



# Saute-e-Niswan

The Voice of Women

National Commission on the Status of Women

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ISSUE-6

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## EDITORIAL

The most important development that took place during the quarter was the approval by the Cabinet Division of a Bill for establishing an autonomous National Commission for Women. This was achieved as a consequence of the seven-year long struggle waged by the National Commission on the Status of Women. It was Justice (R) Majida

had been given the responsibility for providing secretarial support to NCSW as per the NCSW Ordinance 2000, was also devolved at the end of June. Though this decision had been announced more than a year before, bureaucratic resistance to the process of devolution led to the freezing of our account six weeks before the MoWD was due to be

**CABINET APPROVES THE BILL FOR ESTABLISHMENT OF AN AUTONOMOUS NATIONAL COMMISSION FOR WOMEN**

Razvi who, as Chairperson NCSW first tried to introduce amendments in 2004 in the NCSW Ordinance 2000 to make it financially and administratively autonomous, as is the norm with other such commissions around the world. Efforts were continued by her successor, Ms Arifa Syeeda Zehra, and by Ms Anis Haroon, who took over as Chairperson in March 2009. The present government was fully supportive of the Commission's efforts, and twice the Prime Minister Mr. Yusuf Raza Gilani directed that the Commission should be given autonomy, once in March 2010 and again in 2011. Many hurdles had to be crossed, but finally the approval has been given by the Cabinet. Another important development in the country was the completion of the process of devolution of subjects from the Federal Government to the Provinces, as stipulated by the 18<sup>th</sup> Constitutional Amendment. The Ministry of Women's Development, which

devolved. This naturally posed serious administrative problems for the Commission, but nevertheless, program activities were continued without interruption. The process of transition is currently underway, and it is hoped that these problems will be ironed out without much further delay.



Under its strengthened mandate the Commission will be able to better fulfill its responsibilities as a watchdog body and play its role more effectively in monitoring the implementation of policies and laws from the women's perspective. The post 18<sup>th</sup> Amendment scenario poses new challenges. It demands that the NCSW should maintain a close working relationship with women's machineries at the provincial and local level, and improve coordination and networking with different stakeholders in order to promote the rights of women as enshrined in the Constitution of Pakistan and committed to in international treaties.



## HIGHLIGHTS OF THE QUARTER

### TALK ON FOOD SECURITY

The devastating floods in 2010 had caused much hardship and exacerbated poverty in the flood affected areas. In addition, the country further had to contend with the unprecedented food inflation that had undermined food security in the entire region. As is the norm, it is the women who are most at risk and most likely to suffer from ill health and malnutrition when families do not have enough resources for food and other essentials. While government was struggling to rehabilitate the flood affected population, it was felt that some attention also needed to be given to the role of citizens in these times of hardship. With this in mind, the National Commission on the Status of Women (NCSW) invited Najma Sadeque, a founding member of Shirkatgah, writer and activist, to talk about

food security and economic development that benefits the people.

Najma spoke about the rights of the poor, food security and peace. She especially focused on the problems being faced by people in the flood affected areas and talked about simple, doable measures that can be taken by citizens and government to meet the food needs of the people on an urgent basis. For those of us in cities she stressed that every person can play a role in ameliorating the situation by growing vegetables and planting fruit trees. Two short documentaries, produced by Deneb Sumbal were shown to demonstrate how food could be grown in small containers if land was not available. Her talk evoked much interest in participants and media representatives.

