

SAUT-E-NISWAN

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The Voice of Women

It gives me immense pleasure to share with you the activities and events of the National Commission on Status of Women (NCSW) for the period from July-September, 2010. NCSW has the honor to publish the 4th Newsletter of its 3rd quarter for its stakeholders and partners.

The NCSW has been playing its role in creating awareness amongst masses of diversified class through organizing workshops, conducting seminars, arranging focused group discussions and holding dialogues with relevant stakeholders including legislators and responsible officials of law enforcing agencies, from time to time. The objective behind all these activities is to mainstream women's rights agenda.

The 3rd quarter (July-September) has not been any different in terms of violence inflicted upon women and girls, be it abduction, honor killing, rape, kidnapping and acid burning across Pakistan. NCSW, being custodian of the underprivileged class, approached the authorities concerned to rectify the issues. But inadequate laws, faulty investigations and lack of authority to investigate have been our main hur-



dles. Either the cases of VAW never get registered or a delay in justice provision helps the perpetrators to go scot free.

Due to untiring and unending efforts put up NCSW's, Women's Rights Activists and Civil Society Organizations, over a period of many years, laws on Violence Against Women have been passed from the Parliament and have become part of the Constitution of Pakistan but we strongly feel that the implementation part is still missing. The Government has not yet been able to appoint Ombudspersons at the federal and provincial levels to deal with complaints of sexual harassment against women despite passage of the Protection against Harassment of Women at Workplace Act 2010 in March. This delay is causing hurdles in providing justice to the victims. However, in order to make these laws known to the concerned women and the general public, the

NCSW has launched a media campaign. The public service messages have been prepared and being played on different television channels.

National Commission on the Status of Women has constituted a 25-member committee to facilitate, monitor and ensure the effective implementation process of the law for next two years in the country. The committee is comprised of members from all stakeholders including government departments, civil society, private sector and media. For the next quarter or so, NCSW will continue to strengthen and accelerate its lobby and advocacy tools with allies, relevant stakeholders and like minded groups to push for the passage of two important laws which needs urgent attention. i.e. Domestic Violence Bill and Acid Crimes Prevention Bill.

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Committee constituted to implement Harassment at the Workplace Act

Committee constituted to implement Harassment at the Workplace Act

The National Commission on the Status of Women (NCSW) constituted a committee to implement the **Protection against Harassment of Women at Workplace Act 2010** across the country.

The 'Implementation Watch Committee' will facilitate, monitor and oversee the process, as implementation of any law is extremely important to bring about any meaningful change in society.

The objectives of the implementation committee are to mobilize support to intervene and expedite the implementation process. The committee will ensure coordination between all stakeholders, government organizations, private sector, civil society, working



women, media and donor partners, with the aim of developing linkages and collecting information for purposes of monitoring progress.

It will oversee and monitor initiatives to ensure full compliance with Protection Against Harassment of Women at Workplace Act 2010, engaging with relevant government departments to oversee developing of rules for the Act and

setting up of the office of ombudsperson. The committee will facilitate the active players and regulatory bodies to comply with the law. The term of the committee will be for two years, and, at the end of each year, it will report progress made to the NCSW.

NCSW CONSTITUTED
A COMMITTEE TO
IMPLEMENT THE
PROTECTION AGAINST
HARASSMENT OF
WOMEN AT
WORKPLACE ACT
2010 ACROSS THE
COUNTRY

National Interface on Honor Crimes in Pakistan

The NCSW organized a National Interface with key stakeholders to share activities and recommendations from provincial consultations held under its project entitled **End Honor Crimes in Pakistan**. The recommendations from provincial and national interface meetings will be compiled in one document to be forwarded to the government to strengthen policies for ending the widely prevalent honor crimes in Pakistan.

To deliberate upon the subject and come up with ways forward, the stakeholders were invited from law enforcement



agencies, media, Planning and Development and Government of Punjab, as well as religious leaders, women leaders, representatives of civil society organizations, NGOs and the Women Development Department –WDD.

Yasmin Rehman (Advisor to the Prime Minister on Women Development), Anis Haroon (Chairperson NCSW) and Tahira Abdullah (social activist) attended the meeting.

