



LEGISLATIVE WATCH



Founded by Shahla Zia

Patron-in-Chief: Nigar Ahmad

EDITORIAL

This edition of the Legislative Watch Newsletter takes a critical appraisal of law making in Pakistan. The success of pro-women legislation during the tenure of the previous Government, the legislation already submitted into the legislative bodies within the first year of this Government and the increasing focus of civil society organizations on legislative drafting, makes it essential to re-evaluate the expected standards of legislation in Pakistan. Questions must be asked regarding the quality, effectiveness and long-term impact of legislation already passed and of that being introduced and drafted. In the women specific laws that have been passed over the time span of the last 14 years, a number of loopholes and problems with implementation have been seen, resulting in terms of formal equality and recognition of their rights, but it is yet to be translated into substantive equality.

Legislative initiatives must not be taken lightly and while the achievements of formal equality may be celebrated, the gaps in the current processes of drafting legislation by parliamentarians, Government Departments and civil society must be filled in order to create real and actual change in the society. Thus, this edition re-visits basic principles of legislation, while also mapping current legislative initiatives with the view to work towards ensuring quality, sustainable and impactful women specific legislation.

It is vital for civil society, donors and international organisations and parliamentarians to also focus on implementation of laws while continuing to work on drafting and passing of legislation. One of the recommended methods would be to focus on the different segments of the criminal justice system i.e. the police, medico-legal, lawyers, judges and jails. Focus must be placed on ensuring adequate resource and budget allocation; sensitization and awareness of human rights law, Pakistani constitutional law, its human rights framework; and sensitization on gender and women specific issues. It is necessary to create an overhaul of these systems of knowledge, information and training in order to improve their involvement in cases involving women. If necessary, legislative amendments can be made to provide legal cover and protection to any changes. Policies and other subordinate legislation are also necessary to strengthen the relevant departments.

Without paying close attention to the quality of legislation ensuring extensive research, consultation, debate within legislatures and public domain, and the processes and procedures to ensure substantial equality for women, the legislation already passed, and which will be passed in future, will continue to be nothing more than words on paper, providing no justice and protection for women as was its main objective.

Legislative Initiatives on Women in Pakistan - Need for Self-Critique and Reassessment

By Maliha Zia

The initial international human rights framework, including the Universal Declaration of Human Rights (UDHR) pays little attention to the relationship between human rights and rule of law, not considering the latter as a core component. In recent years, the United Nations and other international, regional and national bodies regard the effective applicability of rule of law as a requirement of protection of human rights. Thus, it is now recognised as integral to the protection and implementation of rights.

Pakistan seeks to ascribe to the concept of rule of law, as is emphasised through the Constitution of the Islamic Republic of Pakistan 1973 and its interpretations. There is however, no denying that it has not reached full conformity with its principles. The current socio-political environment, including the lack of law and order, threats of talibanisation, increased insecurity, internal governance issues etc, make it difficult to apply these principles and protect fundamental freedoms and rights in the Constitution and the internationally recognised human rights.

Pakistan has taken progressive steps towards protection of human rights by ratifying the majority of the interna-

tional human rights conventions, including Convention for the Elimination of Discrimination Against Women (CEDAW). The Constitution has a chapter on fundamental rights - a number of which are taken from the UDHR. Thus a body of fundamental human rights backed with legal protection are available.

Affirmative Action

Important for women, is Article 25 i.e. the equality clause. This allows for affirmative action on women or children specific laws to be passed without being deemed discriminatory. There are two main scenarios when this should come into play:

- (1) When the existing law does not cover the illegality, discrimination or crime being committed against women or children.
- (2) When the existing law could cover the illegality, discrimination or crime being committed, but is failing to do so in its applicability - therefore requiring a specific law to address the issue.

Resultantly, focus on legislation increased on women specific issues, particularly violence. The majority of criminal offences in Pakistan are identified by the Pakistan Penal Code 1860 (PPC). However, there remain gaps in

the implementation of the PPC and other relevant laws. Thus justice is not provided for vulnerable segments of society, including women. There arose a need for a body of law on different aspects of violence against women, which has emerged over the last 14 years.

An effective legislative framework is a necessary foundation for a comprehensive approach to implement, protect and enforce the fundamental human rights. However, while recognising that subject-specific legislation is one way to protect and promote rights, with the increasing activism of all stakeholders including female legislators, it is vital to re-examine the direction and scope of this activism to ensure its quality and sustainability.

It is essential to recognize constraints of legislators in Pakistan: Limited resources for research and drafting of legislation. If permitted - and it varies between the provincial assemblies - parliamentarians may request staff of the provincial assembly or law departments to assist them. Any such activity by the staff is in addition to their work, thus, is often not thorough and complete. Commonly, the Law Department and Ministry of Law see the law for the first time once it is submitted.

Thus, legislators and departments, including the Women Development

Departments (WDD), have relied upon their own information and personal contacts and upon civil society for their assistance in consultation, research and drafting. This public-private partnership has been successful with organizations playing a vital role in the pre-parliamentary process and in advocacy and lobbying. This places a burden on civil society to ensure that their process of drafting legislation are followed properly to ensure the quality of not just the legislation, but also the follow up procedures and implementation.

Making legislation goes beyond just drafting, ensuring consonance with other laws and prescribing the adequate remedies. This is relevant for both parliamentarians, as well as civil society who have taken an active role in drafting legislation.

Policy Development

There is a need for policy development prior to the development of legislation. In Pakistan focus is on developing legislation and not on comprehensive prior development of the policy which should be expressed in a law. Resultantly, it seems that law making often appears as a substitute for policy making.

Policy development ensures thought in the determination of exactly what is

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to be achieved by the legislation; how this can be best achieved; and if legislation is necessary. This develops a rationale for the Bill. It also becomes clear that not all policy developed necessarily requires legislation to implement it.

Admittedly not all have the resources at their disposal to undertake policy development, but consideration must be given to shifting the burden onto the proposer of the Bill to demonstrate that there has been sufficient policy development as a condition for and prior to submitting a legislative proposal.

This burden must also lie upon civil society when they push forward a Bill drafted by them. It is essential that civil society also prepare a policy document and strategy document on similar lines enunciated above. It must also examine its own strategy to determine also whether there is an actual requirement for primary legislation to implement the desired change.

Procedural Option

Once the need for a new legislation is established, the kind of legislation required for impact and sustainability must be determined. The focus in Pakistan has been on criminalization of categories of violence. It is necessary to explore options of creating a procedural or administrative amendment, resulting in the desired impact.

The latter options have been applied successfully in the Family Courts (Amendment) Act 2002 - amending the procedures of family cases with effective results. Other initiative includes Punjab's two laws: The Punjab Partition of Immoveable Property Act 2012 and the Punjab Fair Representation of Women Bill 2014, which made procedural and administrative changes to achieve their goals.

Secondary Legislation

Secondary legislation cannot be ignored. Statutory instruments are meant to further explain and expand the meaning and planned implementation of a law. This is a generic term used for Orders, Regulations, Rules, Codes etc. They are also referred to as subordinate, subsidiary or delegated legislation. They are generally made by government ministers under powers delegated by Parliament.