### CONSULTATION ON 'ADMINISTRATIVE CHANGES AFTER 18TH AMENDMENT IN PROVINCIAL KEY DEPARTMENTS'

A consultative meeting was arranged at the national level on March 29 to discuss the implementation process of 18th Constitutional Amendment and its implications from a gender perspective. The meeting was attended by the Ministers for Women's Development from Sindh, Balochistan and Khyber Pakhtunkhwa and representatives of provincial governments and civil society.

that perpetuated gender inequality and recommendations to reverse the adverse impact of such policies were discussed.

this study should be used by legislators as a live document drafted in a local framework since it offers guidelines in approaching, understanding

*The Secretary, Interprovincial Coordination Committee gave a comprehensive briefing on the impact of the devolution process and roles and responsibilities of key players at the Federal and provincial level as regards women's rights and legislation.*

The Secretary, Interprovincial Coordination Committee on the 18th Amendment, gave a comprehensive briefing on the impact of the devolution process and roles and responsibilities of key players at the Federal and provincial level as regards women's rights and legislation. The meeting also highlighted the issues concerning the prevailing gender policies and discriminatory practices identified by NCSW's detailed research study conducted last year by Afiya Zia. Policies

The study specifically focuses on labour, education, health, social protection, procedural policies on family laws and violence against women, and conflict and security issues. It attempts to locate policy concerns that are derived from the specific issues faced by Pakistani women with a focus on current problems, rather than outlining long-term visionary goals for gender equality. The NCSW stressed that

and rethinking gender policy in the immediate time-frame for policy makers and other stakeholders.

It was stressed that the study was completed before the passage of the 18th Amendment and, in view of the changed situation, urgent consultations with the relevant policy makers from all provinces and regions, including AJK and FANA, were required to end the prevalent structural gender inequalities and violence against women.





## PRESS BRIEFING BY NCSW'S NATIONAL IMPLEMENTATION WATCH COMMITTEE ON SEXUAL HARASSMENT AT WORKPLACE ACT 2010

The National Implementation Watch Committee (NIWC) constituted by NCSW met at the NCSW office on 19th April. The NIWC met to review progress on the implementation process of the Sexual Harassment at Workplace Act. Each member of the committee discussed problems and shared achievements. The meeting was chaired by Ms Anis Haroon, Chairperson NCSW, and conducted by Dr. Fouzia Saeed, Chairperson, NIWC.

*Ms. Salma Qureshi, Additional Secretary Women's Development Department Balochistan, reported that the text of the law and the Code of Conduct had been circulated to all Ministries.*

Ms Anis Haroon, Chairperson NCSW, spoke about the role of the Commission as a watchdog body that monitors laws, policies and practices to protect and promote the rights of women. Dr. Fouzia Saeed reported that several cases were being reported to the committees set up in different organizations. Mr Sajjad Sipra from the Punjab Women's Development Department said that some initiatives that had been taken in the province towards implementing the law. Salma Qureshi, additional secretary Women's Development Department Balochistan, reported that the text of the law and the Code of Conduct had been circulated to all Ministries. Musarrat Jabeen, Deputy Secretary Women's Development Department Sindh, informed the Committee that they had even translated the legislation into Sindhi and circulated it among senior officials. Dr. Fouzia stressed that efforts needed to be made to expedite the appointment of Ombudspersons in the provinces as specified in the Act. She announced that NIWC members had decided to focus on the provinces in

calling bank officials for a training program in order to expedite compliance. Similarly, in spite of the fact that the Higher Education Com-

mission had issued guidelines for adopting anti sexual harassment policies, universities have not yet got back with information to confirm that committees have been formed, or are being formed as required by the anti sexual harassment law. The database will be available on the website soon.



their second year work plan.

After the meeting a press briefing was held during which Dr. Fouzia Saeed answered queries from media representatives. A database that showed the names of the companies and organizations that had complied with the legislation was distributed.

The database showed that the media, which was quick to conduct accountability of others, had failed to form committees in their own offices or comply with other measures required by the law. The Implementation Watch Committee reported that only three media channels and two newspapers had reported setting up a committee as prescribed by the law. Out of over 100 banks affiliated with the State Bank of Pakistan only 26 had complied, and, consequently, the Pakistan Banking Association was sending out reminders and

Participants included Jamil Yusouf, a well respected journalist from Karachi, Omar Hameed Khan from the PM Secretariat, Mohammad Waseem from the Interactive Resource Centre, Mohammad Tehseen from SAP Pk, representatives from the Auditor General's office, Federal Bureau of Revenue, PTV and members of civil society.