A Seminar on Implementation of Anti Harassment Bill in Collaboration with AASHA

A seminar on implementation of anti harassment bill was organized by Romana Tanveer Sheikh, Member NCSW, who is also a member of implementation watch committee constituted by National Commission on the Status of Women. The event was organized at office of Multan Chambers of Commerce and Industry. The purpose of the seminar was to create awareness about the Implementation of the **Anti Harassment Law** in all the public and private sector organizations.

Mrs. Romana Tanvir Sheikh emphasized the importance to create awareness in all spheres of life specially in Schools, Colleges and Universities and expressed her commitment for the Implementation of Anti Harassment Bill and Code of Conduct at all the levels.

Dr. Fouzia Saeed, who is the chairperson of the said committee, explained the role of the Implantation Watch Committee and said that this committee has been formed with a mandate to ensure compliance with the law through mechanisms of facilitation, monitoring and coordination. She gave a brief description of



the law and its objectives, Amendment of Section 509 and Protection against Harassment of Women at the Workplace Act 2010. She further said it is the first time in the history of Pakistan that sexual harassment has been defined in our Law. Up to now sexual harassment was not considered a crime but only a social evil that was justified by blaming women for causing it. No law specifically covered harassment at the workplace. The issue was brought to national attention through a campaign over the past 10 years.

She briefly explained the strategies to manage the harassment of women at work place in formal Sector and public Sector.

Finally, concluding the session Mrs. Romana Tanvir Sheikh assured the commitment:

- ◆ To bring awareness in all spheres of life specially in Schools, Colleges and Universities
- ◆ Implementation of Code of Conduct and Anti Harassment Bill.
- ◆ To launch a powerful campaign in Civil Society Organizations in Multan.
- ◆ What is the Law about and its implications.

Mr. Tanvir Ahmad Sheikh (Member Executive Committee of Multan Chamber of Commerce and Industry) Mr. Israr Ahmad Awan (President and Member Executive Committee of Multan Chamber of Commerce and Industry) , S.S.P Operations and many other Members of the Committee also assured their Cooperation in their respective fields in this regard.

IT IS THE FIRST TIME IN THE HISTORY OF PAKISTAN THAT SEXUAL HARASSMENT HAS BEEN DEFINED IN OUR LAW. THE ISSUE WAS BROUGHT TO NATIONAL ATTENTION THROUGH A CAMPAIGN OVER THE PAST 10 YEARS.

3rd Meeting of Advocacy & Action Strategy in Consultation with PODA

In collaboration with Potohar Organization for Development Advocacy (PODA), United Nations Development fund for Women (UNIFEM) and Women's Rights Association (WRA) a consultative meeting was organized in Multan. The objective was to share the charter of demands with stakeholders for women in disaster affected areas. The Purpose to organize this provincial level consultation was to bring all stakeholders in direct contact with each other. This way they could share their views and find effective ways for immediate and sustainable solutions for the restructuring and rehabilitation.

Mrs. Romana Tanvir Sheikh highlighted the difficulties and problems being faced by the affected women. They are not being given the desired importance and priority in distribution of relief funds so we developing ways to avoid this discrimination and gender based importance. Women need to be protected from discrimination and exploitation. We do understand the general and medical needs of women and are providing



services accordingly. Especially the pregnant women need medical support and we have planned to provide the medical facilities on the spot to the affected people and to women particularly. For this we are developing a mobile medical unit for different areas.

The meeting was also addressed by Country Head UNIFEM, Executive Director PODA, President Women Welfare Society Multan, flood survivors and representatives of civil society who participated in flood relief.

At the end of consultation a resolution was passed flood affected women to demand for the inclusion of their specific needs and concerns when the rehabilitation process begins.

Some of the points of resolution are as under:

- ◆ Women should have their CNIC immediately.
- ◆ Women should be given priority in distribution of food and relief funds.
- ◆ For the treatment of pregnant women gynecologists or traditional "Daai" to appointed and included in the mobile medical units.
- ◆ Compensation for the loss of animals to be paid to the women.
- ◆ Home industry to be promoted for the welfare of women.
- ◆ Women should be allotted two Acre of land by the govt.
- ◆ Female teachers, Nurses and Lady Health Workers to be appointed to facilitate the women etc.
- ◆ Women need mental and psychological counseling caused by

THE PREGNANT WOMEN NEED MEDICAL SUPPORT AND WE HAVE PLANNED TO PROVIDE THE MEDICAL FACILITIES ON THE SPOT TO THE AFFECTED PEOPLE AND TO WOMEN PARTICULARLY.



