After initial disagreement and some discussion, everybody agreed with the statement.

On 28th February, Naeem, Arifa and I had to go to the main UN building to become a part of an endless queue to get registered for the CSW session. However, despite some obvious networking problems, the brighter side of such long queues was a sense of solidarity among the participants that prevailed and nobody complained. Once people did manage to get badges, and were ID'ed and photographed, the next hassle was getting into the sessions. There were passes for official meetings which of course ran out; and in the NGO parallel space, large number of people and fire restrictions meant that even those willing to stand or sit on the floors were being turned out. It is estimated that over 8,000 women were there.

From 1st March, the CSW events started in main UN building while most of the parallel NGO events took place in the UN Church Center. The CSW sessions focused on high level plenary review of the implementation of the Beijing Platform for Action. The head of each country's delegation was given five minutes for sharing experiences and good practices of his/her country on implementation of the platform for action.

On 3rd March, the CSW had planned to devote one session to celebrate International Women's Day. However, on Wednesday, the 3rd March, the morning began with a light snow shower and the walk from our hotel to the United Nations main building became a little adventurous. The weather didn't stop hundreds of people attending the celebrations of the International Women's Day. The morning's event featured the United Nations Secretary-General Ban Ki-Moon as the chief guest. Also attending were Meng Xiaosi, minister and vice-chairperson of the National Committee on Women and Children, People's Republic of China, and Audun Lysbakken, Minister for Gender Equality and Children's Affairs, Norway. After their opening remarks, there was an interactive panel discussion, moderated by a well-known journalist María Hinojosa.

The UN Secretary-General Ban Ki-Moon made a historic speech and highlighted UN's commitments towards gender equality and the achievements women had already made. He said in his address: "since the time of the fourth world conference on women in 1995, there are signs of progress. Most girls now receive education, especially at the primary level, while a growing number of countries have policies and legislation supporting gender equality and reproductive health in place. Last September it was announced that four UN agencies and offices - including the UN Development Fund for Women (UNIFEM) - will be amalgamated to create a new single entity within the world body to promote the rights and well-being of women worldwide and to work towards gender equality".

Mr. Ban called upon the General Assembly to adopt a resolution "without delay" to set up this new entity. His speech followed thunderous applause amid a huge uproar in the hall and the visitors' gallery. We saw that the Secretary-General was waving smilingly towards the gallery where a group of women activists in the first row had stood up with one placard in each activist's hands making a sentence: GEAR UP NOW.

Pakistani NGOs were anxiously waiting for the report of the government of Pakistan that was to be presented by Ms. Anis Haroon, the Chairperson of the NCSW on 3rd March, in the afternoon session. Ms. Anis Haroon said while addressing the 54th CSW session that the government was moving forward to realize the vision of former Prime Minister Shaheed Benazir Bhutto for empowerment of women under a four-pronged strategy. The strategy aims at reducing feminisation of poverty, promoting gender equality, ending violence against women and introducing necessary legislative structure to empower women, she added.

We also attended the UNIFEM session "Responses to the crisis from a feminist/women's rights perspective". Panelists included: Radhika Balakrishnan, Executive Director of CWGL, Hameda Deedat, Researcher at Gender and Economic Reforms in Africa, Emily Sikazwe, Executive Director of Women for Change for Zambia at Social Watch, Gul Unal, Assistant Professor of Economics at Bard College, and Marina Durano, Coordinator at Political Economy of Globalization, DAWN,WWG-FfD.

While much was said, the following were the key points: a) crises are not new for many countries in the world. Instead, much of the global South has faced a perpetual set of crises, comprised of continuous food, care, climate, water, and energy emergencies; b) these crises - like all others - have not come out of thin air. These were caused by changes in the regulatory system of the leading capitalist countries that allowed the financial system to expand unsustainably.

On 2nd March, the AWID and Social Watch and Development Alternatives with Women for a New Era (DAWN) convened "Eyes on Gender: Regional Perspectives on the Impact of the Financial Crisis." This session brought together gender equality/women's rights advocates from Latin America, Africa, Europe and Asia to speak to, investigate, and analyze the impact of the systemic crisis on women from a regional, national and local perspective.