## RESEARCH STUDIES

Four research studies were commissioned during the quarter with support from the Gender Equity Program. These were:

- 1. Assessment of the Capacities of Women’s Development Departments at Provincial Level** Researcher: Dr. Riffat Haq
- 2. Assessment of Disaster Management Institutions and Development of a Gender Responsive Preparedness Plan.** Researcher: Mr. Sohail Manzoor

- 3. Police Reporting, Investigation Mechanisms, Political Interference: safety and security/harassment of victims from a police perspective.** Researchers: Alph Consultants (Mr. Imdad Hussain) Shelters/Crisis Centers and Gender Crime Cells. Researcher: Ms. Afiya Zia

Orientation training workshops for research teams were organized once the research methodology and research tools had been finalized by the Research Advisory Committee, and field-work is presently underway.

## MEETING WITH MR. RAZA RABBANI, MINISTER FOR INTER PROVINCIAL COORDINATION ON 18TH AMENDMENT

NCSW Executive Committee members lead by Chairperson Anis Haroon met Mr. Raza Rabbani and briefed him about the amendments required in the NCSW Ordinance, so that

the Commission can be administratively and financially autonomous, as is the norm with such women’s commissions around the world, and as instructed by the Prime Minister. Clarity was also

sought on NCSW’s role after devolution in the post 18th Amendment scenario and its future relationship with the provinces.

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## MEETING OF NCSW’S LAW COMMITTEE

The meeting of the NCSW Law Committee, which comprises Justice (R) Majida Razvi, Justice (R) Kailash Nath Kohli, Ms Hina Jilani, Ms Sadia Mumtaz, Chairperson NCSW and members of the Executive Committee, was held in Islamabad. The following issues were discussed:

### Appeal for larger bench of the Supreme Court for hearing Mukhtaran Mai’s review petition

It was decided that NCSW would keep itself informed of the proceedings; members of the Law Committee, Islamabad based NCSW members would attend the hearings.

### Appeal against the Federal Shariat Court Judgment on Women’s Protection Act

The government has already filed an

appeal; the Commission will watch the process and proceed accordingly. be put forward.



### Citizenship Act

The Citizenship Act 1951 was reviewed by the Law Committee clause by clause along with amendments tabled by Ms. Bushra Gohar both in 2008 and 2010. It was decided that if the amendments met with resistance in Parliament the Law Committee’s proposal for a simple amendment to the Citizenship Act to bring it in line with international procedures could

### Personal Laws of Religious Minorities

It was decided that the Law Committee should review the personal laws of religious minorities in Pakistan to bring them at par with international standards, in particular the laws pertaining to Inheritance, Divorce, Maintenance and Guardianship. This work will be taken up at the next meeting.

### Blasphemy Law

It was decided that work on the Blasphemy Law would be continued while keeping a low profile with regard to advocacy and lobbying.



## MEETING ON DEVOLUTION

The issue of devolution of subjects to the provinces under the 18th Constitutional Amendment was the subject of several consultations with government representatives, parliamentarians and members of civil society. The National Assembly Standing Committee on

Women's Development, headed by Ms Bushra Gohar, called a meeting to discuss how the devolution of the Ministry of Women's Development to the provinces would impact the women's rights agenda. NCSW was invited to offer suggestions and participate in the discussion. The

Standing Committee members were confident that the functions of MoWD could be adequately handled by the provincial governments, and expressed support for the NCSW's efforts to become autonomous.

## NCSW'S BOARD MEETING

The 43rd meeting of the National Commission on the Status of Women was held in the office of the Commission on 14th May 2011. The main item on the agenda was to discuss the role of NCSW after devolution as per the 18th Constitutional Amendment.

Since NCSW is composed of members representing all provinces and territories, it was felt that active interaction with the provinces should be maintained after devolution, so that the women's rights agenda is not compromised. It was decided that close coordination

would be maintained with provincial women's machineries and legislators in order to strengthen women's legal rights, and to monitor application of constitutional rights provided for women and adherence to international human rights standards.