The Second Meeting of National Implementation Watch Committee

The National Implementation Watch Committee, formed on the instructions of the Prime Minister from the platform of National Commission on the Status of Women, met for its second meeting in Islamabad. The update on the progress of implementation process of the “Protection against Harassment of women at Work Place Act 2010” was given. It was notified to the participants that the State Bank of Pakistan has issued instructions to all the banks to comply with the

“Protection Act 2010”, to display the Code of Conduct and to establish specific committees to address any such complaints within their premises. The Implementation Committee appreciated this effort of the State Bank immensely.

Amongst the Government departments the PM Secretariat, the Planning Commission and the Establishment Division are taking the lead in getting the law implemented in the Federal Government. Out

of 44 Federal ministries 31 have complied with the law. However, thirteen have still not done that despite the instructions of the PM.

OUT OF 44
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WOMEN AT
WORK PLACE
ACT 2010”

Lobbying with Government of Baluchistan for Recovery of 13 Year Old Girl

A three year old girl Nazira from Kholu Baluchistan was sold to a truck driver by her father just before the recent floods. The father wanted to purchase a truck costing 400,000 PKR, but had paid 200,000 cash. For the remaining 200,000, he gave away his daughter in marriage. The truck owner is a 40 year old man. Marriage with this stranger and an old man of her father’s age, who was not even

known to her father, a complete stranger to her, deprived Nazira of her childhood and a bright, prosperous and successful future which she might have dreamt of.

The NCSW took strong exception of this case and wrote letters of appeal to CM Baluchistan, IG Baluchistan, Minister for Women Development, Baluchistan and Commissioner, Sibbi to trace and rescue the girl immediately, and

provide her urgent medical care and to ensure that her father is given appropriate punishment for this heinous crime against minor girl.

Provincial Advocacy Seminars in Collaboration with UNIFEM/PODA

The NCSW, in collaboration with UNIFEM and PODA organised a series of consultations at national and provincial levels. The main objective of these consultations was to highlight the critical issues that were observed and raised by rural women activists who participated in flood relief. The representatives from provincial governments, senior officials/ministers from CM Secretariat, PM Secretariat, and Minister for Women or Social Welfare, NGO’s Representatives, Hu-

man Rights Groups, Donor Agencies and senior officials from NDMA/PDMA attended these consultative meetings. Women activists from grass roots came to share their experiences, the challenges faced during emergency relief efforts and recovery period. They put up certain recommendations to include women’s voices in the over-all rebuilding and rehabilitation process.

At the end of this consultative series a Draft Charter of De-

mands has been developed, which call for the recognition and inclusion of the specific needs of women and girls at all stages of relief efforts. This Charter of Demands will be finalized by the end of September, 2010 at a national conference of women in Islamabad. Later this document will be shared with the National Disaster Management Authority (NDMA) and other relevant stakeholders.

National Dialogue on Political Participation of Women

The dialogue on the subject of “Political Participation of Women under Political Parties Order (PPO) 2002 and the Local Government System” was organised in Islamabad by NCSW in collaboration with the Asian Development Bank (ADB) and Canadian International Development Agency (CIDA) in order to examine policies concerning women in politics.

Yasmin Rehman (Advisor to the Prime

Minister for the Women’s Ministry), Anis Haroon (Chairperson NCSW), Asma Bokhari (head of Asian Development Bank’s project for NCSW), Rakhshanda Naz (researcher at NCSW), representatives of civil society and legal experts were present at the occasion.

Results of two research projects undertaken by NCSW to study the impact of women’s participation in local bodies and a review of

the political framework for women’s political participation were presented at the event. According to the researches, political parties together with *jirga* heads and representatives of other parallel legal systems keep women away from the political processes in the country.

Consultation on 18th Amendment, Gains for Women

After the passage of 18th Constitutional Amendment; several subjects on the concurrent list have been shifted to the provinces. Consequently the role of institutions at the national and provincial level with regard to policy making and legislation has also changed.

