

## National Commission on the Status of Women, Pakistan



Volume 2, Issue 2

### Saut-e-Niswan

January-March, 2010

#### Editorial

Welcome to the second issue of the NCSW E-Newsletter. The issue covers the events and achievements of the first quarter of the 2010.

There was cause to celebration, as Pakistan adopted two historic bills to protect women from sexual harassment at the workplace and in the public sphere. NCSW and women activists lobbied effectively for the passage of these bills. Three bills relating to women's rights were tabled by members of women parliamentarians' caucus, of which two were approved and the third on domestic violence is still pending. NCSW will continue its efforts for the passage of the bill against domestic violence by working with parliamentarians and members of civil society.

During my recent visit to the United States for participation in the meetings of the UN Commission on the Status of Women, I experienced a renewed and reaffirmed commitment to the Beijing Platform for Action for achieving a safer and brighter future for the women of the world. I took advantage of the opportunity to share some of the steps that Pakistan has taken towards realizing the dream of gender equality and em-



#### "Step by Step Instructions on how to comply with the Law" :

##### STEP 1:

Download Code of Conduct from NCSW/AASHA's website

##### STEP 2:

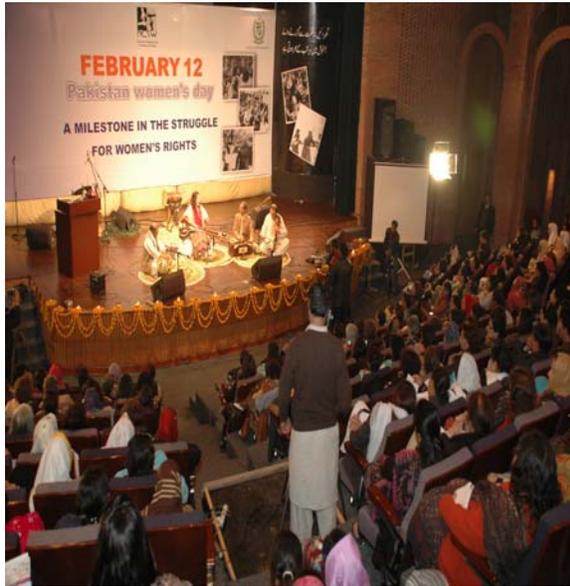
In a meeting of your senior management take a decision to officially incorporate the code in your HR policies

## Updates for the first quarter

### NCSW commemorates National Women's Day:

This year the Government of Pakistan decided to officially celebrate National Women's Day that falls on 12 February. The day marks an important milestone in the history of the

women's movement in Pakistan; as on this date in 1984 women protested and successfully challenged the promulgation of the Law of Evidence by the military



dictator Zia-ul Haq. A demonstration was held in Lahore on the call given by the Punjab Women Lawyers Association and Women's Action Forum. Women who were demonstrating peacefully against the proposed law of evidence; were brutally lathi-charged and wounded by the police and several of them were sent to jail.

To mark the day a function was held at the PNCA auditorium co-hosted by the NCSW, the Women's Parliamentary Caucus in the National Assembly and the Ministry of Women's Development. The NCSW Executive Committee Members actively participated in the planning and hosting of this function. Speakers and women poets were invited from Lahore and Karachi. The well known singer, Sara Zaman sang the poem written and read by Habib Jalib on that historic occasion.

NCSW also mounted an exhibition of rare photographs of the demonstration showing women bravely facing the police brutality.

#### STEP 3:

Management will appoint a three-member standing Inquiry Committee to handle any complaints of sexual harassment. At least one member should be a woman. It is good to have a representation of the CBA (if applicable)

#### STEP 4:

Management should also identify a competent authority in their organization if not already identified (in most cases it is the CEO or who ever has the hiring/ firing authority).

#### STEP 5 :

Management will notify all employees about the incorporation of the Code of Conduct in their HR policies, the names, contact information of the three committee members, instructions of approaching any of the committee members in case of a sexual harassment complaint.