## FOCUS GROUP DISCUSSION ON INHERITANCE LAW

Awaz Foundation Pakistan conducted a research study titled 'Denial of Women's Right of Inheritance,' and requested NCSW to help them further the agenda of policy research and advocacy on the outcomes and recommendations. Since NCSW had conducted

a study on the same subject in 2006, it was felt that collaboration with Awaz would be useful in furthering law and policy reform on the issue of inheritance. Technical assistance from legal practitioners would be sought and a revised and updated study will be launched at a national conference in Islamabad. Based on

the findings of the revised research study a policy brief will be developed for policy makers. Data related to violation of women's right of inheritance would be regularly collected, archived and analyzed to disseminate widely through organized forums.

## SEMINAR ON '18TH AMENDMENT: OPPORTUNITIES AND CHALLENGES FOR PROVINCES AND WOMEN'

Aurat Foundation organized the seminar on Friday, June 17 in Islamabad in order to share and discuss various aspects of 18th Amendment with members of civil society and media. The topic was, **18th Amendment: Opportunities and Challenges for Provinces and Women**. The event was presided over by Anis Haroon, Chairperson, National Commission on the Status of Women (NCSW). Speakers and participants at the seminar, mainly from the civil society, generally supported devo-

lution but were concerned about how policy-making, legislation and coordination to ensure uniformity in laws and policies on women's rights issues in the country would be affected.

Anis Haroon, in her concluding remarks, disagreed with the understanding of some sections of society and groups that devolution of the Ministry of Women's Development (MoWD) would undermine the women's cause. She said that women's rights issues were regularly taken up and discussed by the

Sindh Assembly, and also the Balochistan and Khyber-Pakhtunkhaw Assemblies, and it was wrong to assume that provincial institutions were not sensitized on women's rights. She felt that the confusion lay in the Federal Capital, because some vested interests did not want to transfer power and resources to the provinces, and the devolution of MoWD would in fact open up new opportunities for the provinces to work more effectively for women.



## VAW: CASE OF ELDERLY WOMAN PUBLICALLY DISGRACED BY JIRGA IN HARIPUR

In a village near Haripur an elderly woman was disrobed and publically ridiculed by the local panchayat to punish her sons. The incident was reported in the media. NCSW took notice of the case and contacted the provincial government and police departments in Haripur. The Commission found that in the FIR that was registered the Jirga, which had ruled that if the culprits could not be found, their mother should be publically disgraced as a punishment, had not been nominated. The same jirga had given another cruel decision against the pregnant wife of one of the accused. Since her husband wanted to divorce her, the

Jirga had forcibly taken her signature on the Khula papers and declared dissolution of the marriage. This meant that the accused pregnant woman could not even claim her Haq-Mehr.

An NCSW delegation led by Ms. Anis Haroon met the Commissioner Hazara Division and D.I.G Abbotabad to express their grave reservations regarding the investigation of the case. Hazara Division Commissioner Khalid Khan Umerzai assured the delegation that he would take personal interest in the matter and pursue the case. The NCSW Chairperson stressed that in addition to the jirga members, all by-

standers, who did nothing to help the women, and the village prayer leader, the maulvi, who had instigated the local people to commit this atrocity, should also be named in the FIR and held accountable. Later the delegation also met the victim in the Commissioner's office and urged him to provide complete safety and protection to her and her family. Consequently, the DIG Hazara Dr. Mohammad Naeem Khan informed the Commission that the case had been registered under PPC 354/A, 2010, 436/437/452,506/109 and 34 against all offenders.

## INTERACTION WITH THE WOMEN'S PARLIAMENTARY CAUCUS

The Women's Parliamentary Caucus in the National Assembly is organizing an International Convention on *Role of Women Parliamentarians in Strengthening Democracy and Social Justice* for which planning meetings were held at the NCSW office. The NCSW together

with Ms Shahnaz Wazir Ali, Special Assistant to the Prime Minister for the Social Sector and PPP MNA, and some representatives of women's organizations drafted a comprehensive plan for the conference. Federal and provincial women parliamentarians and

women parliamentarians from ECO and SAARC countries will be invited as delegates to share experiences and highlight challenges. The final date for holding this international conference is yet to be decided.