The National Commission on the Status of Women organized a consultation to deliberate upon the 18th Amendment and responsibilities of national and provincial governments vis-à-vis women and legislation. Key people who had knowledge and understanding of the 18th Amendment from a gender perspective were invited for the discussion. The objective was to identify the role of relevant stakeholders at the provincial and national level. Ms. Hina Jillani, leading advocate and women’s rights activist, lead the discussion.

The key findings of the consultation were:

- The subject of Women Affairs is not on the federal legislative list
- The rights to information and education have been recognized as fundamental human rights. Legislation for ensuring the compulsory education of children aged 5 to 16 years and on right to information now needs to be enacted.
- Since the concurrent list has been abolished the provinces have been given many more powers. There is hence a need for greater engagement with the provinces for future legislation and implementation.
- The procedure for election of women on reserved seats for women from the minority communities remains i.e. through nomination. Also, women still do not have reserved seats from FATA. Lobby-

ing for legislation for reserved seats through direct elections needs to be undertaken.

- Every matter that is not on the Federal List will automatically be devolved to the provinces.
- There are 59 items on the Federal Legislative List, which include criminal law, family laws, inheritance laws and labor laws.
- Juvenile Justice Laws are now a provincial subject.
- Generally speaking, previously only the National Assembly could amend laws; but now the provinces also have the authority to amend most laws. Therefore it was important that there should be common understanding and inter-provincial coordination between the provinces on major issues
- In the Muslim Family Laws the *nikah-nama* (marriage contract) is not part of the law but a rule that can be changed, though provincial governments probably cannot change it drastically
- Mediation committees will likely be constituted on an ad hoc basis, while items in the legislative list will, as before, remain in the domain of parliament.
- Under Article 142b of the Constitution of Pakistan, the Federal Parliament as well as the Provincial Assemblies have the power to legislate on criminal law, criminal procedures and evidence. If any clause of a provincial act is repugnant to the Federal Law, the Federal Law shall prevail. Thus domestic violence laws, acid crimes and prevention

laws, as well as criminal laws that come under the Code of Criminal Procedures, the Pakistan Penal Code and Law of Evidence etc. shall fall within the domain of the National Assembly

- Article 144 of the Constitution is self explanatory and empowers the Provincial Assemblies to pass resolutions giving the Parliament the legislative competence to make law on a matter not listed in the Federal Legislative List. But the amending power would be with the Provincial Assembly.
- The implementation of existing laws is the obligation of the Federal Government. Provinces are bound to adopt the existing laws. If provinces want to amend these laws they can make their own laws if they are facing difficulties in implementation.
- FATA and FANA are still on the federal legislative list.
- External Affairs, the Citizenship Act, international commitments will remain national issues.
- Ratification of international laws is in the domain of the Federal Government, while the responsibility for implementation is that of the provinces.
- The procedure for electing women on reserved seats is in accordance with a constitutional provision; hence only the Federal Government can introduce any amendments concerning women’s elections.



Future Directions for NCSW

***NCSW TO LOBBY
WITH
PARLIAMENTARY
CAUCUS THAT IT
SHOULD
FACILITATE THE
LEGISLATION
WHICH FALLS
UNDER THE
PURVIEW OF
PROVINCIAL
ASSEMBLIES.***

- NCSW to become party to the appeal of the Interior Ministry pending in the Supreme Court to amend in the Citizenship Act
- *NCSW to lobby with Parliamentary caucus that it should facilitate the legislation which falls under the purview of provincial assemblies.*
- Provincial desks to be established to lobby with provincial parliamentarians; NCSW members in the different provinces to take lead proactively
- NCSW's advisory powers to be used to lobby for the passage of the Domestic Violence Bill letter to be written to the Speaker National Assembly
- NCSW to work for/ advocate reforms in FATA and PATA

Fundraiser/ Crafts Exhibition for Karo Kari Victim in collaboration with Nomad Gallery

The NCSW in collaboration with Aurat Foundation contacted members of civil society, NGO's and donors to offer support to a woman from Sindh under threat of being killed on the pretext of karo kari. She had come to Islamabad to seek justice and protection, and was selling handicrafts to earn money. In response the No-

mad Gallery offered to initially exhibit the crafts and also provide guidance to the victim on designing, quality control and marketing so that she and her family could be financially independent. The NCSW and Nomad Gallery widely circulated the information about event. The exhibition was well attended by the

members of civil society organizations, media, donor agencies, diplomats and concerned citizens of Islamabad. The income earned was used by the woman to pay her debts and meet daily expenses.