#### STEP 6:

Management will also post this notification and the full text of the Code on a notice board or any common area in a language understandable by the employees. (AASHA has printed a set of two posters with full text of the code in English and Urdu. You may request them from AASHA's office. It is quite convenient to frame them and put them up in the office.

The management should:-

1. Educate employees regarding the issue of sexual harassment and how to create Zero Tolerance for it.
2. Train inquiry committee members to conduct their inquiries in a just and sensitive manner.
3. Ensure that due process is undertaken in a fair and just manner. It should intervene if there is any retaliation or blackmailing by any party.
4. The management and the inquiry committee should be proactive in taking steps to make the work environment more professional and free from sexual harassment. Issues of sexual harassment are not unusual in organizations as people bring them to the work place as a part of their upbringing. It is the responsibility of the management to have a mechanism to handle these cases appropriately.

### Printing and designing of the NCSW diary for 2010

The NCSW diary for 2010 on the theme of "Women and Peace" was designed and printed during the quarter. Poetry

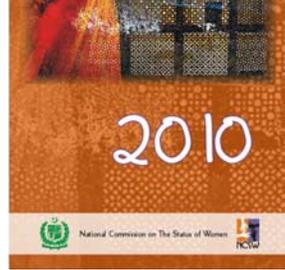


### Organised Talk on 'Crisis and Reconciliation in Swat through the eyes of Women'

The National Commission on the Status of Women hosted talk delivered by Dr. Anita Weiss. Giving her impressions Dr. Anita Weiss said that women of Swat say that they do not want food but jobs and to earn salaries to buy food.

Despite traumatic experience the morale of women especially young girls is quite high who want to study and be-

on the occasion of the National Commission on the Status of Women. The Commission produced and distributed a brochure in Urdu giving an update on the status of laws that directly impinge on the rights of women. NCSW also issued a special bulletin in the Urdu newspaper, the Daily Jang; on the occasion.



daily Jang. Citizens quite often want to study and become useful citizens; most of them opting to become pilots. She said that there is renewed commitment for girls education and there is spirit to fight back the Talibanization. They also want civil society to form women cooperatives and groups to assist them to set up their businesses and ensure market access. She said that trauma of the Taliban rule is still lingering in their minds and they are afraid of their return. A large of people from the Civil Society attended the talk.

## Participation in the 8 March Event

The Executive Committee members participated in the planning of the event hosted by the Women's Ministry on Women's International Day, 8th March.

The Commission produced and distributed a brochure in Urdu giving an update on the status of laws that directly impinge on the rights of women. NCSW also issued a special bulletin in the Urdu newspaper, the Daily Jang; on the occasion.



## Seminar on Crimes in the name of Honor and parallel legal system

A Seminar was held by NCSW in Collaboration with Aurat Foundation on Crimes in the name of Honour and parallel legal system at Hotel Regent plaza, Ms. Sharmilla Farooqi Advisor to CM, Chairperson NCSW Anis Haroon, Justice @ Nasir Aslam Zahid, DIG Khaliq Sheikh, Resident Director AF Karachi Mahnaz Rahman, Amar Sindhu, Irfana Mallah were guest speakers of the programme.

On the occasion, the speakers/audience criticized all those political parties who contested by elections in Swat for keeping their women at bay during polling. The speakers also highlighted the implications of parallel legal systems and said, Jirga systems are contributing in further marginalizing the women in those areas and, therefore, urged to demolish all these parallel legal systems, as the superior court has also declared them illegal.

Sindh chief minister's adviser Sharmila Farooqi, MQM MPA Heer Soho, Bashir Jan of the ANP, Nasreen Azhar, Atiya Dawood, Sabooha Khan, Amar Sindhu, Irfana Mallah, Musrat Misbah, Nazish Brohi,

## Production of E-Newsletter

The Commission's first E-Newsletter, covering the period from March to December 2009 was produced by the Communications Department and placed on the website. It is the first ever e-newsletter of the Commission since its inception.