## PRESENTATION TO AFGHAN WOMEN PARLIAMENTARIANS

A delegation of Afghan women parliamentarians was visiting the country and the Women's Parliamentary Caucus invited them to meet Pakistani women parliamentarians to discuss the situation in the two countries and share experiences. Chairperson NCSW, Ms. Anis Haroon, was invited to make a presentation on Customary Practices Prevalent in Pakistan. The delegates appreciated the role of the Commission and of Pakistani Women Parliamentarians in pro-

moting the agenda of women's rights across the board and expressed their keenness to form a cross party caucus of women parliamentarians in Afghanistan. While sharing their experiences, the Afghan women delegates said that despite impressive gains, women in Afghanistan were still struggling to play a significant role in society and in politics. Although women held 68 seats in the Afghan parliament, mainly because of a constitutionally mandated reserved quota, women

rarely served on decision-making bodies or played a meaningful role in any peace process. They voiced their concern that reconciliation with the Taliban could undermine their newly found political rights, and said their voice needed to be heard when peace treaties were being made to ensure the region's long-term stability. Afghan MP Golalei Nur Safi, who belongs to the Wolesi Jirga and the High Peace Council, called women an "absolute must" in all negotiations.



## NCSW CELEBRATES PROVINCIAL AUTONOMY DAY AND APPROVAL OF BILL FOR ESTABLISHMENT OF AN AUTONOMOUS NATIONAL COMMISSION FOR WOMEN BY CABINET

NCSW welcomed the successful completion of the devolution process and formally celebrated the historic achievement that the people of Pakistan had long waited for. It also celebrated an important milestone towards achieving autonomy for the Commission: the approval by the Cabinet Division of a new Bill for an independent National Women's Commission, complete with the last round of recommendations from the Implementation Commission. The Members felt that now the Commission would be able to operate more effectively and work more smoothly. Ms Shehnaz Wazir Ali, MNA, also attended the celebration, and said that an autonomous Commission would now be able to play a more assertive

and meaningful role in promoting the women's rights agenda. The Commission reiterated its solidarity with the provinces in celebrating the day for Provincial Autonomy and



Anis Haroon said that devolution of powers to the provinces would serve to strengthen the Federation and the country. As regards the granting of administrative and financial autonomy

to NCSW, the Commission appreciated the efforts of Senator Raza Rabani, Chairperson of the Implementation Committee of the Parliament, in the entire process. The Committee

ensured a smooth and transparent transfer of powers, and thought through the functions of each Ministry to ensure a smooth transfer to the provinces.

NCSW is of the view provinces will be able to legislate on local issues more effectively and in a timely manner, and be better able to address the anti women customary practices that are prevalent in the country. It looks forward to working with provincial governments and providing any technical support that may be required to deal with women's issues.

## ADVOCACY EFFORTS WITH NATIONAL/PROVINCIAL LEADERSHIP, POLICY PLANNERS REGARDING REPORTED CASES OF VIOLENCE AGAINST WOMEN - LETTERS SENT TO :

### **The President of Pakistan on kidnapping of woman**

On March 8, 2011 a prominent businesswoman from the minority community, Ms. Nelofur Abadan, was kidnapped in Balochistan. The local police was unable to trace her and at the same time was found to be unconcerned about tracking her whereabouts. The NCSW took strong notice of this case and wrote a letter to the President of Pakistan Mr. Asif Ali Zardari to instruct the Government of Balochistan and the law enforcing agencies in the region to launch an intensified search operation to recover the kidnapped woman.