Legal Support Provided to Minor Rape Victim of Taxila

NCSW representatives and lawyers engaged by the Commission visited the girl and offered her support. Court proceedings in the case are underway in the Sessions Court and also in the Punjab High Court - Rawalpindi Bench. Policemen accused of the crime are presently seeking bail, but because of pressure from NCSW and its lawyers and members of civil society this has so far been

denied. The Police Investigating Officer in connivance with the Prosecution Department had tried to exonerate the accused from the charge of rape, and went so far as to submit an interim *chalan*, which showed that all the accused had been found innocent of having committed rape under section 376 PPC. If this move had succeeded their crime would have been converted to "illegal custody

and transgress of police powers," a bailable offence liable to conviction for a mere 3-4 years.

NCSW is pushing for charges to be accurately framed so that each accused is charged according to his part in the crime, and that the trial should be swiftly concluded.



Consultation on Pakistan Flood Relief Response: Voices of Grassroots

In collaboration with the NGO Potohar Organization for Development and Advocacy (PODA) and UNIFEM, a consultation was organized to highlight and discuss the critical issues concerning rural women and women activists working for flood relief in different parts of Pakistan, and to develop an advocacy and action strategy for disaster mitigation that included women's concerns and voices in the overall relief, rehabilitation and rebuilding process. Ms Shehnaz Wazir Ali was the chief guest at this well attended consultative meeting. Also

present were Minister for Women and Social Welfare, representatives from the Federal Government, senior officials from the PM's Secretariat, and representatives of NGO's, human rights groups and donor agencies. Women activists working at the grassroots level came to share their experiences and the challenges faced during emergency relief efforts and recovery, and gave recommendations to include women's voices in the rebuilding and rehabilitation process

A Draft Charter of Demands was developed after the discus-

sions outlining the specific needs of women and girls that need to be taken into account at different stages of relief efforts. The Draft Charter was discussed further during a series of provincial consultations with women in affected areas. Once the provincial consultations are concluded by the end of September, the Charter will be finalized and presented at a national conference of women in Islamabad and shared with the National Disaster Management Authority (NDMA) and other relevant stakeholders.

A CONSULTATION WAS ORGANIZED IN COLLABORATION WITH PODA AND UNIFEM TO HIGHLIGHT CRITICAL ISSUES OF RURAL WOMEN DURING RELIEF, REHABILITATION PROCESS AFTER FLOOD DISASTER.

Advocacy and Lobbying

Cases of Violence against Women:

NCSW took strong cognizance of the rising number of cases being reported of violence against women and girls in the country. During this month some cases were taken up as test cases by the Commission. One such case from Balochistan was referred to NCSW by the Quetta based NGO IDSP in which a 13 year old girl was sold by her father to buy truck. NCSW wrote letters and lobbied with the Inspector General Police, Chief Minister Balochistan and the Women's Minister of the province to take urgent notice of this case and to take necessary action.

Press Releases:

The National Commission on the Status of

Women issued a press release to condemn the attack on Dr.Gulali in Khyber Pakhtunkhwa terming it a deplorable and cowardly act. The Commission said that the murder of the woman educationist was not committed against an individual alone but was meant to discourage and eliminate women who are prominent in the public sector. The attack underscored the scale of the militant threat to progressive, secular and moderate forces especially women in Pakistan, and socially aware women who are rendering valuable services are willfully being targeted.

The NCSW demanded from the government that it should not let the terrorists play with the lives of progressive forces in the country and should devise a comprehensive strat-

egy to check such elements. The National Commission on the Status of Women also demanded from the provincial authorities to initiate an investigation and inquiry into the incident and make all-out efforts to arrest the perpetrators and bring them to book.

The Commission also appealed to the Prime Minister of Pakistan that the government should ensure safety and protection to the lives of women. It urged the government to stand up with renewed commitment to eliminate the culture of violence and impunity in the country which was posing a threat to the lives of ordinary citizens.



