

The Chairperson and
Members of the CEDAW Committee

March 8, 2007

Sub: CEDAW Shadow report, Pakistan

Dear members of the Committee,

Greeting of Peace. The Democratic Commission for Human Development and National Commission for Justice and Peace would like to present the enclosed alternative report on the compliance of the treaty of Convention on the Elimination of All forms of Discrimination Against Women for a review in the 38th Session of the Committee in May 2007.

This report has the endorsement of over 900 Human Rights organizations in Pakistan. The undersigned are happy to present this report on their behalf and we would welcome any queries by email before or during the session in New York this May.

We thank you in advance for your time and kind attention.

Yours sincerely,

Peter Jacob
Executive Secretary
National Commission for Justice and Peace

Tanveer Jahan
Executive Director
Democratic Commission for Human Development

Copy: All Members of the CEDAW Committee
UN bodies

“ The Constitution of Pakistan does not define discrimination against women though some articles bar sex--based discrimination. The laws which discriminate on the basis of sex continue to be part of the statutes. The recent criminal laws amendment is significant as far as, expression of government's willingness to engage on Issues concerning women; however the difficulties under Hudood laws remain.

Under Qisas and Diyat Laws compensation in cases of murder and other offenses condones honour killing.

The Law of Evidence 1984 reduced the value of court testimony of women and religious minorities under Hudood laws. A weak institutional mechanism, skewed attitude of the law enforcing agencies and court staff towards women litigants, posed numerous restrictions in seeking judicial redress. ”

Discrimination Lingers On...



**CEDAW
SHADOW
REPORT
PAKISTAN**

Discrimination lingers on...

A REPORT ON
THE COMPLIANCE OF CEDAW IN PAKISTAN

February 15, 2007

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ENDORSED BY:

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- Blue Veins (Women Welfare & Relief Services) - Peshawar
- Bahlil Shah Development Organization -Dadu
- Bhitai Developemnt Organization -Dadu
- Centre for Research & Equitable Development - Sargodha
- Centre for Peace and Development Baluchistan - Quetta
- Christian Study Centre - Rawalpindi
- Creative Spirit Welfare Organization - Peshawar
- Community Association for Rural Development (CARD) - Jauharabad
- DAWN welfare Organization - Peshawar
- Dagai Effective Women Organization - Swabi
- Democratic Commission for Human Development - Lahore
- Development Watch – Quetta
- District Social Welfare Coordination Council DSWCC - Bannu
- Doosti Pakistan - Peshawar
- Frontier Rural Support Organizations - Federally Administered Tribal Areas
- FARCA (Frontier Reconstruction, Welfare Agency) – Bannu
- Global Development Program GDP - Bannu
- Global Development Works - Peshawar
- Goth Sujag Sangat -Dadu
- Hamdard Welfare Organization - Dadu
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- HEISAR - Peshawar
- Health & Education Development Program for Rural Area (HEDPRA) - Dera Ismail Khan
- Itehad Welfare Organization - Batgram
- Indus Dolphin - Swabi
- Idara-e- Khidmat Khalq - Shangla

- Justice and Peace Commission (MSLCP) - Multan
- Kachho Bachayo Tehreek -Dadu
- Kachho Foundation – Dadu
- Kachho Social Development Forum - Dadu
- Khyber Welfare Home - Federally Administered Tribal Areas
- Khushal Welfare Society - Peshawar
- Kohat Area Development Organization (KADO) -Kohat
- Khwendo Kor - Peshawar
- Labour Education Foundation - Lahore
- Maroora Development Organization -Dadu
- Mashal Welfare Society - Shangla
- Miryan Development Organization - Bannu
- Minority Rights Commission - Lahore
- NICE - Shangla
- NGOs Development Society – Shahdadkot
- National Commission for Justice and Peace - Lahore
- Pakistan Education Foundation - Peshawar
- Peace Foundation - Peshawar
- Provincial Educational Development Organization - Peshawar
- Peace and Development Forum – Bannu
- Pirbhat Women’s Development Organisation – Shahdad Kot
- Rural Community Council – Shangla
- Rural Development Project - Haripur
- Shadab Foundation - Dadu
- Social Welfare District Coordination Council - Naushera (21 Member organizations)
- Sarhad NGOs Itehad - Peshawar (781 Member Organizations)
- Silver Line - Kohat
- SHAYAN Foundation - Bannu
- Social Welfare District Coordination Council (46 Member Organizations) - Peshawar
- Society for Transformation of People (STEP) - Khushab
- Society for Community Awareness and Mobilization Baluchistan - Quetta