An NGO parallel event that was attended by the majority of the NGO activists was "What Women want from the UN women's agency". This event was arranged by Oxfam and Novib. There was a long list of expectations and everybody agreed that the new women's agency urgently needs sustained political commitment from all governments and immediate, substantial funding to ensure it. The new agency for women must have: World coverage and the necessary country presence and strong policy and programmatic mandate to effectively improve the lives of women worldwide; accountability mechanisms in place at both national and international levels, including through meaningful involvement of civil society, particularly women's non-governmental organizations; substantial and predictable resources to ensure the capacity to meet expectations and deliver results at all levels; it must be funded initially at a minimum level of $1 billion USD, with increases over time and; an Under-Secretary-General should be appointed immediately, in order to lead the agency.

On March 5, 2010, the two representatives of the Citizens' Action Committees of Aurat Foundation made presentations to a jam-packed audience at an event arranged by Oxfam-GB; and spoke about their work at the grassroots level that highlighted the achievements made by women in the arena of women's political participation. Ms. Amar Sindhu and Ms. Nigar Rauf, both explained how women were getting empowered through local government system and how they were taking bold initiatives to secure gender-oriented development schemes amidst huge constraints. They also spoke about Aurat Foundation's programme "Raising Her Voice", under which Groups of Women Local Leaders had been formed in 30 districts of Pakistan.

On 5th March, we also participated in the parallel event entitled: 2020 VISION: Mobilizing for Women's Rights and Eliminating Violence against Women. This event was organized by Women's Learning Partnership (WLP) in cooperation with Social Research Journal at the New School for Social Research. Ms. Mahnaz Afkhami, president of WLP and Ms. Arien Mack, editor of Social Research were the moderators. Keynote speakers were Ms. Shirin Ebadi (Noble Peace Laureate, 2003 Founder, Defenders of Human Rights Centre, Iran), Ms. Thoraya Obaid (Executive Director of UNFPA; Under Secretary General of the United Nations), Ms. Mary Robinson (President, Realizing Rights; former President of Ireland) and Ms. Melanne Verveer (United States Ambassador at Large for Global Women's Issues).

Most of the Pakistani NGO activists flew back to Pakistan on the night on the 5th March. My flight was on the night of the 6th, so I also attended two NGO events on 6th as well. One was about gender, climate change and food security and the other event was arranged by Ms. Chandni Joshi, who is a popular figure especially among South Asian development practitioners. The topic was political violence against women, and speakers from Nepal, India, and Bangladesh, all mentioned Benazir's assassination, in particular. Ms. Arifa Mazher of Sungi Development Foundation also shared two case studies of Pakistan. ***— The author is Resident Director of Karachi office of Aurat Foundation***

Pakistan resolves to realize gender equally

Anis Haroon makes statement before 54th CSW session

Ms Anis Haroon, Chairperson, National Commission on the Status of Women and Head of the Pakistan Delegation, at 54th Session of the United Nations Commission on the Status of Women, at New York, on 03 March 2010. Below is the text of her address:

Chairperson,
Excellencies,
Ladies and Gentlemen,

I wish to congratulate the Chairperson and the entire bureau on assuming their office for the 54th Session of the Commission on the Status of Women.

My delegation aligns itself with the statement made by the distinguished representative of Yemen on behalf of the Group of 77 and China. We thank the Secretary General for his reports.

The Commission on the Status of Women is moving forward the Beijing torch. This year we are undertaking the fifteen-year review of the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly. As we gather here to share our experiences and learn from good practices with a view to overcome the remaining obstacles and new challenges, including those related to the Millennium Development Goals (MDG's), it is also a time for introspection and reaffirm our commitment to the areas identified in the Beijing Platform for Action to achieve a safer and brighter future for the women of the World.

Chairperson,

In Pakistan, the inspiration for gender equality and empowerment of women comes from the vision of our founding father Quaid-e-Azam Mohammad All Jinnah who said "No nation can rise to the height of glory' unless your women are side by side with you".

Pakistan's Constitution guarantees equal rights for all its citizens without any discrimination on the basis of east, colour, sex, or race. It further ensures full participation of women in all spheres of national life.

Noting the role of women in our nation building Shaheed Mohtarma Benazir Bhutto wrote in her book "Reconciliation Islam, Democracy, And the West" that "When the time came to pick up my father's mantle and legacy and lead the Pakistan People's Party, I, as his eldest child present in Pakistan, led the struggle for democracy. No one among my father's followers opposed this on the ground of gender. This was the gender equality in Islam under which I was brought up."