### **The Prime Minister of Pakistan on Federal Shariat Court judgment**

The Federal Shariat Court passed a judgment negating the Women Protection Act 2006 that had softened the harsh provisions of the Hudood Ordinance and provided relief to women

accused of a sexual relationship outside marriage. The National Commission on the Status of Women urged the government of Pakistan to lodge an appeal against the judgment. Consequently, the Ministry of Law on behalf of the Government of Pakistan (GoP) filed an appeal in the Supreme Court.

### **The President and the Prime Minister of Pakistan**

The National Commission on the Status of Women wrote two separate letters to the President and Prime Minister expressing concern at the exclusion of women parliamentarians from the Federal Cabinet. In the letter the Commission appreciated the fact that the Pakistan People's Party had always supported the cause of women and taken bold steps to improve women's status in society, but conveyed its disappointment that there were currently only two women in the Cabinet, and that no woman had been

included among the 14 recently appointed Ministers and Ministers of State. The Commission questioned why the several capable women members in the parliament had been ignored? The letters highlighted the contribution and proven capabilities of women parliamentarians and senators elected on reserved seats, and urged the government not to disregard their contributions.

The Commission also stressed that it was high time that the Political Parties Act should be reviewed, so that in addition to the reserved seats more women members were given tickets by their political parties to contest elections from general seats. It urged that the system whereby women on reserved seats were elected indirectly should be changed and reserved seats should be filled through direct constituency based elections.



## ADVOCACY EFFORTS:

## CONTINUED.....

### **The CM and IG Punjab to Provide Foolproof Security to Mukhtaran Mai**

Mukhtaran Mai, the gang rape victim who had bravely stood up against the influential perpetrators of the crime and challenged them in court, and women across the country were shocked when the Supreme Court upheld the appeal of the rapists and exonerated all but one of the criminals. The National Commission on the Status of Women was deeply concerned for the safety and security of Mukhtaran Mai, as it was anticipated that the accused, who had been released from jail, would again start threatening and harassing Mukhtaran and her family.

In the letters NCSW urgently called upon the Punjab Government to fulfill its responsibilities and take immediate measures to provide Mukhtaran Mai foolproof security. It urged the chief minister and IG Police to deploy a police force outside her home without delay, and asked that she should be provided with police escort whenever she travelled. The NCSW also cautioned the Government of Punjab that it would be held responsible if there was any lapse of security and Mukhtaran Mai was harmed in any way.

### **The Law Secretary Finance and Deputy Commissioner Gilgit Baltistan**

The NCSW received an application submitted by a complainant called Ms Jahan Begum, a retired government employee and Headmistress of schools from Danyore, Gilgit Baltistan. According to the application, she had been continuously harassed and humiliated by a Treasury Officer, Mr. Ghulam Haider, who resided in the treasury office at Khazana Road. She wrote that she had dedicated her life to the promotion of girls' education in far flung and isolated places like Danyore, but whenever she visited the treasury office to collect her pension, and for her file to be reviewed, stamped and signed by the said treasury officer, she was confronted by uncivil and rude behaviour. The accused was abusive, used foul language and threw the file in her face.

The NCSW took note of this unwarranted harassment by a government employee of an elderly retired woman, who was obliged to approach him to collect her pension. The Commission wrote to the Secretary Finance and Deputy Commissioner of GB and strongly urged them to take immediate notice of the case, initiate proper and fair investigation and take due action against the offender so that the complainant is not harassed in future.

### **The Nawab Aslam Khan Raisani Chief Minister of Balochistan**

A comprehensive Bill on Domestic Violence Against Women was passed unanimously by the National Assembly but was delayed in the Senate and not approved within the stipulated 90 day period. Consequently it was sent back to the National Assembly to be placed before a Mediation Committee. Meanwhile the 18th Constitutional Amendment was enacted and powers to legislate were devolved to the provinces.