- Sujag Sansar Organization - Dadu
- Taangh Wasiab Organization - Sargodha
- War Against Rape - Lahore
- Women Awareness and Development Association WADA - Bannu
- Women Association for Rights (WAR) - Swabi
- Working Women Helpline - Lahore
- Women's Rights Association – Multan
- Women Skills Development Organization – Dadu

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Introduction

Pakistan acceded to CEDAW with a reservation that Pakistan was not bound by the mechanisms for addressing any dispute between two state parties and a declaration that its accession to CEDAW was subject to the provisions of the Constitution of the Islamic Republic of Pakistan.

This alternative report is presented by the civil society organizations in Pakistan in response to the First and Second periodic report on the implementation of CEDAW in Pakistan submitted by the government of Pakistan.

The civil society organizations participating in this Shadow Report appreciate the fact that the government of Pakistan was able to present their report and we encourage the government to continue and ensure reporting under the treaty on time. We also recognize the fact that the government of Pakistan has tried to improve the condition of women in the country by reserving seats for women in the legislative institutions and diluting the effects of Hudood laws through the Women's Protection Act 2006 and other measures.

However, given the enormous challenges with regard to non-discrimination and equality of women in Pakistan, we would like to encourage the government of Pakistan to undertake more concrete steps with regard to laws and policy making, and on a faster pace. The lavish non-development expenditures in the national budget and other unpopular political decision make the government's stand unacceptable regarding the short fall in implementing the CEDAW standards on account of specific social context, development pace and paucity of resources. We strongly believe that it is possible for Pakistan to make a substantive difference in this field, if human rights were a priority.

After monitoring the situation in 2005-06, consulting the organizations and studies done on the subject, an initial draft was prepared by Democratic Commission for Human Development and the National Commission for Justice and Peace at Lahore - Pakistan. The NGOs were asked to give their feedback and endorse the draft if they agreed. This Shadow report is endorsed by over 900 organizations through their networks as well as directly. These organizations were practically engaged in protection and promotion of women's rights in different provinces.

Despite that NGOs were ignored in preparation of the government report, as civil society organizations we pledge ourselves for a meaningful collaboration in the implementation of the human rights standards and commitments in CEDAW.

Besides the specific recommendations in this report, the organizations endorsing this Shadow Report would further urge the government of Pakistan to ratify the Optional Protocol to CEDAW and to withdraw reservations made earlier on becoming party to the CEDAW convention. Moreover, a legal framework must be introduced for the automatic translation of International commitments into domestic laws.

DCHD / NCJP

Executive Summary

Pakistan ratified CEDAW in 1996, with a declaration making the compliance subject to its Constitution and a **reservation** under article 29 para 1. Pakistan has not adopted any legal framework for translating the CEDAW provisions to its domestic laws. Furthermore, there is a lack of awareness among the masses and the civil society organizations have not been involved for implementation of CEDAW in domestic interventions.

The Constitution of Pakistan does not **define discrimination against women** though some articles bar sex-based discrimination. The laws which discriminate on the basis of sex continue to be part of the statutes. The recent **criminal laws amendment**¹ is significant as far as, expression of government's willingness to engage on issues concerning women; however the difficulties under the discriminatory **Hudood laws 1979** remain. Under **Qisas and Diyat Laws 1990** compensation in cases of murder and other offenses condones honour killing. The **Law of Evidence 1984** reduced the value of court testimony of women and religious minorities under Hudood laws. A **weak institutional mechanism**, skewed attitude of the law enforcing agencies and court staff towards women litigants, posed numerous restrictions in seeking judicial redress.

The National Plan of Action initiated in 1998, the National Policy for Advancement and Empowerment of Women (2002) and established National Commission on the Status of Women (2000) lacked **implementing mechanisms** and **concrete policy measures** which hampered the achievement of the desired objectives in all three initiatives. The government of Pakistan reserved 33% seats at all tiers of local government but failed to curb practices that **barred women** from exercising their **political rights** in General Elections (2002) and Local Bodies Elections (2005).