The democratically elected Government in Pakistan is moving forward the vision of' Shaheed Mohtarma Benazir Bhutto for women empowerment under a four pronged strategy, which includes:

- Reducing feminization of poverty:
- Promoting gender equality;
- Ending violence against women; and
- Introducing necessary legislative stricture to empower women.

Chairperson,

I would take this opportunity to share with the Commission some of the steps that Pakistan has taken to realize gender equality and empowerment of women:

a) Pakistan's National Plan of Action to implement various commitments of Beijing Declaration and Platform for Action has been prepared on the basis of observations made by the Committee on Elimination of Discrimination Against Women on our last country report.

b) The National Commission on Status of Women was established in year 2000, to examine the relevance and efficacy of all laws, policies, programmes and measures for women empowerment and gender equality. The process to make the Commission fully autonomous is underway.

c) Women have gained increased role in every sphere of life in Pakistan. Women of Pakistan are now working in Civil Service, Foreign Service, Police and Military services.

d) Pakistan has the honour of electing Shaheed Mohtarma Benazir Bhutto as the first woman Prime Minister of the Muslim world. Today, we proudly have the first woman Speaker of the National Assembly in South Asia, 17 women Senators (17% out of 100-member upper House) and 76 women parliamentarians (22.5% out of 338 members of Lower House).

e) We have recently adopted laws to protect the rights of women, these include the Criminal Law (Amendment) Act, 2009 and Protection against Harassment at Workplace Bill 2009. The Domestic Violence (Prevention and Protection) Act is under consideration. These legislative measures have been undertaken with the involvement of all stakeholders including the civil society organizations. Thanks to the vibrant women's movement in Pakistan for their support.

Among other initiatives taken for economic empowerment of women, the Benazir Income Support Programme is an innovative scheme, which provides cash grants to female head of a poor household. This improves the decision making role of the female head of the family and allows her to spend that cash grant on a priority laid down by her. Another initiative is a Programme for the grant of State Land to poor women tenant farmers in the rural areas.

Acknowledging that adult functional literacy for women particularly in rural areas contribute substantially to empowerment of women, the National Commission for Human Development (NCI ID) has helped gained functional literacy to over 2 million women in rural areas. Pakistan's Gender Parity Index for adult literacy has increased in the last six years.

The Poverty Reduction Strategy Paper (PRSP) and Medium Term Budgetary Framework have incorporated various gender-sensitive amendments.

The Ministry of Women Development's "Gender Reform Action Plan (GRAP)" is aimed at undertaking a coherent gender reform agenda through phased implementation processes, including political participation, institutional restructuring, women employment in the public sector, and gender responsive policy and budgeting.

Chairperson,

While we review the progress made in the last fifteen-years, there are contemporary and emerging challenges. We are only starting to know the negative fall out of the multiple crises of food, fuel and finance. The Beijing Platform provides us a comprehensive document to incorporate our responses to the emerging challenges and look for new development paradigms.

Pakistan fully supports the new Gender Entity at the United Nations and believes that the Gender Entity will help to achieve gender equality and empowerment in a more co-ordinated and coherent fashion.

Chairperson,

Let us remember the words of, Goethe: "Freedom has to be re-made and re-earned in every generation." Fifteen years ago Pakistan was represented in Beijing by Shaheed Mohtarma Benazir Bhutto, let me pay tribute to this brave icon of women's empowerment and quote from her statement "We must do much more than decry the past. We must change the future". We must all work together to change the future and earn our freedom.

Chairperson,

Women continue to bear the burden of wars and threats to security which hampers their development. They need the support of the international organizations to give a voice to their concerns about peace and security. Chairperson, unless women are given a fair representation in the peace process, the world peace will be an elusive dream. To give peace a chance, give women a chance.

I thank you.

Mediation Committee discusses DVB

The Bill on Domestic Violence will be presented in the National Assembly soon, informed the Advisor, Minister on Women's Development, Ms Yasmeen Rehman, during a meeting with a team of Aurat Foundation at her office.