Secondary legislation may prove to be more effective than an Act. This tactic has been used by civil society in the notification of Standard Operating Procedures of Government Shelter

Homes and civil society advocacy for a policy on Home Based Workers.

Extensive Consultation

There must be extensive consultations with (if Bill is being brought forward by a parliamentarian or Government Department or Institution) or within (if being drafted by civil society) civil society. This allows for improvement of quality and effectiveness of the legislation - where different expertise may identify gaps within the policy or legislation and refine the final product, especially in terms of effectiveness.

Consultation is valuable at every stage of the legislative process starting at the initial stages i.e. at the stage of policy formation and prior to a draft legislative text being prepared. Apart from principles of inclusiveness and transparency, it is also institutionally easier to include recommendations at this stage before an internal consensus on the policy. However, the full implications of the legislative initiative will only be clear when a policy is translated into legislative text. Thus consultations must continue throughout the process, for both primary and secondary legislation. While for the latter, there may be reluctance to include the public due to the greater technical and detailed nature of discussions, but the positive role of civil society is particularly valuable and must be included where possible.

Drafting Techniques

There have been concerns as to the lack of specialist drafting techniques for human rights legislation and a lack of familiarity with modern legislative drafting techniques. Legislation for the Government is often drafted by the Law Department, Ministry of Law or staff members of different Ministries who are usually inducted into legislation drafting without training but learn on the job. Despite the existence of the Law Departments in the Provinces and the Ministry of Law at the Federal Capital, the function of preparing necessary domestic legislation is largely devolved to individual Ministries. Consequentially, the procedures and substance may not fully address the quality of law and the importance of subordinate legislation - which is crucial at the implementation stage.

Subject Knowledge

Civil society and parliamentarians often turn to the local adaption of international legislation or to local lawyers or retired judges. While knowledge of the subject and law is not doubted, especially of the latter, the specialist and quality technique is problematic. While civil society organisations may work with consultant legal advisors and personnel during the drafting process, these persons are often not involved in the advocacy and lobbying

and through a number of the consultations. As a result, without the requisite knowledge of the law and especially the whole legal framework of Pakistan, civil society members without legal, or relevant legal backgrounds may inadvertently give spaces in negotiations on aspects that should be non-negotiable. It is necessary for civil society to continue coordinating in a timely manner on the draft policies and laws at all stages. Further, sufficient time must be given by civil society on presentation and discussion on draft legislation. A few hours or half a day is not sufficient time for a proper consultation. If practices such as this continue, civil society will be as guilty of lack of transparency and inclusiveness as it accuses the Government of being.

Civil society drafted laws or the private members' drafts must be vetted by the Law Department or Ministry of Law. These bodies are dependent often do not have staff members with the knowledge, awareness and sensitisation, especially on issues relating to women and human rights. Experiences of civil society organisations, including Aurat Foundation, has found civil society staff having to educate, sensitise and lobby with the staff of these bodies on a regular basis to explain, justify and fight for every provision deemed necessary in the laws passed. Despite this, almost all the laws passed on violence against women have some gaps, resulting in difficult implementation and slow in its effectiveness. This is largely due to the last minute changes made by the Government bodies - whether with the specific intention of negatively impacting the implementation of the law or through ignorance.

Budgetary Allocations

It is vital for the proposer of the law - whether a Government or a Private Member, to ensure sufficient and clear budgetary allocations within any proposed legislation to ensure implementation. Looking at the budget of Pakistan, it is clear that allocations do not favour women specific and related issues. Budget allocations also indicate the low importance given to institutions such as human rights commissions, minority commissions, women's commissions, police complaints commissions, ombudsmen etc. The budget allocation to Ministry's are also evidence to the prioritization of the Government with the WDD being one of the least funded departments.

The lack of adequate budgets being specified within the primary or secondary legislation and the lack of coordinated support from relevant ministries and departments leave a number of gaps within the system. For example, no domestic violence commissions, protection committees or protection officers have been notified in Sindh, with different departments

refusing to take ownership as it is not specified within the law and the WDD has not yet taken forward the Rules of Business. The Sindh Human Rights Commission remains without any budget allocation to allow it to function. Bodies, such as the Gender Crime Cell has not been filled to the required capacity. The police, especially women police, remain under budgeted etc.

It is vital for parliamentarians and relevant ministries and departments to learn from these lessons and ensure covering these issues in all legislation drafted and proposed by them. Parliamentarians must actively participate in the making of the budget of Pakistan. Consultations with parliamentarians should not happen for the first time on the floor of the Assembly, but they should be part of the process from its annual initiation. Government should be encouraged to hold public meetings on the budget with civil society to ensure its transparency with public participation and a demonstration of the commitment to the people and the human rights.

Implementation of Law

The above principles must be enshrined in every process of preparation of policy and legislation for civil society, parliamentarians and government departments. Without clarity and consistency, the law may pass, but may prove to be ineffective.

It is necessary to raise concerns as to the lack of implementation of the women specific law that has been passed. Law has little or no value if there is no enforcement and the gap between law on books and actual practice is reasonably narrow. There is a need to focus on moving from formal equality on the law books towards substantive equality i.e. in attaining actual empowerment, protection and elimination of discrimination.

The system in Pakistan has a weak implementation and thus falls short of the ideal of 'rule of law'. It has weak institutions and enforcement powers, heavily politicized decision making power, external influence on the decision makers, parallel illegal justice systems, long delays and heavy costs of litigation, and mostly patriarchal and biased justice system.

Parliamentarians play a key role in this, whether as proposers of bills, or as participants and voting members within their Assemblies and parties. They should follow the above enunciated principles throughout the legislative processes during their tenure. They must also focus on secondary legislation which may have a sustainable effect necessary for creating a real and actual change within the system. *-The author is Manager, Law and Gender, Aurat Foundation.*

Legislative Performance on Women's Rights Issues During the First Parliamentary Year 2013 - 2014

AF Staff Report

With research input from
Regional Offices

There is no doubting the importance of legislation on many levels: it provides a legal framework within which the State must function. It provides rules and regulations for the functioning, relationship and actions between citizens and the citizen and the State. It is also recognized as an essential method of social reform, establishing formal equality for women. Setting the standards of acceptable behavior, legislation can play a key role in defining and identifying and changing behavior that is anti-women and also challenge accepted norms within society, working to create intolerance of such behavior.

Some believe that legislation on women's issues is secondary to a change in public attitude i.e. that legislation may be pointless if promulgated before a change in public opinion. The counter argument is that it takes time to change public opinion resulting in actual substantive equality. It is important thus to ensure a pro-women and supportive legal framework which at least has formal equality that will bridge and protect the path to substantive equality.

It cannot be denied that legislation can play a role in creating transformative social change. Legally defined measures can work towards ensuring protection for women and challenge the assumptions about the role of women in the family, civil society, governance and the community. It can work to prevent violence and discrimination, as well as provide justice and rehabilitation for victims. The role of people who make these legal political decisions can shape the public opinion in the process.