Women prisoners were given relief to be released on bail through a Presidential Ordinance on July 6, 2006 but no security mechanism was established for the destitute women prisoners or those abandoned by their families. The **Ordinance lapsed** without being tabled in the Parliament for discussion. It has no legal standing at present.

¹ Criminal Law Amendment Act, November 30, 2006

The government of Pakistan failed to institute concrete policy reforms and mechanisms to curtail **social practices sanctioning violence against women**. Criminal Law amendment (2004) aimed at stopping **honour killing**, failed to deal with compoundable status of the offense thus perpetrators of crime continue to enjoy a **virtual impunity**. No specific law on **domestic violence** was enacted. Women trafficking and forced prostitution of women remained unchecked.

The **Pakistan Citizenship Act 1951** disentitles a Pakistani woman from applying for naturalization of a foreigner husband.

Pakistan has an extremely low female literacy rate with higher drop-out rate among girls before completing primary education. The **social norms and practices** prefer boys over girls for better **education and health** widening the gender gap. Women's low education status has a strong bearing on their **economic status**. Women are concentrated more in lower tiers and inadequately represented at senior legislative and managerial positions.

Women representation is extremely low in judiciary and foreign services. In 1998 the government announced 5% **quota for employment** of women in government services under National Plan of Action, but it was discontinued by the present government in 2003.

Women are contributing actively in the National economy but are denied of adequate **protective labour laws, equal wages** and recognition of the value of work in economy.

A Health for All policy was launched in 2001 but the government run programs were insufficient to improve the health conditions for the citizens in general and women in particular. A majority of female population was **anemic, malnourished**, and many died every year in pregnancy due to lack of basic medical care. **Paucity of health services** especially in rural areas results in higher mortality rate. Lack of trained practitioners in government health units, stereotypes against **family planning**, added to deteriorating health conditions.

Seclusion of women and restricted mobility denied women access to information, training skills, credit and opportunities. Conservative and religious groups stopped women from participating in cultural and recreational activities and attacked women for participating in NGOs' activities. Women were often denied the **right to marriage** by choice. Forced marriages were practiced under various customs, charging bride money was in practice in some parts while **dowry** was practiced commonly in Pakistan.

Muslim Family Laws Ordinance (1961) contains discriminatory provisions (e.g.) a marriage certificate requires disclosure of the marital status of the bride only. A man can **divorce** a woman without proving and disclosing the reason, whereas a woman wanting divorce has to file a suit and to go through a **legal procedure** for getting a divorce certificate. Rights of divorced women are not defined under any law and a woman seeking divorce has to return to the husband the bridal gifts (Mehr) which limits women's rights to divorce. Women are not considered qualified to have the **custody of children** below 18 years of age after the dissolution of marriage.

The women belonging to **religious minorities** faced numerous discriminations as marginalized and poor section of the society and the legal system in the country. The **Family laws** governing religious minorities; are outdated, overridden by the Islamic legislation such, thus source of human rights violations. **Abduction** of women and girls was common, however, in case of women belonging to minority communities, it added to their vulnerability and often led to their conversion and marriages. There are a number of reported cases of **forced marriages** of minor girls of minority communities, separated from their families after their abduction on pretext of their conversion to Islam.

This report discusses the important issues with reference to CEDAW article by article.

Article 1

For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

- a. To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;*
- b. To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;*
- c. To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;*
- d. To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;*
- e. To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;*
- f. To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;*
- g. To repeal all national penal provisions which constitute discrimination against women*

Defining the Discrimination

A few articles in the Constitution of Pakistan ban certain forms of discrimination on the basis of sex along with other distinctions e.g. Article 26 and 27 of the Constitution says “there shall be no discrimination only on the ground of race, religion, caste, sex, residence or place of birth”, with regard to appointment in services and access to public places.

Therefore neither the Constitution nor statutory laws forbid the discrimination against women categorically. This leaves the room for interpreting the equality of women and any measures to this effect, according to convenience.