The Domestic Violence Bill (DVB), after being lapsed in the Senate of Pakistan last year, was referred to the Mediation Committee to reflect into the issues/objections raised on the bill and create consensus. The Committee would then send the Bill for approval first in the National Assembly and then to the Senate. The Mediation Committee has so far held two meetings under its Chairperson Ch Abdul Ghafoor. Ms. Attya Inayat Ullah, a veteran member of the committee, is actively pursuing the bill to convince other legislator. The Committee members have also held meetings with the representatives of the Council of Islamic Ideology (CII) to discuss the objections raised by them. This bill was moved by a distinguished parliamentarian, Ms. Yasmeen Rehman, who is presently the Advisor, Ministry of Women's Development.

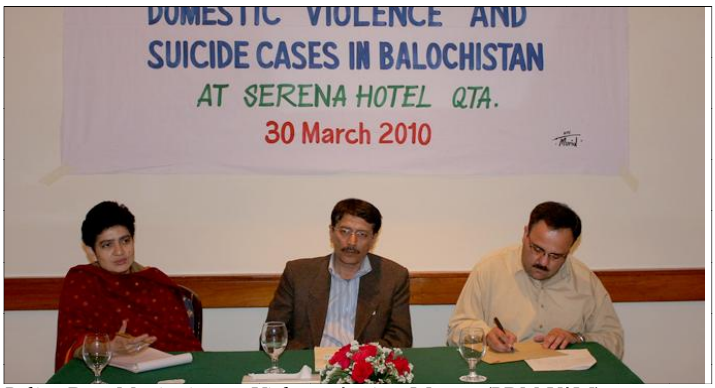
Two similar bills, submitted by Ms. Sherry Rehman and Ms. Mehnaz Rafi, in the previous National Assembly in 2004 and 2005, got also lapsed. It could be said that the efforts for positive and effective legislation on domestic violence have entered its seventh year. We call upon all members of both the houses of the Parliament to deliberate upon the bill with a view to removing serious flaws in the bill, and enact an effective law putting an end to gender-based domestic violence in Pakistan.

8th March Declaration: Equal Rights and Equal Opportunities for All, signed by women parliamentarians to celebrate the International Women's Day at Punjab Assembly, Lahore.

International Women's Day celebrated at Punjab PA

8 March - Lahore:
First time in the history of Pakistan, the International Women's Day was celebrated in a provincial assembly, the Punjab Assembly, on the theme of 'Equal Rights, Equal Opportunities and Progress for All'. Women parliamentarians in the Punjab Assembly presented a joint statement and reiterated their overwhelming support to joining hands with women's rights movements at international level. They expressed their solidarity with the women, children who fall victim of terrorism and vowed to struggle for a society based on justice, tranquility, peace and equality. Women parliamentarians, who joined hands across their party divide, issued following statement:

" We strongly recommend that government should fulfill its commitments to bring women in mainstream through socio-economic development in accordance with the international conventions and treaties, ratified by Pakistan, particularly CEDAW Conventions, Human Rights Convention, Millennium Development Goals, Child Rights Convention and other agreements and a parliamentary monitoring committee should be formed to effectively implement on all international commitments to achieve equal participation of women in socio-economic and cultural activities. We also recommend that a quota of 10 % jobs for women in all the public and private sector should be implemented effectively. It is strongly recommended that the lady doctors, psychiatrists and lawyers be appointed immediately in all Dar-ul-Amans, and women jails. Women should be included as member of the Election Commission of Pakistan and its bodies at federal and provincial level."



Policy Data Monitoring on Violence Against Women (PDM-VAW) programme team of AF Quetta, organized a focused group discussion on 'Domestic Violence and Suicide Cases in Baochistan', on March 30, 2010 at Serena Hotel, Quetta. Ms Raheela Durrani, Provincial Minister for Prosecution, participated in the discussion as Chief Guest. Professor Naseem Achakzai, resource person, gave a detailed presentation on the increase in suicide cases in Balochistan. In his session, he discussed and highlighted psychological reasons of suicide and attempt to suicide. He also shared the impact of such incidents on the society, family and individual survivor of attempt to suicide. Chief guest Ms. Raheela Durrani appreciated the idea of collecting information and data on the incidents of violence against women by Aurat Foundation. The chief guest and the participants asked AF to further arrange such discussion on different aspects of increasing number of suicide incidents in Balochistan with wider.