**Editorial**

Welcome to the first issue of the National Commission on the Status of Women's Newsletter. This issue attempts to report and highlight the activities and achievements during the period between March to December, 2009.

Let us begin by thanking all of you who have made contributions to the Commission. My special thanks go to CGR, The Aze Foundation, UNDPED and the AICB for supporting NCSW financially and technically to enable and strengthen it to achieve its goal. These partnerships demonstrate that youth can achieve when people come together to help different walks of life with a common purpose and share their knowledge and resources.

Women, their rights and values have always been the subject of debate, whether we look at history or at the present. Facing through various hurdles and achieving milestones, the struggle has reached a point as time when it has finally come to be accepted as a mainstream issue. As a result, not only are institutions and organizations emerging at government and non-governmental level

that are focusing on women's issues as primary issues, and are raising their voice to promote women's rights as human rights. A certain segment of our society that looked the women's struggle and movement as a "western agenda" started identity to women "Western campaign", denying that it has ever been "our issue". They ignore the fact that this struggle is part of the larger struggle for Human Rights that are being violated so frequently at every level in our society. It is

time that we address this issue as our utmost priority. It is not a society that is peaceful and violence free.

Anis Haroon  
Chairperson

"They say that time changes things, but you actually have to change them yourself"  
Andy Warhol

## Research Studies

The NCSW requisitioned the services of consultants to conduct three research studies on: Par-

allel justice systems; laws affecting women; and women and discriminatory policies. The Commission's former Chairperson Justice (Rtd) Majida Razvi is undertaking the study on the parallel justice systems, Justice (Rtd) Nasira Iqbal is looking at laws affecting women and Ms. Afiya Zia is producing a research paper on women and discriminatory policies. The research studies have been funded through the NCSW funds available in GRAP. Meanwhile, three other research studies commissioned earlier on Women and Health, Women and Education and Political Participation of Women are nearing completion. These studies have been funded by the Asian Development Bank through its Devolution Support Programme.

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## Chairperson's Engagements

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### A. Seminar on "Peace and conflicts in the region" in Netherlands

In response to a special invitation from the Dutch Government the Chairperson NCSW represented Pakistan at a seminar on "Peace and conflicts in the region" held in the Netherlands. She briefed the participants about the challenges faced by Pakistan and Pakistani women since the inception of the country and the current state of affairs in the country as well as in the region. She also laid before a galaxy of international experts and decisions makers an Action Plan for 2010 adopted by the NCSW.

While describing the challenges she said since its inception in 1947 democracy in Pakistan has been interrupted by long spells of military rule. From the very beginning the country's relations with India have been marred by conflicts, which led to three wars between the two countries. In the wake of these conflicts both India and Pakistan spent vast amounts of money on armaments and nuclear weapons, thus making the whole region vulnerable.

In Pakistan, Islamists had been vying for power since independence and the Afghan *Jihad* provided them the opportunity in 1980's to realize their dream, and Pakistan became a training ground for extremist elements under the patronage of the state and international powers. The women of Pakistan have been aware of the growing threat of religious extremism since Zia-ul-Haq's era. Women's Action Forum (WAF) in 1981 galvanized women to resist; it stood against so-called Islamisation of laws, extremism, violence and militarization. Their struggle for women's rights encompassed pluralism, peace, social justice and democracy.

Women in Pakistan have been warning successive governments against the threat of terrorism spreading in the country and warning that "if we continue to breed Jehadis they will eventually turn their guns towards us". But who listens to women? Governments don't; politicians only when they need votes, and the international community whenever it suits them.

### Current Scene

The development package for Pakistan from international donors has been planned without involving women. The contractors have been hired by donor agencies who are not interested in women's rights issues. Women feel that the money is being poured into security related matters and the social sector is being neglected. The issues of human rights, women's empowerment, social justice, education, health, social protection and legal rights have taken a back seat.

The women's movement in Pakistan has expressed great concern at the formation of all male peace jirgas in conflict zones and reinforcement of traditional roles for women through the social policy of the donor agencies.