There are two types of legislation: primary and secondary legislation. Primary legislation is Acts of Parliament or Statutes etc. Secondary legislation is statutory instruments such as Rules, Regulations, Orders etc. Parliamentarians in their private capacity are primarily involved in the primary legislation with regards to drafting and introduction of Private Members' Bills (PMBs). Parliamentarians in official capacities as Ministers, Department Heads or as part of Special Committees etc, are responsible for secondary legisla-

Women Specific Legislation Passed by Legislatures (May 2013 - May 2014)		
National Assembly		
No women specific law was passed by the National Assembly. The only Bill enacted during the period was the Finance Act, 2013.		
Senate		
No women specific law was passed during this time period.		
Provincial Assembly of Punjab		
Title of Act	Submitted on	Passed on
The Punjab Reproductive, Maternal, Neo-natal and Child Health Authority Act, 2014	13.03.2014	20.03.2014
The Punjab Fair Representation of Women Act, 2014	08.03.2014	08.03.2014
The Punjab Shops and Establishments (Amendment) Act, 2013	15.08.2013	13.02.2014
The Punjab Commission on the Status of Women Act, 2013	15.08.2014	12.02.2014
The Punjab Transparency and Right to Information Act, 2013	29.11.2013	12.12.2013
Provincial Assembly of Sindh		
Title of Act	Submitted on	Passed on
The Sindh Child Marriage Restraint Act, 2013	31.10.2013	28.04.2014
Provincial Assembly of Khyber Pakhtunkhwa		
Title of Act	Submitted on	Passed on
The Khyber Pakhtunkhwa Deserving Widows and Special Persons Welfare Foundation Act, 2014	21.01.2014	22.01.2014
The Khyber Pakhtunkhwa Promotion, Protection and Enforcement of Human Rights Act, 2014	07.01.2014	13.01.2014
The Khyber Pakhtunkhwa Right to Information Act, 2013	16.09.2013	31.10.2013
Provincial Assembly of Balochistan		
Title of Act	Submitted on	Passed on
The Balochistan Protection and Promotion of Breast-Feeding and Child Nutrition Act, 2014	13.01.2014	18.01.2014
The Balochistan Domestic Violence (Prevention and Protection) Act, 2014	01.02.2014	01.02.2014
The Sardar Bahadur Women's University (Amendment) Act, 2014	----	01.02.2014

tion and the notification of these instruments etc.

There are different categories of primary legislation as well depending on their subject matter. Apart from laws criminalising behavior, legislation on other areas including civil, criminal, administrative and constitutional law are vital. Laws may focus on amending procedures which have the direct or indirect discriminatory effect on women; on mandating child day care rooms in certain centers etc. It becomes important to note trends on women specific legislation to identify the emerging women's rights legal framework.

Parliamentarians will decide which laws to pursue, submit and support. As Ministers they choose which laws to focus on within their Ministry and bring forward as Government Bills.

A great deal of burden is placed on women's legislators. A main objective of the quotas for women in the Assemblies is to bring women's issues to the forefront and the inclusion of women's perspectives and experiences. They are meant to bring attention to

women's issues and ensure their protection, prevention of violence and discrimination amongst other things through primary or secondary legislation as well as through their position of representatives of different districts. They are meant to take the Government to task on the lack of inclusion and focus upon women. Expectations are that these women will perform to the best of their abilities and bring forward women specific legislation.

Acknowledging the importance of the role of legislators, Aurat Foundation believes it is necessary for parliamentarians to be monitored, examining their activism on women specific legislation. Resultantly, all legislative bodies under current Government were monitored and a review was conducted of Bills submitted and women specific laws passed having direct or primary impact upon women.

This allows for identification of active parliamentarians taking legislative initiatives with the hope that it will encourage others to support existing Bills or encourage them to submit their own. This exercise also hopes to encourage the Government to take more concrete legislative action for women.

This mapping also allows one to evaluate the success rate of legislation within all the separate bodies and the emerging national and provincial issues will be easily identified, as well as the most recent trends with regards to the types of legislation coming forward.

It is important to note that this article does not provide a qualitative analysis of the laws submitted. It focuses on the role of the parliamentarians and on the importance of an enhanced and more active role of parliamentarians on women specific issues. This article also does not review the pro-women resolutions submitted by parliamentarians.

Overview of Legislative Initiatives

National Assembly

Government Bills: There have been no women specific laws submitted by the Federal Government in the National Assembly and Senate.

Private Members' Bills (PMBs): In the National Assembly, Parliamentarians have submitted 10 PMBs. The topics of the laws range from health, the representation of the people, corporal punishment, corporal punishment and criminal amendments including a focus on cases of rape, extortion through technology etc, child pornography, cruelty to children etc.

Senate

Private Members' Bills (PMBs): In the Senate, 4 PMBs have been submitted, touching upon issues relating directly or indirectly to women, including honour killings, domestic workers, only for Islamabad

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Tenure of First Parliamentary Year

Assembly	Period
National Assembly	1 June, 2013 - 15 May, 2014
Punjab Assembly	1 June, 2013 - 28 May, 2014
Sindh Assembly	29 May, 2013 - 5 May, 2014
Khyber Pakhtunkhwa Assembly	29 May, 2013 - 6 June, 2014
Balochistan Assembly	31 May, 2013 - 22 May, 2014

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Capital Territory (ICT), amendment to the harassment of women in the workplace and rape.

Punjab

Government Bills: In Punjab Assembly, the Government has submitted and passed four legislations on child and mother health care, child care rooms, provincial commission on the status of women and quotas for women in decision making bodies in public institutions.

Private Members' Bills (PMBs): In the Punjab Assembly, only one MPA, has submitted 5 legislations on issues relating to child marriage, domestic violence, restriction on dowry, right to free and compulsory education and domestic workers.

Sindh

Government Bills: In the Sindh Assembly, the Government has only submitted and passed one women specific legislation on child marriages submitted by Ms. Rubina Qaimkhani, Minister for Women Development, and Special Education.

Private Members' Bills (PMBs): In the Sindh Assembly, 3 PMBs have been submitted by the same MPA. She has submitted laws relating to child marriage (which was merged by a Special Committee with the Government Bill), mandatory DNA testing and prohibition on dowry.

Khyber Pakhtunkhwa

Government Bills: In the Khyber Pakhtunkhwa Assembly, the government has submitted and passed 2 legislations on promotion and enforcement of human rights and foundation on deserving widows and special persons welfare.

Private Members' Bills (PMBs): No PMBs have been submitted by parliamentarians in the Khyber Pakhtunkhwa.

Balochistan

Government Bills: In the Balochistan Assembly, the Government has submitted and passed 2 legislations on domestic violence and promotion of breast feeding and child nutrition.

Private Members' Bills (PMBs): No PMBs have been submitted by parliamentarians in Balochistan Assembly.