Discrimination against women in the criminal laws

a) Hudood Ordinances

A set of Five Penal laws (Hudood Ordinances) enforced in 1979 blatantly discriminate against women. The most controversial is the Offense of *Zina* Ordinance that deals with rape, adultery, prostitution and abduction crimes which in its application make no distinction between adultery and rape. The condition of ‘four male Muslim eyewitnesses of impeccable character’ results in prosecution of rape victims under the charges of adultery. According to the Human Rights Commission of Pakistan in 2005 at least 4,621 women were jailed under discriminatory laws including Hudood ordinance.²

b) The Law of Evidence

Along with Hadood laws, the value of a woman’s court testimony under Section 17 of the Qanun-e-Shahadat 1984 (Law of Evidence) was reduced to half of a man’s witness with implications in criminal cases and civil suits.

² State of Human Rights in 2005, by Human Rights Commission of Pakistan (Lahore: Maktaba Jadeed Press, January 2006), p.174.

c) Qisas and Diyat Ordinance

Offenses dealing with injuring the human body including murder (Section 299 to 338 of Pakistan Penal Code) were amended by Qisas and Diyat Ordinance in 1990. Qisas means causing similar damage to the offender as punishment. Diyat is compensation in cash or kind paid by the offender if victim or heirs agree to accept.

The law became an instrument for covering up honour killings, the worst form of violence against women. The offenders, who are usually the immediate family members, get pardoned easily. The violence against women increases as a result because the offenders (relatives and influential) can pressurize the legal heirs to waive the punishment (Qisas) against compensation. The law also has inherent gender biases e.g. in case of murder, the heir of the victim if minor or insane, the mother and grandmother will not be entitled to forgive³.

Measures and lapses

Criminal Law Amendment (Protection of Women) Act 2006:

A bill was passed on November 30, 2006 supposedly to amend the controversial Hudood laws pertaining to adultery (Zina), etc. However the legislation had a little bearing on protection of women from the injustices originating from these laws on the following basis:

- a) The amendment⁴ changed procedure for complaints of rape and adultery. These complaints under offences will be dealt with by the courts rather than police. In practical terms, the change is likely to make rape complaints more difficult as; courts are far less accessible, considerably fewer than police stations and their procedures are costly and complicated.

³ Section 313 Pakistan Penal Code

⁴ Section 203 A Criminal Procedure Code (Cr. PC)

- b) The amendment might fail to reduce sexual violence against women as the offense of sexual assault was made bailable⁵ which was non-bailable before. This change provides the accused of the offense of rape an opportunity to maneuver and influence the proceedings or temper with evidence / witnesses.
- c) Amendment Section 9 that incorporated Section 203 B, in Code of Criminal Procedure, aimed at reducing the possibility of false accusation of rape / adultery in fact eliminated the police investigation and assigned the inquiry into the complaint on already over burdened judiciary.
- d) Section 502 B added to Penal Code made publicizing the identity of a woman victim of rape or adultery and her family, a punishable offense with imprisonment for six months or fine or both. This law would discourage journalists and human rights defenders from helping the women victims and their case needing public attention.
- e) The new Section 203 A, in the Criminal Procedure Code still requires four or more eyewitnesses to file a case against a rape incident in the court. The section ruled out the medical test and other circumstantial evidence as a proof of the offense.

The amendment failed to address discrimination against women in the laws:

- a) The value of women's court testimony under Section 17 of the Qanun-e-Shahadat 1984 (Law of Evidence) is still half of a man's witness.

⁵ Amendment Section 10 Schedule II, Act V 1898, Cr. PC

- b) The Presiding Officers of the courts have to be Muslims although the (non-Muslim women) Judges also receive the same education whether Muslim or any other faith and the Haddoo laws are equally applicable to the non-Muslim citizens.
- c) The amendment did not address the issues arising from Qisas and Diyat Ordinance, responsible for violence against women.
- d) To prove theft at least only male adult Muslims are still entitled to give evidence as eyewitness under Offense against Property Ordinance (Hudood VI of 1979).