Launched Media Campaign on Violence against Women and Women Empowerment

The NCSW recently launched an advocacy plan through media campaigns on the issues emerged through research studies recently. This advocacy plan was developed under the project funded by ADP to NCSW. The topics chosen to conduct comprehensive research studies were the four sectors of Women's Participa-

tion in the Political Process, Local Government System, Education and Health. As a result of the research studies, the themes proposed to launch media campaign were aimed at legislators and as well as the general public to raise maximum awareness and also to built required pressure for enacting essential legislation.

Based on the recommendations came out of research studies, public service messages were prepared on domestic violence, acid burning and women's empowerment through balloting. The campaign is on air on PTV, GEO and DAWN.

NCSW Launched Media Campaign on Violence against Women and Women

Three Year Strategic Plan of NCSW

The NCSW has laid out its three years strategic plan and will focus on the existing four main capacity components and terms of reference of the NCSW. These include:

- Programmatic and Operational Capacity
- Research Efforts
- Advocacy and Campaigns especially for social protection in the context of flood relief and to curb religious extremism programme
- Advisory and Monitoring role for the separation of powers and legislative watch 2010-2012

Coordination with Acid Survivors Foundation

A case of Acid Burn Victim was referred to NCSW by PANAHTrust Karachi. The victim was married for 17 years. Her husband used to beat her up badly which is why she came back to her parents house. Twice she filed for Khula. After a gap of three months, her husband came to her mother's house, threw acid on her, her brother and father and ran away. Her face and some other parts of body are completely scarred. She has lost her left eye and ear. She was admitted in Civil

Hospital (Burns Department) for two months. When her husband threatened to kill her, she approached Madadgar Helpline who sent her to Panah Trust. An F.I.R has been lodged by Madadgar against her husband who is still missing.

The NCSW approached and coordinated with Acid Survivors Foundation to provide medical, psychological and legal support to the victim. The ACF right away took up the case and re-

ferred it to Civil Hospital Karachi. At the moment she is being given medical and psychological treatment. Once this stage is completed successfully, she will also be given legal support through pro-bono lawyer to pursue the case with the police and court, so that she gets justice for the crime committed against her.



Organized Gender Sensitization Training for Staff

The NCSW organized a 5-days training workshop on gender sensitization and team building for its staff. The objective was to increase gender awareness and sensitization at personal and at professional levels on

gender issues. Also enable them to understand and apply their training to their day to day work and contribute towards achieving the mandate of NCSW. Another objective was to help them to develop an

understanding of gender dynamics within the local context. The need for this training was identified through an assessment made by the Institution to assess the awareness level of staff on gender issues.

Free Legal Aid Provided to Gang Raped Victim

AB from Gotki Sindh, a mother of three children, was gang raped by her elder brother-in-law and his associates after being thrown out of her husband's home by her own husband. The culprits were neither apprehended nor did the police initiate any proper investigation against the accused because they have

criminal back ground besides having long lasting friendly relationship with police. This case came to the knowledge of NCSW and it effectively lobbied with Gotki Police and Karachi based Civil Society Organizations to push for registering an FIR, to arrest the culprits and then for awarding due punishment. An FIR has

now been registered, and one of the accused has also been apprehended. Search is on for his missing and underground companions. NCSW has requested HRCP Karachi chapter to provide free legal services to the victim so that she is able to pursue her case in court of law and gets due justice.

NCSW Policy Recommendations on Gender Mainstreaming After the 2010 Floods

After having observed the huge gender disparities and gender blindness in providing relief services after the floods in August by public and private sector agencies, the NCSW took an initiative to bring together some experts from multi dimensional and development backgrounds to assess the present situation and to come up with a framework and

concrete recommendations to mainstream gender needs and concerns and enforce women's role at all the stages of Disaster Preparedness and Mitigation. The NCSW has come up with a frame work of recommendations on how to give women lead positions in rebuilding processes and accountability mechanisms. This frame work is aimed at sharing information

and to spark new initiatives to help women generate livelihoods and to improve their economic status after the disasters. This document will be used as an advocacy tool primarily with NDMA and MoWD for effective gender mainstreaming at rehabilitation phase.

**NCSW
ORGANIZED A 5-
DAYS TRAINING
WORKSHOP ON
GENDER
SENSITIZATION
AND TEAM
BUILDING FOR
ITS STAFF.**

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