### B. Meeting of global women's commissions

The Chairperson attended a meeting of the national commissions and

### C. UN Commission on the Status of Women Summit

The 54th Session of the UN Commission on the Status of Women (CSW) was held in New York from 1st to 12th March, 2010. The main agenda of the session was the fifteen-year review of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session of the General Assembly. A delegation from Pakistan also attended this session comprising the following eight members.

- |   |                                      |
|---|--------------------------------------|
| 1. Ms. Anis Haroon (Head of Delegation) | Chairperson, NCSW                    |
| 2. Ms. Romana Tanvir                    | Member, NCSW                         |
| 3. Ms. Bushra Ali Zulfarnain            | Member, NCSW                         |
| 4. Ms. Misbah Momin                     | Member, NCSW                         |
| 5. Ms. Shazia Mari                      | Minister for Tourism, Govt. of Sindh |

commissions and ministries of women's development from different countries in Brussels. She briefed the participants about the women's struggle in Pakistan and role and work of the NCSW and MOWD.

6. Ms. Azma Zahid Bukhari, Member of Provincial Assembly
  7. Ms. Amna Khan, Member of Provincial Assembly
- Dr. Muhammad Ali, Jt. Sec. Min. of Women Development

At the UN Forum, Ms. Anis Haroon reaffirmed her country's commitment to the empowerment of women. While talking about recent developments, she said, Pakistan's democratic government has taken a number of legislative and economic initiatives to ensure empowerment of women and protection of their rights. Pakistan draws inspiration for gender equality and empowerment of women from the vision of its founding father Quaid-e-Azam Mohammad Ali Jinnah, who emphasized the importance of women's role in the development of the country.

Ms Haroon informed the conference that the elected government in Pakistan is promoting the vision of former Prime Minister, Shaheed Mohtarma Benazir Bhutto, for women's empowerment under a four-pronged strategy, which aimed at reducing feminization of poverty, promoting gender equality, ending violence against women and introducing the necessary legislative structure to empower women.

Ms Haroon particularly cited the recent legislative initiatives of the government that included adoption of laws to protect the rights of women from harassment at public places and the work place. The Domestic Violence (Prevention and Protection) Act is under consideration, she said.

#### **D. Meeting with the Prime Minister of Pakistan**

The Chairperson Ms. Anis Haroon and members of the Commission attended a luncheon meeting with the Prime Minister at the PM House Islamabad. The Prime Minister lauded the role of the NCSW in highlighting issues concerning women and also appreciated their active role in the formulation and passage of the "Protection against Harassment of Women at the Work Place Bill recently passed by the Parliament.

The PM assured the delegation of continued legislative, political and economic support for women and the National Commission on the Status of Women (NCSW).

The Prime Minister accepted the Chairperson's invitation to chair the International Conference on Women in Islamabad on 8th March on the International Women's Day.

The members of the Commission apprised the Prime Minister about the continuous struggle of various women's organizations against the religious extremism which negatively impacts the women's rights.

The Commission requested the Prime Minister to issue orders to expedite the cases pertaining to violence against women which were being delayed at the investigation stage. They also apprised the Prime Minister about major research studies initiated by the Commission on various issues of concern to women.

#### **E. Meeting with Chief Election Commissioner**

The Chairperson NCSW and member Ms. Nasreen Azhar held a meeting with the Chief Election Commissioner and the Secretary Election Commission on 16 February, 2010 to share the Commission's concern regarding the violation of women's voting rights in the recently held polls in Mansehra and Hazara districts.

The Chief Election Commissioner, while declaring it a violation of the law, said that the procedure required a written complaint from the affected women, which should be submitted to the Election Commission for legal action.

The NCSW delegation also brought up the case of Mai Jori, who was contesting elections from PBS-25, Jaffarabad-1, and was facing threats from the opponents.

The Chief Election Commissioner assured the Commission that he would increase her security and also issue passes for local and international observers. Observers from NCSW will also be part of the election observers' team.