Difficulties in judicial redress

The environment in general for women litigants is disrespectful, humiliating, social stigma, even violence for adopting a legal and judicial course. The court environment is not congenial for women litigants. The police personnel tended to condone or ignore the cases of violence against women. "Out of about 300 women confined at the special prison in Karachi, only 40 were convicted and rest (90%), were under-trial prisoners. Apart from a very few exceptional cases none had the capacity to engage a lawyer. Most of them were not aware of what went wrong in trial against them. Many were not produced in the court for logistic and other reasons. Women from various parts of Sindh (Province) were confined in Karachi (the only other prison in the Province is at Larakana).⁶ "

There is no state system or institution to provide information and guidance to women about their rights and ways to seek judicial redress and provision of legal assistance. Unnecessary delays in the conclusion of trials in civil matters, inherent in criminal trials of issues relating to life, liberty and freedom of individuals and hostile court environment discourage women to pursue judicial redress.

⁶ Justice (R) Nasir Aslam Zahid, "The Journal" Access to Justice (August 2003)

Recommendations

- a. The law (Constitution and other statutory laws) must define discrimination, violence against women, and make acts of discrimination punishable offenses.
- b. We urge the government to withdraw reservations on CEDAW and ratify the Optional Protocol to CEDAW.
- c. In order to give de jure equality to women, repealing discriminatory laws such as Hudood Ordinance, Qisas and Diyat Ordinance, Qanoon-e-Shahadat is but imperative.
- d. Laws should be enacted and policies adopted to prevent, scrutinize and punish violence against women and girls, especially the domestic violence.
- e. The government should collect and disseminate credible data on the human rights violations against women for awareness and remedy. We demand the government to consider observation by the Special Rapporteur on Violence Against Women about reporting the follow up and compensation to the women victims of violence⁷.
- f. Adequate protection, free counseling, medical assistance should be made available to women victims looking for justice.
- g. Law enforcing machinery and judicial officers should be sensitized on gender issues. Policemen guilty of crimes against women should be brought to justice.

⁷ Para 149 E/CN.4/2006/61/Add.1

Article 3

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women , for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Measures and Lapses

1. Article 34 of the Constitution says “the State shall take specific measures to ensure full participation of women in all spheres of national life.”
2. A National Plan of Action was adopted in 1998 to implement Beijing commitments and annual women development plans for social, economic and political empowerment were formulated but abandoned later.
3. In 2002, Government announced National Policy of Development & Empowerment for Women for equal participation in national development but failed to formulate any mechanisms to achieve the stated objectives⁸.
4. Ministry of Women’s Development is mandated to formulate policy to address the special needs of women and protection and promotion of women’s rights. However Ministry’s work was more focused on projects than policy.
5. Women were given reserved seats in the political institutions however there is no mechanism to establish link between elected women representatives, government departments and civil society organizations.
6. A National Commission on the Status of Women was established in 2000 but the Commission is given only recommendatory powers and it lacks in terms of qualified staff and financial resources.

⁸ ICPD 10 years on: Pakistan report Khawar Mumtaz, Shirkat Gah p.35

7. Pakistan National Report on Beijing+10 says, “the institutional structures established for the advancement of women are marginalized within the existing institutional framework and do not have necessary say in changing policy”⁹.

Recommendations

- a. The government must strengthen the mechanisms of the National Commission on the Status of Women, according to their recommendations¹⁰ by; an enabling mandate, independence to carry out its mandate, adequate human and financial resources and powers to investigate and redress human rights violations.
- b. A National Human Rights Institution should be established for the empowerment of women and mainstreaming of women’s rights. This institution needs to be set up according to the Paris Principles.
- c. The government must ensure coordination, facilitation and partnership between Federal and Provincial governments, NGOs and the private sector for overall empowerment and advancement of women in all sectors.
- d. A National Plan of Action on the basis of the Beijing Declaration needs to be made and implemented.

⁹ Pakistan National Report Beijing + 10 , by Government of Pakistan Ministry of Women Development (2005), p.62.

¹⁰ NCSW www.ncsw.gov.pak annual report 2001 pp.45-47

Article 4

1. *Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.*
2. *Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.*

Affirmative actions

- 1) In order to ensure women's political participation, 33 % seats were reserved for local bodies under Devolution Plan 2000 – 2001. However, the ratio was reduced to 17 % for the National and Provincial assemblies.
- 2) On July 6, 2006, President issued an Ordinance giving women prisoners relief except those accused on charges other than terrorism and murder, the right to be released on bail. The government claimed that about 1,300 women were to benefit release on bail¹¹, but no measures were introduced for many women disowned by family or relatives, were exposed to insecurity.