Analysis and Comments

Acknowledging the different socio-political environments across the provinces and at the federal level,

Women Specific Legislation Submitted during May 2013 - May 2014			
National Assembly			
Title of Bill	Government or Private Members' Bill	Submitted on	
The HIV/AIDS (Safety and Control Act), 2013 (Jurisdiction ICT)	Private Members: Dr. Azra Fazal Pechuho; Dr. Nafisa Shah	17.09.2013	
The Political Parties Order (Amendment) Bill, 2013	Private Members: Dr. Nafisa Shah; Dr. Azra Fazal Pechuho	17-09-2013	
The Acid and Burn Crime Bill 2014 (Jurisdiction ICT)	Private Members: Ms. Marvi Memon, Capt. (Retd) Muhammad Safdar, Makhdum Khuro Bakhtyar, Ms. Parveen Masood Bhatti, Ms. Iffat Liaqat, Mr. Isphanyar M Bhandara, Ms. Seema Mohiuddin Jameeli, Mr. Qaiser Ahmad Sheikh, Mr. Shahab-ud-Din Khan, Begum Tahira Bukhari, Ms. Farhana Qamar, Ms. Leila Khan, Ms. Kiran Haider, Mr. Salman Hanif	08-04-2014	
The Representation of the People (Amendment) Bill 2014	Private Members: Mr. S. A. Iqbal Quadri, Mr. Sufyan Yusuf, Mr. Sajid Ahmed, Dr. Nikhat Shakeel Khan	08-04-2014	
The Prohibition of Corporal Punishment Bill, 2014	Private Members: Ms. Marvi Memon, Ms. Leila Khan	25-03-2014	
The Child Marriage Restraint (Amendment) Bill 2014	Private Members: Ms. Marvi Memon, Ms. Asyia Naz Tanoli, Mr. Muhammad Pervaiz Malik, Ms. Shaista Pervaiz	25-03-2014	
The Criminal Law (Amendment) Act 2014	Private Member: Ms. Shaista Pervaiz	04-03-2014	
The Hindu Marriage Act 2014	Private Members: Dr. Darshan Lal Punchhi, Mr. Ramesh Lal	04-03-2014	
The Criminal Law (Amendment) Bill 2014	Private Members: Ms. Marvi Memon, Ms. Leila Khan	25-02-2014	
The Criminal Law (Amendment) Act 2014	Private Members: Ms. Kishwar Zehra, Shaikh Salahuddin, Mr. Sufyan Yusuf, Ms. Saman Sultana Jaffri, Mr. Abdul Waseem	28-01-2014	
Senate			
Title of Bill	Government or Private Member Bill	Submitted on	
The Anti-Honour Killing Laws (Criminal Laws Amendment) Act 2014	Private Member: Syeda Sughra Imam	24-02-2014	
The Domestic Workers (Employment Rights) Act 2013	Private Member: Mr. Osman Saifullah Khan	20-01-2014	
The Protection against Harassment of Women at the Workplace (Amendment) Act 2014	Private Member: Mr. Farhatullah Babar	20-01-2014	
The Anti-Rape Laws (Criminal Laws Amendment) Act 2013	Private Member: Syeda Sughra Imam	13-01-2014	
Provincial Assembly of Punjab			
Title of Bill	Government or Private Member	Submitted on	Status
The Child Marriage Prohibition Bill 2013	Private Member: Ms. Hina Pervaiz Butt	03-10- 2013	Disallowed
The Domestic Violence Bill 2014	Private Member: Ms. Hina Pervaiz Butt	17-01-2014	Money Bill, consent awaited
The Punjab Restriction of Dowry Bill 2014	Private Member: Ms. Hina Pervaiz Butt	07-02- 2014	Under process
The Punjab Right of Children of Free and Compulsary Education Bill 2014	Private Member: Ms. Hina Pervaiz Butt	27-03-2014	Under process
The Domestic Workers (Employment Rights) Bill 2014	Private Member: Ms. Hina Pervaiz Butt	09-04- 2014	Money Bill, consent of government awaited
Provincial Assembly of Sindh			
Title of Bill	Government or Private Member	Submitted on	Status
The Sindh Prohibition of Dowry Bill 2013	Private Member: Ms. Sharmila Farooqi	24-09-2013	Introduced
The Child Marriage Prohibition Bill 2013	Private Member: Ms. Sharmila Farooqi	24-09-2013	Merged with government Bill and passed on 28-04-2014
The Mandatory DNA Testing Bill 2013	Private Member: Ms. Sharmila Farooqi	25-02-2014	Introduced
*No women specific Bills were tabled in provincial assemblies of Khyber Pakhtunkhwa and Balochistan			

there are still a number of similarities that can be seen and must be noted between different regions.

The lack of initiative by the Federal Government is disheartening. Given that the last Government passed a number of pro-women laws, the current Government is being monitored critically with high expectations and demands to legislate on women specific issues in both the National Assembly and the Senate. While space

may be given for allowing the new Government to settle in, there can be no allowance for the non-prioritisation of women's issues or considering it inferior to other issues facing the country.

The previous Government's gender inclusive stance contributed to a positive and supportive environment resulting in the passage of pro-women laws. Examples include the Women's Caucus. The Caucus consisted of

women across party lines on women's issues and on the human rights agenda. The support given to the Caucus through research, advocacy and lobbying had a positive impact. These women were also present in different Standing Committees, therefore, their contributions through the Caucus and the Standing Committees were extremely valuable. This must be replicated in not just the National Assembly, but in all provinces as well.

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Bills on Rape and Sexual Violence Introduced in Legislatures

A priority area raised by parliamentarians through Private Member Bills is an area of concern for civil society i.e. incidents of rape, sexual violence and the treatment of survivors and investigation.

Civil society must be aware of these Bills that have been introduced in the legislative assemblies and provide critique and concrete timely recommendations. It is also vital to lobby for the vetting and passage of laws on the issue.

Ms. Marvi Memon and Ms. Leila Khan introduced a Criminal Law (Amendment) Act 2014 in the National Assembly that includes definitions of sexual abuse, child pornography, internal trafficking and cruelty towards children.

Ms. Shaista Pervaiz introduced a Bill

into the National Assembly: Criminal Law (Amendment) Act 2014. The Bill seeks to amend the law on rape specifically the investigation and prosecution of the offence. It takes reference of a 2013 Supreme Court judgment (2013 SCMR 203). It targets the police officer's investigation of cases involving sexual violence; provides criminal liabilities for offences including non-treatment of victims in a public or private hospital; disclosure of identity of victim of different offences in the PPC, namely cases of sexual violence; creates offences and punishments for child rape (under the age of 14); punishment for rape and hurt and for repeat offenders; mandates the presence of a female officer, a female family member or an interpreter if a woman is providing information on the offences identified above and other

offences which fall within the category of sexual violence; obligates the police to inform the victim of her right to legal representation and to assist her in attaining legal aid. The Bill lays out the criteria and method of medical examination of a victim of rape, including mandatory DNA testing. It focuses on encouraging the court to hold in camera trials for cases involving specified offences of sexual violence. It especially focuses on ensuring the absence of the accused during the evidence of a victim of rape or other sexual offences, while maintaining the right of the accused to cross examine.