## **Highlights of Projects**

### **A. Asian Development Bank**

The Commission is conducting the following research studies with technical assistance from the Asian Development Bank under the project titled "Institutional Strengthening of the NCSW":

- i. To assess and analyze Local Bodies System and its Impact on women

- ii. To evaluate impact of Women Protection Bill 2006 on women
  - iii. To determine how violence against women (VAW) is covered in the health policy framework and what provisions are there for mental and physical treatment of VAW victims at health care facilities.
  - iv. To study origins of Talibanisation in Education Policies and its impact on women's education
  - v. Gender review of political framework for women political participation
- Except for the study on the women protection bill, drafts of all studies have been prepared and will be finalized after comments and feedback from the NCSW research committee.

### **Establishment of Resource Center**

The NCSW Resource Center is fully functional with books, documents, research studies and other relevant material and equipment in place.

The Operations Manual detailing policies and procedures of the Resource Center has been finalized. The collection of resource material from academic institutes, national and international organizations working on gender and women related issues has been completed to a large extent, but shall continue to ensure availability of the latest information.

A Web Based Database for the Resource Center has been developed and E-link has been established on the NCSW website. Users may review and download the material on women and gender issues that they need.

## **B. UN-Trust Fund**

Activities undertaken under the project 'Public-Private Partnership to End Honour Crimes through Implementation of Criminal Law Amendment Act 2004' funded by UNIFEM, is being implemented in coordination with two co-implementing partners: Rozan and National Rural Support Program. The project started in April 2009 and will end by June 30, 2010. The project activities were mainly focused in two districts of Mirpur Khas (Sindh) and Rajanpur (Punjab).

A baseline study on the prevalence of Honour Crimes and perceptions of key stakeholders, training need assessments of key stakeholders and trainings of trainers were mostly completed by the end of December 2009. The baseline study report, training need assessment report and two training manuals were the major outcomes of these activities.

During the second phase two provincial interfaces involving key decision makers were organised in Punjab and Sindh on 24 Feb and 11 Mar respectively. Objectives of these interfaces were:

- To formulate further policy recommendations for all key stakeholders for better implementation of laws intended to eradicate violence against women
- To share the results and impacts of various interventions of the project
- To share the findings of baseline study with key stakeholders

Invitees and participants of both interfaces included police officials, media, CSOs, academia, lawyers and judges. The following key recommendations came out of these interfaces:

**For Police:-** Capacity building of law enforcement agencies' personnel with special focus on gender sensitization; Amendment in SOPs regarding FIR: Recruitment of women in police with specific qualification and inclusion of female staff in decision making bodies and processes; police stations with gender sensitized female staff

**For CSOs:-** Awareness raising campaigns for masses utilizing electronic media, specially radio and TV; Development of relevant IEC material; Involving women from local governance system for this cause; Expansion of project area by involving other community organizations

**For Media:-** Preparation of a proper code of conduct of media through consultation with regard to gender issues generally and Honour Crimes specifically; Ensuring to give prime time to these issues; Advertisements, soap dramas should not propagate stereotype roles of both sexes;

Information on Human Rights should be included in the educational curricula at all levels.

A national level interface will be organized in May

Another important aspect of the project was the capacity building of the project staff. Three members of the Project Steering Committee were given scholarships by the ILO training centre to attend a three week training on 'Tackling gender discrimination at work place' in Turin from 15-26 March 2010.

**A 3-days** training on 'Gender Self Analysis and gender awareness' is planned for the staff of NCSW in the first week of June.

## C. The Asia Foundation

Under The Asia Foundation research grant NCSW decided to monitor and assess the ideological paradigms discussed in and disseminated through the religious/Islamic TV programs shown in Pakistan via cable network.

Contents of the religious television programs were analysed in the context of the existing policies of the Pakistan Electronic Media Regulatory Authority (PEMRA), National Media Policy (NMP) 2006, PEMRA Ordinance 2002, the Universal Declaration of Human Rights and the Fundamental Rights Chapter of the Constitution of Pakistan.