The National Commission on the Status of Women drew the attention of the Chief Minister of Balochistan to the pending Domestic Violence Bill and urged him to take the lead in enacting a law on domestic violence in the Balochistan Assembly. The Commission stressed that domestic violence against women was widely prevalent in Pakistan, and necessary mechanisms, including protective legislation, were urgently needed to protect women victims of violence and to ensure that perpetrators were punished. The Commission urged the Chief Minister and women legislators to take up the issue on a priority basis. It suggested that the Chief Minister should summon an urgent session of the Balochistan Assembly to enact the legislation. The Chief Minister was also provided with a copy of the Domestic Violence Bill and told that NCSW would provide technical assistance and support to his office to table the Bill.

### **The DIG and DPO of Hazara Division in Neeloor Bala Case**

The National Commission on the Status of Women Pakistan was extremely perturbed at the incident in which an elderly woman was publically disgraced and shamed by the local Jirga for no fault of hers. Before writing the letters to the DIG and DPO, the Commission had visited the area on a fact finding mission. The team led by the Chairperson had met the Commissioner, police officials and the victim. According to the Commission's findings, the Jirga that had given verdict that the woman should be disrobed and paraded in public, had not been charged in the FIR and only the main culprit and his brothers were directly indicted in the case. The letters were written to stress that parallel judicial systems had no jurisdiction and were illegal under the law. The existence of these systems, particularly in rural settings, operating without any legal author-

ity, were not only undermining the authority of the formal legal system but also playing with the lives of women and violating their constitutional rights. The Commission demanded that the members of the Jirga must be charged in the FIR, and it should be ensured that no one was allowed to go unpunished. It was also demanded that the victim and her family, who were feeling unsafe in their village, should be provided shelter and security until the culprits were apprehended. Copies of this letter were also sent to the Commissioner Hazara Division and Chairperson, Provincial Commission on the Status of Women KPK.

### **The Chief Minister Balochistan**

Many cases of violence against women in Balochistan had been reported in the press and highlighted by different sources. Through a letter, the Commission expressed its strong reservations about the failure of the Balochistan Government in handling the situation and urged the CM to take cognizance of the crimes and mobilize the government's resources to tackle the situation.

### **The CM and IG Punjab in Aisha Murder Case**

The NCSW had received an application from a complainant called Ms Farzana Bibi D/O Mst. Ghulam Ayesha and Ghulam Abbas, and a resident of 63/DP, Tehsil Yazman, District Bahawalpur. According to the application, Mst. Ghulam Ayesha had been brutally beaten to death in police custody by Station House Officer (SHO) Mr. Iqbal Janar, of Police Station Marrot, Tehsil Fort Abbas, in Bahawalnagar. The case study of this brutal incident revealed that there was a petty dispute that sparked a fight between two close members of the family. Ironically, information about internal brawl reached the said police station after which Mst. Ghulam Ayesha was apprehended, brutally beaten and killed by the SHO.

The NCSW strongly urged the Chief Minister and IG Punjab to take immediate notice of the case, and to direct relevant authorities to initiate proper investigation and take stern action against the said SHO. The NCSW also asked both the officers to inform the Commission about the details of the case and action taken. A response was received and it was found out that Ayesha had died of a heart attack and not because of police beating.



## NCSW PRESS RELEASES ON: -

A number of press releases were issued by NCSW during the quarter under review.

### **Disciplinary Action by Punjab University against Professor**

The National Commission on the Status of Women appreciated the disciplinary action taken by the Punjab University in dismissing a senior professor who had been proved guilty of sexually harassing a lecturer of the University. A PhD student was sexually harassed by the accused, Dr. Iftikhar Hussain Baloch, on 15th May, 2010. She was a lecturer at the College of Earth & Environmental Science, University of Punjab, Lahore. The harasser Dr Iftikhar Hussain Baloch, was a senior professor of Punjab University.

### **Verdict in Mukhtaran Mai Case**

The National Commission on the Status of Women expressed deep shock and disappointment at the verdict given by the Supreme Court in the appeal in the Mukhtaran Mai gang rape case and expressed grave concern at the time taken to issue the judgment. The press release said that the victim was gang raped in 2002 on the direct orders of local *panchayat*, and in 2005 the Chief Justice of the High Court took suo moto notice of the case. Now, after wasting nine years of the victim's time the verdict on the appeal has been given.