Syeda Sughra Imam introduced the Anti-Rape Laws (Criminal Law Amendment) Bill, 2013 in the Senate. It focuses on providing penal liability for a defective punishment; criminal liability for the disclosure of the iden-

tity of a victim of rape; creates an offence and punishment of death, imprisonment for life and a fine for a police officer, public servant, management or staff of a jail management or the staff of a hospital, who commits rape; a person who commits rape knowing a woman to be pregnant and a woman under the age of twelve years. It provides a time limit for conclusion of the case i.e. 6 months, but allows an application to the High Court for directions if unable to do so. It provides for an in camera trial of rape cases. It specifically states that a woman's statement of lack of consent shall be considered sufficient to establish lack of consent.

Ms. Sharmila Farooqui introduced a Bill on Mandatory DNA Testing in the Sindh Assembly. The law focuses on the need for testing, especially during cases of rape. – *By Maliha Zia*

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Factors contributing to low priority of women and human rights in this Government include the lack of a Federal Ministry on Women Development and an independent Ministry of Human Rights - both of which were delegated or merged with another Ministry. While the National Commission on the Status of Women (NCSW) plays a vital role, it must not be mistaken for having the same power and standing as a Federal Ministry. The advocacy for the re-formation of the Ministry must continue.

The Sindh Government has submitted and passed one law. It is important for the Government to take a more focussed initiative on women specific issues, given the fact that the Sindh Assembly seems to be open to passage of laws that are considered more controversial in other provinces as can be seen by the passage of the domestic violence law in the previous tenure and child marriages in the current one.

The Government of Punjab has focussed on different aspects and methodology towards achieving substantive approach to women's equality rather than just criminalisation. With the empowerment packages it has annually passed, the Punjab Government seems to be focusing on a longer term strategy of changing mindsets and ensuring the inclusion of women and catering to their different needs as opposed to focusing on violence and its trajectories. While this is applauded, given high statistics of violence against women in Punjab, violence issues cannot be ignored and the

Assembly must not only focus on a protectionist and reactionary approach, but also a preventative one.

The Khyber Pakhtunkhwa Government has adopted more of a protectionist approach through formation of the commission, giving a wider jurisdiction to the Ombudsperson or establishing a foundation for deserving widows. However, Khyber Pakhtunkhwa remains one of the provinces where violence and discrimination against women is alarmingly high. It cannot ignore this aspect and must ensure women receive the justice and protection. It is important to focus on criminalization of violence against women alongside procedural and administrative initiatives.

In Balochistan, the major law passed has been on domestic violence, however, there is no criminal liability for the commission of domestic violence, which must be remedied through an amendment. Balochistan is also a region which has high statistics of violence against women and of minorities, the government and parliamentarians must take a more assertive role in establishing the legal rights and protections of its citizens.

In the National Assembly, the submission of PMBs by both male and female parliamentarians is encouraging, indicating greater support of women and women issues by male parliamentarians.

It is important to note that to date, apart from the merger of a PMB on child marriages in Sindh with the WDD law, not a single PMB across the nation has

been passed. The majority have been sent to Standing Committees for further vetting etc. However, it must also be noted that the majority of pro-women laws passed by the Federal Government in the previous tenure were PMBs adopted by the Government.

It is also a concern that in both, Sindh and Punjab, only one female MPA in each Assembly has been active and responsible for the submission of all the PMBs on women specific issues. While acknowledging the women have been active in other legislative business they have not shown as much legislative initiative on women specific issues.

The reasons behind the lack of greater initiative in Sindh and Punjab, and the total lack of initiative in Khyber Pakhtunkhwa and Balochistan must be explored. Factors may include a large number of first time MPAs; the lack of resources provided to MPAs for research and drafting of laws, leaving them to their own resources and funds; the technical nature of laws. Support from civil society and other resources must be explored to support the MPAs. Parliamentarians must be encouraged to focus on different aspects of legislation i.e. legislative initiatives may vary to include small procedural amendments which may have a big impact on women and girls.

Call for National Policy on Ending Violence Against Women and Girls

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Qamar, MNA, Mr. Abdul Rehman Kanju, MNA, Mr. Rashid Mehmood Khan, General Secretary, KP; **PPPP**: Dr. Mahreen Bhutto, MNA, Mr. Shaikat Mehmood Basra, Secretary Information, Punjab, Mr. Amir Fida Paracha, In-charge, Central Secretariat, Islamabad; **PTI**: Ms. Munaza Hassan, MNA, Mr. Shehryar Afridi, MNA, Ms. Nafeesa Inayatullah Khattak, MNA, Ms. Sajida Zulfiqar Khan, MNA; **MQM**: Ms. Kishwar Zahra, MNA, Mr. Muhamad Ali Rashid, MNA, Barrister Muhammad Ali Saif, former federal minister, Mian Ateeq, Member, Rabta Committee; **ANP**: Senator Farah Aqil Shah, Senator Amar Jeet Malhotra, Ms. Jameela Gilani, General Secretary, KP, Syed Jaffar Shah, MPA and former minister; **JI**: Mr. Farid Ahmed Piracha, Deputy General Secretary, Ms. Aisha Syed, Deputy General Secretary, Women's Wing, Dr. Ruksana Jabeen,

Women's Wing; **JUI**: Ms. Naeema Kishwar, MNA, Ms. Shahida Akhtar Ali, MNA; **QWP**: Mr. Meraj Humayun Khan, MPA, Mr. Tariq Ahmed Khan, Information Secretary & Party Spokesperson, Mr. Sultan Muhammad Khan, MPA, Mr. Asad Afridi, Advocate, In-charge FATA; **PML-Q**: Ms. Fauzia Naz, General Secretary General, Women's Wing, Syed Faqir Hussain Bukhari, Senior Central Vice President, Ms. Maham Ali, Joint Secretary, Central Women's Wing; **Ministry of Law, Justice and Human Rights**: Mr. Muhammad Hassan Mangi, Director General International Commitments and Human Rights Wing, Mr. Munawar Douggal, Legal Consultant and Mr. Shahzad Ahmed; **AAWAZ Representatives**: Mr. Harris Khalique, Ms. Naghma Imdad, Mr. Sajid Mansoor Qaisrani, Mr. Naeem Mirza, Mr. Younas Khalid, Mr. Irfan Mufti, Ms. Feroza Zahra, Ms. Rabea Hadi, Ms. Anbrean Ajaib, Mr. Akram Khursheed, Mr. Babar Jamal.