Peace rallies across Pakistan

In order to start the new year with a strong message of 'need for peace in the country', the Aman Itehad, a peace alliance of civil society organizations, decided to hold peace rallies in remembrance of thousands of innocent citizens who lost their lives in the suicide attacks, on January 1, 2010, all over the country simultaneously. Aurat Foundation, being active member of the alliance, actively participated in the peace rallies through its regional offices and Citizen Action Committees (CACs).

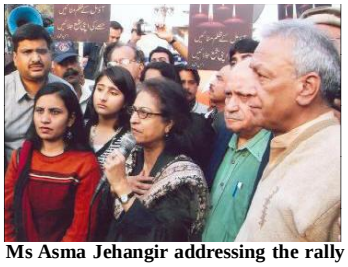
Peace March - Karachi
Amman Itehad organized a 'peace march' in Karachi on January 1, 2010. Aurat Foundation Karachi office actively participated in the rally and also mobilized other civil society organizations, members of political parties, women councilors and famous celebrities like Shima Karmani to join in.

The participants of the rally carried balloons, banners and placards inscribed with slogans expressing the need for peace and end to violence. They said that lawlessness had badly damaged peace and harmony in the society, destroyed the economy of the province, thus rendering thousands of people jobless. The participants marched from Press Club to the Governor House.

Peace March - Lahore
The new year peace rally in Lahore was organized from Regal Chowk to Charring Cross in front of the Punjab Assembly. Other members of Aman Itehad included SAP-Pk, AGHS, Shirkat Gah, GJTMAP-Punjab, Kashf Foundation and MDM.

Lawyers, representative of non-government organizations, human rights activist, members of political parties and media participated in large number. Asma Jahangir, Chairperson (HRCP), while addressing the rally, said the nation should stand united against terrorism and militant forces trying to destabilize the country.

Civil society activists carrying pigeons and balloons as sign of peace at a Karachi rally.



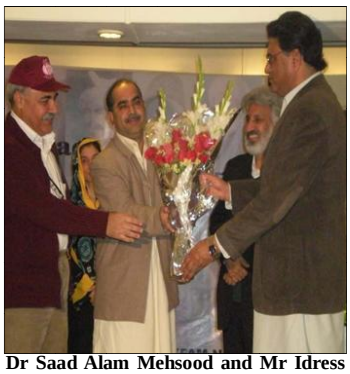
Ms Asma Jehangir addressing the rally on peace; with her stand I A Rehman, Mumtaz Mughal and others at Lahore.

Peace Mela 'True Face of NWFP'

In order to bring peace message to the residents of the violence ridden city of Peshawar, Aurat Foundation Peshawar team organized a Peace Mela on January 26, 2010, at PC, Peshawar. The main objective behind the activity was to depict the 'True Face of NWFP' through local culture and literature. Hundreds of peoples participated in the 'peace mela' to celebrate culture and literature which face serious threats from militancy in the province. Aurat's team presented bouquet to police, journalists, and activists of Aman Tehreek to acknowledge their service for peace. District Nazims of Swabi and Mardan were also presented bouquets to acknowledge the services of people of the districts for their generous and unconditional support to internally displaced persons (IDPs) from Swat .

Mr Aqil Shah, provincial Minister for Sports and Culture, Sardar Hussain Babak, provincial Minister for Education and Ms Sitara Ayaz Provincial Minister for Women Development and Social Welfare participated as chief guest in various sessions. The mela started with the traditional Pashtun dance Attann. Children from Swat and Mardan, and women from DIK presented tableau which expressed their sentiment about war and peace.

A collection of poems from renowned mystic poets of Pashtu language, compiled by Aurat Foundation, titled 'Silence of the Birds' was also launched at the occasion. Other activities on the occasion included photo exhibition and Pashtu Mushaira. The musical evening performed by famous singer Anwar Khayal, also added into peace message through diversity of music in Pashtu, Urdu and Seraiki languages.



Dr Saad Alam Mehsood and Mr Idress Kamal of Aman Tehreek receiving bouquet from Mr Aqil Shah, Provincial Minister for Sports and Culture, Mr Naeem Mirza, COO, AF and Ms Shabina Ayaz, RD, AF, Peshawar, also present.