The Commission feared that the decision had further strengthened parallel legal systems in the country and served to weaken women's confidence in the law. The Commission questioned how only one accused was punished and others acquitted if it was a gang rape. This showed that the evidence of women victims did not hold any value before the law. The NCSW felt that the criminal justice system was not pro women and was essentially patriarchal in nature, as impunity in crimes against women was the order of the day. Women victims were asked to provide evidence, which was often impossible

for women who had been raped or gang raped to provide. The NCSW together with members of the human rights network IHI strongly recommended that women victims of rape or gang rape must not be pressurized to produce eye witnesses. It was stressed that it was the duty of the courts to provide justice after determining the nature of the crime.

The press release also said that there was a need to look at women's representation in all institutions concerned with the criminal justice system. Women's lack of representation in the lower and upper judiciary was crucially important if women were to get justice. The Supreme Court judgment had shaken the confidence of women to stand up for their rights and was a source of discouragement to survivors of rape and gang rape. The statement concluded by saying: "However, we are proud of Mukhtara Mai, who stood bravely against all intimidation and harassment and has refused to buckle under life threats. She has given a message of courage and hope to all women victims of Pakistan. We consider her a role model for the women of Pakistan." It also condemned the insensitive attitude of some sections of print media, who were seen applauding and grinning at the verdict. The owners and editors of these media houses were urged to instil a sense of responsibility and sensitivity in reporters and journalists who cover social issues.

### **Exclusion of Women Parliamentarians in Cabinet Formation**

The text of the letters to the President and the Prime Minister expressing NCSW's concern at not including any woman member of parliament in the 14 recently appointed Federal Ministers and Ministers of State, was also reported by the Press.

The reports said that NCSW was concerned that there were presently only two women in the Cabinet, both from the PPP. In the recent appointments, although there were several capable women in parliament from all political parties and studies had shown that women legislators had performed better than their male colleagues,

women had been ignored. The Commission felt that women on reserved seats had been particularly marginalized, and their services to the cause of women and the nation as well as to their parties had remained unacknowledged, in spite of the fact that several of these women had a lifetime of struggle behind them, and were known for their capabilities and understanding of national issues. Considering them to be less worthy merely because they had come on reserved seats was less than fair.

The Commission believed that democracy and good governance would be better served if appointments were based on track record and merit, without a distinction being made between directly and indirectly elected members. It also emphasized that the Political Parties Act needed to be reviewed, so that in addition to the reserved seats more women members were chosen to contest open elections by their political parties, or alternately, women on reserved seats were directly elected by the people.

### **Condemning Stoning and Shooting of Young Girl in Mardan**

According to a report, Muhammad Saeed of Girhoch village in Mardan took his young wife, Shazia, to the nearby mountains where he stoned her to death, on the pretext of increasing domestic differences and disputes. The National Commission on the Status of Women expressed its horror and shock and strongly condemned the incident.

This gruesome crime was committed at the behest of a Jirga that recommended this 'penalty' for the unfortunate young woman, who wanted to live a life of her own choice. NCSW called it "an extreme act of brutality" and urged the authorities not only "to punish the culprits who took part in this heinous crime but also the Jirga, since such jirgas are the main driving force behind many biased, brutal and wild decisions against women." The Commission strongly appealed to the government of Khyber Pakhtunkhwa to show a similar commitment in responding to the crime as shown in the Neelor Bala case.

## NEW STAFF INDUCTIONS

Ms. Riffat Inam Butt joined NCSW as Legal Expert. She completed her law graduation from Punjab University Lahore, and obtained her LLM in Human Rights from the

United States. Her work experience spans a period of over ten years. Riffat Butt looks forward to working for women's empowerment through legal reforms as a member of the National Commission team.



# PICTURE GLIMPSES





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[WWW.NCSW.GOV.PK](http://WWW.NCSW.GOV.PK)



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