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Editorial Board

Maliha Zia, Wasim Wagha

Layout Design: Shahzad Ashraf

Letters, opinions and contributions are welcome. Please write to House # 16, Attaturk Avenue, (Old Embassy Road), G-6/4, Islamabad. Tel: (051) 2831350-52, Fax: (051) 2831349
Website: www.af.org.pk

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Landmark Punjab Law Sets 33% Quota for Women on Decision-Making Positions in Public Sector Bodies

Civil Society Lauds Passage of Punjab Fair Representation of Women Act, 2014

By Mumtaz Mughal

Gender mainstreaming was established as an intergovernmental mandate in the Beijing Declaration and Platform for Action in 1995 in which Pakistan participated and agreed in the Economic and Social Council of the United Nations and also agreed conclusion in 1997/2. The Beijing Conference was the first global conference in which women in development issues were closely and explicitly linked to women's human rights. The Platform for Action is also the first global political agreement in which the Convention for the Elimination of Discrimination Against Women (CEDAW) is clearly reflected. The Platform is fundamentally grounded in CEDAW but included more detail on the types of actions required, including training, required to move more women into decision-making positions. Both the Platform and the CEDAW convention call for Governments to develop policies and programs to achieve equality.

The Government of Pakistan has ratified the most of the major international human rights treaties namely, Convention for the Elimination of Racial Discrimination (CERD), CEDAW, Child Rights Convention (CRC), Convention Against Torture (CAT), International Convention on the Rights of Persons with Disability (ICRPD), International Convention for Civil and Political Rights (ICCPR) and International Convention for the Economic, Social and Cultural Rights (ICESCR). Pakistan is also a party to Universal Declaration of Human Rights (UDHR) and by virtue of membership of the United Nations (UN), obligated to follow a number of other resolutions of the Security Council etc including SCR 1325 etc.

Since 2000, the Millennium Development Goals (MDGs) have dominated the UN development agenda. They have become the most visible expression of international commitment to sustainable development and, as an essential crosscutting element of development, gender equality. The MDGs largely correspond with states' obligations under international human rights law; specifically CEDAW and the ICESCR. The post-MDG scenario which is under discussion on the international stage currently and was the topic of this years Commission on the Status of Women looks towards expanding the original focus of the MDGs.

Accepting its national and international commitments, Government of Pakistan (GoP) has made efforts to address women's issues and discrimination. The Constitution of the Islamic Republic of Pakistan 1973 within its

chapter on Fundamental Rights imbues the spirit of the UDHR, containing a number of the UDHR rights within it. The GoP has also been seen to take a number of institutional steps in the past in accordance with its international commitments i.e. launch of The National Plan of Action in 1998 (is currently in abeyance and is due to be re-drafted); ensured women participation in political spheres through Legal Framework Order 2002; the Ministry of Women Development established as an independent ministry at federal level (has since been devolved as a result of the 18th Amendment to the Constitution); set up National Commission on Status of Women in 2000, the Provincial Commission for the Status of Women in Khyber Pakhtunkhwa in 2009 and in Punjab in 2013; National Policy for Empowerment of Women 2001; Gender Reform Action Plan (GRAP) 2005 (the project life has expired as a national project), Women Income Support Schemes including the Benazir Income Support Programme (which has one of the most widespread outreach and also focuses on education of children alongside cash incentives); devolution to the Provinces through constitutional amendments '18th Amendment'; and the promulgation of a number of women friendly legislation at the national and provincial levels etc.

Restoration of democracy in Pakistan created an opportunity for women to participate in political and public life. Women's equal participation in decision-making is not only a demand for simple justice of democracy but can also be seen as a necessary condition for women's interests to be taken into account.

Provincial Government of Punjab's Commitment Towards Women's Empowerment

Within this context of international and national obligations towards women's empowerment, the Chief Minister of Punjab, during the celebration of International Women's Day on 8th March, 2012, announced a Women Empowerment Package. This package, amongst other commitments, mandated "33% representation of women would be ensured in all selection and recruitment committees for regular and contractual employment". Taking its commitment given within this policy forward, the Government of Punjab started working towards providing legal cover to it. Resultantly, 2 years later exactly, on 8th March, 2014, the Punjab Assembly unanimously passed the Government Bill, 'The Punjab Fair Representation of Women Act, 2014', a women specific legislation which works to ensure women participation in decision making.

The Women Empowerment Packages announced in 2012 and 2013 are landmark policies as they both demonstrated the commitment and long term strategy of the Government of Punjab on women's empowerment as opposed to piecemeal and short term goals. The Punjab Fair Representation of Women Act, 2014 is a demonstration of this commitment. This women specific initiative seeks to create an empowering space for women and act as an important incubator for ideas and strategies to mainstream interventions.

Civil society celebrates the passage of this law, as this law, once it is implemented, dramatically changes the entire set up and environment of Punjab. In one swoop, the Government of Punjab has ensured the presence of women in the government and all decision making bodies, creating spaces for thousands of women in Punjab, who will represent all walks of life. This will have a long term impact on the governance of Punjab as women will now be able to participate actively in decisions of the government, including within the process women's experiences and perspectives which one hopes will have the long term effect of mainstreaming gender in all aspects of governance. Furthermore, the women's positions will be strengthened not just due to the legislative cover, but also the huge number of women who will be present and represented alongside them. Whereas previously women had a token representation, a minority who remained vulnerable and in too weak a position to speak out or make a statement, but with this 2014 law this is no longer the case with the entry of so many women into the field. It remains vital, however, to ensure that the appointments of women on these posts remains a transparent and open process, with the women selected on quality and capacity as opposed to familial or political contacts.

Civil society must play a vigilant role in ensuring an open and transparent appointment process, and also in working with these women not just to provide capacity training or awareness raising, but also to provide them support where and when required by them.

Despite the huge achievement of this act, it is important to take notice of areas where the Punjab Government must continue to show its zeal. Though, in the recent past, the Punjab Assembly notified the standing committees of the Punjab Assembly, 33% representation of women was not ensured in all standing committees. In the Local Government Act 2013, Punjab government also decreased women representation from 33% to 10-12%, which is a huge loss. In fact, women are not only under-represented

in cabinet formation; they have also been assigned less influential portfolios by their parties.

The Real and Actual Impact of The Punjab Fair Representation of Women Act, 2014 (PFRWA)

The substantive elements and nature of the PFRWA 2014 are recognized as having a major, positive impact for the women in Punjab. It is however essential to actually comprehend the extremity and the scale of change this law has influenced.

The PFRWA 2014 has effectively amended 66 laws, providing opportunities for women to become a part of the government and decision making. The breakdown of what this in effect means is given below.

It stipulates that at least 33% of members of all boards of statutory organizations, public sector companies and committees shall be women. Therefore, approximately, 25000 women will become part of different boards, authorities, task forces, institutions and management board, committees, councils of public organizations. The 66 laws amended have been categorized into following eight (8) sectors i.e. public sector corporations and companies, art and culture Institutions, regulatory bodies, special task forces and committees, public sector organizations, public sector foundations, public sector universities & research and development institutions.

Board of Directors: (29 & 33% representation)

29 women would be part of the Board of Directors in following departments:

- 3 in Special Education; 3 in Mines & Mineral; 3 in Sports, Youth Affairs & Tourism; 3 in Transport; 3 in the Punjab Rural Support Programme; 3 in Punjab Municipal Development Fund; 1 in the Punjab Health Foundation; 3 in Lahore Museum; 3 in Bahawalpur Museum; 1 in the Punjab Journalist Housing Foundation; 3 in Punjab Land Development Company; and 33% representation of women as a Board of Director of Urban Sector Planning and Management Service Unit and Punjab Skill Development Fund.