¹¹ Government of Pakistan Ministry of Women Development, Also available from; <http://www.pakistan.gov.pk/ministries/women-development-ministry/media/Ordinance.pdf>

Recommendations

- a. A scientific assessment needs to be carried out on whether the reservation of seats for women has empowered women politically and whether it had any bearing on women's rights. The assessment should suggest measures to supplement and strengthen women's participation and more affirmative actions in other spheres of life.
- b. Administrative initiatives to alleviate sufferings of the women should be discussed and consulted upon at all appropriate forums including the civil society organizations in order to enhance their effectiveness.

Article 5

States Parties shall take all appropriate measures:

- a) *To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;*
- b) *To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.*

Social practices / Domestic violence

- a. The government failed to legislate or introduce policy reforms to the tribal and caste system and social norms that undermined the status of women. The Commission of Inquiry on Status of Women observed¹², “Violence against women occurs at all levels of society and has diverse forms. It ranges from the more covered acts (e.g. abusive language, coercion in marriage) and goes on to include the explicit forms of violence (wife beating, torture, marital rape, custodial violence, honour killings burning of women, acid throwing, mutilation, incest, gang rapes, public stripping of women, trafficking and forced prostitution and sexual harassments in the street and workplace, etc.) ...Many forms of it (violence) are so entrenched in our culture that they are ignored, condoned or not even recognized as violence by the larger sections of society.” Human Right Commission for Pakistan reported 96 women suffered severe burns, seven of acid attack, 279 murdered, 316 killed for honour, 190 cases of gang rape and 176 cases of rape between November 2004 and August 2005.¹³
- b. Mobility of women is restricted in the name of protection, modesty and morality. From birth a woman is discriminated against on account of sex, male child is considered a blessing whereas a girl, an economic liability due to dowry practices. Such customs and attitudes perpetuate discrimination against women in domestic sphere. The boys are given preference over girls in family resources in education, health, nutrition and recreational opportunities.

¹² Report of the Commission of Inquiry for Women – Pakistan 1997 p.78

¹³ State of Human Rights in 2005, by Human Rights Commission of Pakistan (Lahore: Maktaba Jadeed Press, January 2006), pp.185 -191.

- c. Women who marry by their choice and against the will of the family or are suspected of having extra-marital relationship were murdered by their male family members on the pretext of family honour. According to official figures, 4153 cases of women honour killing were reported to police from 2001- 2004.¹⁴

Measures and lapses

Legal protections: A Criminal Law (amendment) Act 2004, declared honor killing, a murder. The law also enhanced punishment for the crime to death sentence and imprisonment up to 25 years. An amendment in section 310 of Pakistan Penal Code, made giving away of women in compensation (Vani) a crime, with a punishment of imprisonment up to ten years. However due to the compoundability factor in Qisas and Diyat laws, the law failed to stop honour crimes.

Policy measures The government pledged zero tolerance for violence against women in the First National Policy for Development and Empowerment formulated on March 7, 2002. Following steps were taken in this direction:

- Ten Crisis Centres for women in distress were established in five cities.
- In Punjab province, seven women shelters centre and 12 rescue homes are available.
- Women police stations were established in Four cities.
- Only one separate Complaint Cell was set up in the police station in the Capital (Islamabad)¹⁵”.

¹⁴ Planning and development Ministry Government of Pakistan, Online available from;
http://www.pakistan.gov.pk/ministries/planninganddevelopmentministry/usefull%20links/Gender_Main_Streaming/S4%20Manual/Handouts%20GMT%2016th%20Dec.doc.

¹⁵ Pakistan National Report Beijing + 10, by Government of Pakistan Ministry of Women Development Islamabad 2005, p.32.

Lapses

- a. The above-mentioned steps in four years (2001-2005), for a population of over 150 million are extremely insufficient and slow.
- b. Various government bodies assigned to redress the situation failed in their job and to make public an authentic data on violence against women.
- c. Stories of chopping off women's body parts, dishonoring women in public, acid throwing, stove burning and other forms of violence are highlighted by the press and the electronic media as sensational issues but very soon such issues die down without an official response in terms of a long term policy.