A total of thirteen channels were included in this study that include: Peace TV- Urdu, Peace TV- English/Spirituality, ARY-Q TV, GEO News, ARY News, Haq TV, Noor TV, Al Rehman AlRahim, Al-Hadi, Iqra, Labaik, Huda, and Madni. Each of these channels was watched in four districts of two provinces of Pakistan.

This research resulted in a number of explicit policy recommendations. Given the Government of Pakistan's domestic pledges and international commitments to support the rights of women and minorities in this country, as well as the international treaties such as (CEDAW, the MDGs, and Beijing Platform for Action), we hope this research results in guideposts where the state can act to implement its writ.

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## D. Gender Reforms Action Plan Institutional Strengthening of National Commission on the Status of Women

Under the Gender Reforms Action plan (GRAP) of the Ministry of Women's Development institutional reform actions are aimed at updating the organizational structures of the government machinery to make them gender responsive. GRAP envisages strengthening of NCSW as a policy/ legal research, review and analysis and advisory body by establishing four units (a) Policy Research Unit (b) Policy Analysis Unit, (c) Advocacy Unit, (d) and Administration, Coordination and Finance Unit by requisite amendments to be made in the NCSW Ordinance 2000. Under GRAP project budget for the year 2009- 2010, an allocation of Rs.5.5 million has been made to the NCSW for the following interventions;

- 1) A phased plan for review and suggested amendments in laws with special relevance to women.
- 2) Formulation of legal framework and legislation for abolishment of all parallel legal and quasi legal systems and strengthening of a uniform integrated judicial system in the country.

In order to undertake these interventions NCSW has engaged a team of gender and legal experts as short term consultants during January-June 2010 as under:

Justice(R) Nasira Iqbal	Legal Expert
Justice® Majida Razvi	Lead Consultant
Afiya Shehrbano Zia	Gender Expert
Rukhshanda Naz	Field Consultant Khyber Pukhtunkhuwa
Syed Arif Shah	Field Consultant Balochistan
Sadia Mumtaz	Field Consultant Punjab
Maliha Zia Lari	Field Consultant Sindh
Noor Muhammad	Field Consultant Gilgit- Boltistan
Abdul Majid	Technical Advisor Islamabad

Justice Majida Razvi lead the entire consultative process to assess the current legal and parallel legal systems in the country, and obtain doable suggestions from stakeholders from key districts of all provinces with the help of local field consultants. The draft report is being finalized.

Justice® Nasira Iqbal as legal expert has been given the task to review the following laws;

1. Child Marriage(Restraint) Act, 1929
2. Dowry and Bridal Gifts (Restriction ) Act, 1976
3. Muslim Family Laws Ordinance, 1961
4. Dissolution of Muslim Marriages Act, 1939
5. Guardian and Wards Act 1980

6. Family Courts Act 1964
7. Nikahnama
8. Proposed Local Government Ordinance

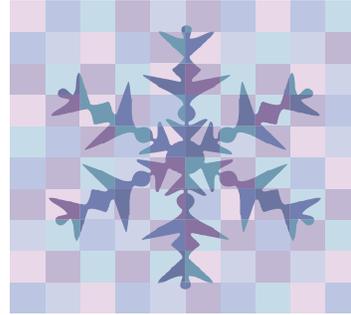
- Justice Nasira Iqbal will review and analyze all mentioned Laws;
- Organize consultative meetings with key stakeholders at federal and provincial level
- Finalize the reports after incorporating suggestions.

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**Contact Address:**

National Commission on  
the Status of Women  
(NCSW)  
House No 39, Street No  
56  
Sector F-6/4, Islamabad  
Phone: 051-  
9224875,9209885  
Fax: 051-9224877



**Editorial Team:**

- Nasreen  
Azhar
- Tahira Noor

For more information please log on to: [www.ncsw.org.pk](http://www.ncsw.org.pk)

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