Board Member: (20 & 33% representation)

20 women would become members of below mentioned boards of departments and institutes:

- 1 in Power & Development Board; 2 in Minimum Wages Board; 3 in Punjab Social Service Board; 2 in The Disable Person Act 2012; 3 in Punjab Live Stock and Dairy Development Board; 1 in The Punjab

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Legislation on Domestic Violence - A 2014 Update

AF Staff Report

Civil society has fought a long battle for a law on domestic violence. In the previous Government, despite a Bill being unanimously passed by the National Assembly, it lapsed while it was being vetted by a Joint Committee. It is believed the delay was a ploy to ensure the Bill lapses. It was seen as the backtracking of the Government's commitment to a federal law on domestic violence.

Examination of current submitted legislation, it appears that parliamentarians are open to legislating on women specific laws. It is vital to sensitise the current Government on the need of a law on domestic violence and justifications for the recommended civil society legislation. Focus must be given to new parliamentarians to ensure their support.

Currently, two provinces have passed laws on domestic violence: in Balochistan, the law recognizes domestic violence as a criminal act. It provides protection measures and emphasizes the right of the sur-

vivors of violence. However, no criminal liabilities are given for the commission of domestic violence. The Assembly should amend the law to include punishments for domestic violence.

The Sindh Assembly passed a law on domestic violence in 2013. It gives wide definitions of domestic violence and provides criminal liabilities for each category of domestic violence. However, the Government has failed to implement the law. The commission, committees and the officers meant to be formed and appointed under the law, have not been set up over a year later. There is also a failure to publicise the law. Stakeholders such as the police, judiciary and even government servants remain unaware of what the law actually mandates.

A Private Members Bill has been submitted in the Punjab Assembly. It is absolutely necessary that the Assembly ensures that a positive law which include within it a recognition of the criminality of domestic violence. The law must not be allowed to lapse or remain stalled by the Standing Committee.

There has been no move to introduce such a law in Khyber Pakhtunkhwa. Reportedly, the environment is currently un conducive to the introduction of such a law and political and public opinion challenge the existence and criminality of domestic violence. This is necessary to re-start the process of sensitization and building support on the issue of domestic violence in KP.

The National Commission on the Status of Women (NCSW) has taken the lead on pushing forward a law for ICT in collaboration with the Ministry of Law, Justice and Human Rights. The draft law is based on the civil society law, including provisions of the Sindh and Balochistan laws on domestic violence. Despite the commitments to bring the law forward as a Government Bill, there has been no action on the part of the government to include the law on its agenda in the National Assembly.

It remains a demand of the civil society that the Government takes up the issue of domestic violence as a Federal law. This stance must be reemphasized with the members of the 14th National Assembly and the Senate.

Landmark Punjab Law Sets 33% Quota for Women in Decision-Making Positions

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Board of Intermediate and Secondary Education; 1 in Punjab Economic, Research Institute; 3 in Punjab Welfare Trust for Disabled; 2 in The Punjab Board of Technical Education; 2 women as member of trustees of The Town Improvement Act; 33% representation of women in 'the Punjab Holy Quran (Printing & Recording) Act 2011'; 33% representation of women in the Muthida Ualma Board Punjab, 33% representation of women in the Punjab Information Technology Board; and 33% representation of women in the Charitable Endowments Act.

Governing Body: (95)

95 women would be members of governing bodies of below mentioned departments:

- 2 in Provincial Employees Social Security; 2 in the Punjab Institute of Language, Art and Culture; 4 in the Lahore Arts Council; 1 in Board of Governors of the Libraries under the Punjab Government Educational and Training Institute Act; 78 in Autonomous Educational Institutions; 2 in the University of Health Science; and 6 women as members of the Punjab Art Council.

Board of Management: (99)

99 women would be members of Board of Management of following departments:

- 24 in the Punjab Medical and Health Institute including teaching hospitals; 1 in Provincial Management Board (Gazette); 1 in Provincial Management Board (non-Gazette); 72 in District Benevolent Fund; and 1 will be in Secretariat Board of Management.

Authorities: (28)

28 women would be members of different authorities of the following departments:

- 8 in Punjab Irrigation and Drainage Authority Act 1997; 1 in Cholistan

Development Authority; 2 in Punjab Procurement Regulatory Authority; 1 in Punjab Danish School and Centers of Excellence; 1 in Lahore Ring Road Authority; 4 in The Punjab Food Safety and Standards; 3 in Punjab Parks and Horticulture; 2 in Punjab Technical Education Vocational Training; 3 in Lahore Development Authority; and 3 women will be member of the Sasti Roti Authority.

Councils: (10)

10 women would be members of the below mentioned different councils:

- 4 in The Punjab Bait-ul-Maal Council; 1 in Provincial Zakat Council; 4 in Punjab Environment Protection Council; and 1 women will be member of Council of Pharmacy.

Committees: (24,436 & 33% representation)

Total 24436 women will become members of different zakat committees:

- 36 women would be member of District Zakat Committees; 24400 will be member of Local Zakat Committee; and 33 % representation of women shall be ensured in Itihad Bain-ul-Muslimeen Committee.

Senate: (67)

67 women would become members of Senate of following universities:

- 9 women in senate of the Islamia University of Bahawalpur; (23) in the University of Punjab Lahore; 16 in Bahauddin Zakariya University (BZU) Multan; 15 in the University of Engineering and Technology Lahore; and 4 member will be member of Senate of The King Edward Medical University Lahore.

Syndicate: (58)

58 women would become the members of syndicates of following universities:

- 1 in The University of Health Sciences of Lahore; 2 in the Islamia University of Bahawalpur; 4 in Fatima Jinnah Women University Rawalpindi; 4 in the Lahore College for Women University; 2 in the

University of Punjab Lahore; 4 in the Government College University Faisalabad; 5 women in the Government College University, Lahore; 2 in BZU Multan; 5 in the University of Gujrat; 4 in the Women University Multan; 4 in the Government College Women University Sialkot; 4 in the Government College Women University Faisalabad; 4 in the Government Sadiq College Women University Bahawalpur; 4 in the Information Technology University of Punjab; 1 in the University of Engineering and Technology Lahore; 2 in the University of Engineering and Technology Taxila; and 6 in the King Edward Medical University Lahore.

Academic Council: (75)

75 women would be members of following Academic Councils:

- 1 in the Islamia University of Bahawalpur; 5 in Fatima Jinnah Women University Rawalpindi; 6 in the Lahore College for Women University; 6 in the University of Punjab Lahore; 6 in the Government College University Faisalabad; 7 in the Government College University, Lahore; 7 in BZU Multan; 6 in the University of Gujrat; 6 in the Women University Multan; 6 in the Government College Women University Sialkot; 6 in the Government College Women University Faisalabad; 6 in the Government Sadiq College Women University Bahawalpur; 2 in the Information Technology University of Punjab; 1 in the University of Engineering and Technology Lahore; 2 in the University of Engineering and Technology Taxila; and 3 in the King Edward Medical University Lahore.

Selection Boards: (28)

28 women would be members of following selection boards of universities:

- 1 women would be member of selection board of Fatima Jinnah Women University Rawalpindi; 1 in the Lahore College for Women University; 1 in the Government College University Faisalabad; 1 in

the Government College University, Lahore; 1 in BZU Multan; 1 in the University of Gujrat; 1 in the Women University Multan; 1 in the Government College Women University Sialkot; 1 in the Government College Women University, Faisalabad; 1 in the Government Sadiq College Women University Bahawalpur; 1 in the Information Technology University of Punjab; 15 in the University of Engineering and Technology Lahore; 1 in the University of Engineering and Technology Taxila; and 1 women will be in selection board of the King Edward Medical University Lahore.

Advance Studies and Research Board: (6)

6 women would be members of advanced studies and research board of University of Veterinary and Animal Science Lahore.

Commission: (3)

3 women would be member of Punjab Examination Commission.

Advisor/Consultant: (7)

7 women would be members of the advisory board or consultant of The Punjab Office of the Ombudsman.

Company/Corporation: (17)

17 women would become members of different companies & corporations:

- 2 women in Punjab Agriculture and Meat Company; 1 in the Punjab Small Industries; 3 in Punjab Industrial Estate Development and Management Company; 3 in Faisalabad Industrial Estate Development and Management Company; 2 in Punjab Board Investment & Trade; 2 in Technical Education and Vocational Training Company; 3 in The Punjab Housing and Town Planning Agency; and 1 women would be member of Punjab Mineral Company. – *The author is Regional Manager, AAWAZ Voice & Accountability Programme, Punjab, Aurat Foundation.*

Women's Participation Key to National Progress: President Mamnoon



A view of the audience on 8th March celebrations. Ms. Farah Hussain (inset)

AF Staff Report

Islamabad: The International Women's Day 2014 was celebrated in Islamabad on 8th March with the theme "Equality for women is progress for all". The event was jointly organized by Ministry of Law, Justice and Human Rights, Aurat Foundation & AAWAZ and UN Women at the Pakistan National Council of Arts (PNCA).

Honorable Mr. Mamnoon Hussain,

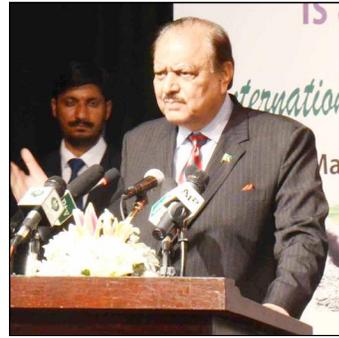


A group of artists led by Ms. Huma Naz performing mime

President of Islamic Republic of Pakistan, was the chief guest, whereas more than 500 representatives from civil society organizations, district level community representatives, ministries, government line departments including women guards from armed forces, diplomatic community, students, academia and lawyers attended the event.

Honorable President of Pakistan, Mr. Mamnoon Hussain, in his keynote address said that the government was committed to provide all support to women because it believed that there would be no development without women's participation in all walks of life. "We want women to become active part of mainstream economic activities".

Speaking on the occasion, Federal Minister for Law, Justice and Human Rights, Senator Pervaiz



President Mamnoon Hussain

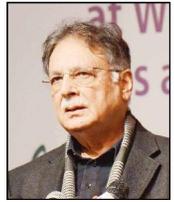
Rasheed said the main hurdle in the empowerment of women was the patriarchal mindset of society which had always portrayed men as rulers and women as subordinates. Ms. Khawar Mumtaz, Chairperson National Commission on the Status of Women (NCSW), demanded of the government to declare women home-based workers as industrial laborers. "It will increase our ratio of women participation in labour market which is one of the lowest in the region," she said.

Federal Secretary for Ministry of Law, Justice and Human Rights Barrister Zafarullah Khan said in his opening remarks that protection of women's rights was the priority of the government. He said: "the government respects its international commitments with regards to women and children.

Dr. Masuma Hasan, President Board of Governors, Aurat Foundation, while speaking on behalf of Aurat Foundation and AAWAZ Programme paid tribute to women legislators whose serious and committed efforts made it possible that many pro-women laws had been enacted in Pakistan



Ms. Khawar Mumtaz



Senator Pervaiz Rasheed



Dr. Masuma Hasan



Barrister Zafarullah Khan



Ms. Humera Channa



Ms. Sangeeta Rana

in recent years. Ms Sangeeta Rana, Deputy Representative, UN Women, said "we all need to put coordinated efforts towards women's empowerment and UN Women is playing vital role to achieve this target".

During the proceedings of the event, a popular song was sung by famous singer Ms. Humera Channa. A mime was also presented by Ms. Huma Naz and team. The mime depicted the status of women at home and the patriarchal thinking of the society. A documentary titled 'Women's Voices' was also shown, which highlighted several pro-women law enacted in recent years.

Call for National Policy on Ending Violence Against Women and Girls

Bhurban: Senior representatives and parliamentarians of major political parties, representatives of civil society organizations and officials of Ministry of Law, Justice and Human Rights have agreed at a policy dialogue that country urgently needs a comprehensive national policy on ending violence against women and girls from society. The one-day policy dialogue, organized by AAWAZ Voice and Accountability Programme, was held on April 30, 2014, at a hotel in Bhurban. It was presided over by Mr. Murtaza Javed Abbasi, Deputy Speaker, National Assembly, and attended by representatives of PML-N, PPP, MQM, PTI, JI, JUI-F, ANP, QWP and PML-Q.

The participants agreed to develop the national policy in consultation with relevant stakeholders through dialogue at provincial and local level. The proposed policy framework suggested by the participants included a vision statement on

safe spaces for women and girls, relevant legislation, institutional and response mechanisms and rehabilitation of survivors of violence against women in a dignified manner. The policy must adhere to promote rule of law at all levels ensuring enforcement of the policy.

The proposed policy framework also included a major awareness raising at all levels on the issues of violence against women and capacity building of police and judicial officers. It was also said that media, education, creative arts, schools and madaras as well as other social and political institutions should be involved for creating enabling environment for the success of the policy.

The proposed framework highlighted the crucial significance of law enforcement agencies such as police and lower judiciary in curbing gender based violence. The participants

also suggested that a one-stop approach is required to address the issue, where medico-legal, police help, shelter home and rehabilitation facilities are put under one roof.

Mr. Murtaza Javed Abbasi, Deputy Speaker, National Assembly, in his remarks emphasized that civil society organizations must take political parties along in their struggle for gender equality. If the political leaders would be aware of the problems, they would strive to resolve those in the constituencies. Dr. Rakhshinda Perveen, earlier, initiated a debate on issues of gender based violence through her presentation.

The representative of political parties and parliamentarians included: Senator Mohsin Leghari (independent); PML-N: Ms. Asia Naz Tanoli, MNA, Ms. Farhana

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Mr. Murtaza Javed Abbasi, Deputy Speaker, National Assembly (4th in front row), with other participants of the policy dialogue in Bhurban.