Recommendations

- a. The customary and informal courts (Jirga / Panchayat) should be outlawed and punitive actions must be taken against the violators; those who still make use of the informal courts.
- b. In order to eliminate honour killings, Qisas and Diyat laws should be repealed.
- c. The government should appoint human rights officers in all police stations who should check abuses and violations of women's rights, and inform the accused about their legal rights.
- d. We highly recommend and support the observation/concern raised by the Special Rapporteur on Violence Against Women in para 150 of her report in 2006 regarding the implementation¹⁶ of Article 7 (c).

¹⁶ E/CN.4/2006/61/Add.1

Article 6

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

De Jure position:

The Constitution of Pakistan in Article 11 prohibits all forms of forced labour and human trafficking. Under the law, women caught in prostitution are bailed out only in the custody of male members of the family. The pimps and agents pose as male family members, acquire their custody and abuse foreign women.

Slave trade is an offense in Pakistan but the law neither defines slavery or sexual slavery nor distinguishes between prostitution and forced prostitution.

Situation regarding human trafficking:

According to US Trafficking in Persons Report 2005, Pakistan is a source of transit and destination for victims of severe forms of trafficking. Women and girls are trafficked into Pakistan for commercial exploitation, bonded labor and domestic servitude¹⁷. The report also claimed that Government of Pakistan failed to comply with the minimum standards for the elimination of trafficking. The United Nations Population Fund report 'State of World Population' says that Pakistan is one of the major destinations for trafficked women and girls and also transit point into the Middle East.

¹⁷ www.us.gov.org

1836 cases of human trafficking were registered in 2003 under Prevention and Control of Human Trafficking Ordinance 2002. In 2002, 540 were registered, 480 of the nominated culprits were arrested, 352 were under investigation, 185 were awaiting legal action, 17 were convicted and the files of 3 had been closed.¹⁸

Women and girls are smuggled into Middle East and other countries on the false promises of better job / prospects but coerced into sexual exploitation and physical abuse in brothels.

“According to an estimate 100 – 150 women and girls were smuggled each year into Pakistan in the 90s¹⁹ and were sold into marriages, prostitution or forced labour”. “Female child trafficking is more prevalent than male child trafficking”²⁰.

Trafficking and prostitution continues with the connivance of the police. During raids on brothels, women and children are arrested. The pimps and male agents are spared.

Recommendations

- a) The laws should be amended to differentiate between prostitution and forced prostitution. Moreover, the loopholes in the law abused by the human traffickers, pimps and agents, should be removed.
- b) Trafficked women and those in sex trade should be considered victims and not criminals. Pimps and agents should be dealt with under laws. Implementation of the laws concerning human trafficking should be improved and monitored regularly.

¹⁸ Musa Khan Jalazai, Human - Trafficking in Pakistan and Afghanistan, The Green Publishers, pp. 11-12 (2005).

¹⁹ Report of the Commission of Inquiry for Women –Pakistan 1997, p.85

²⁰ Sustainable Development Policy Institute – Research and News Bulletin Vol. 11, No. 2 -5 (March – October, 2004)

http://72.14.221.104/search?q=cache:W7kSAZIKJVoJ:www.sdpi.org/help/research_and_news_bulletin/march_Oct_2004/bulletin.doc+recommendations+commission+of+inquiry+trafficking&hl=en&gl=pk&ct=clnk&cd=10

- c) The law enforcement agencies must differentiate between voluntarily prostitution and trafficking against the will, even if consented initially the victims must not be charged under Foreign Act.

Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

- a) *To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;*
- b) *To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;*
- c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

Representation in Politics

Devolution Plan 2001 provided for 33% representation of women in Local Bodies. A total of 35,963 women were elected against reserved seats at all levels of local government. At present there are 7 women Federal and State Ministers, 18 Senators, 74 members of National Assembly and 141 members of Provincial Assemblies including Punjab:73, Sindh:33, NWFP:23, and Baluchistan:12²¹.

²¹ Pakistan National Report Beijing + 10, by Government of Pakistan Ministry of Women Development Islamabad 2005, p. 51.

Lapses in the reservation scheme

“During Local Bodies Elections 2001 women were forcibly barred to exercise their electoral rights in 55 Union Councils in NWFP in the following ways:

- Agreements were signed in three constituencies between candidates contesting for the seats of *Nazim / Naib Nazims (Mayors and Deputy)* to bar women to vote and, set penalties of Rs. 50,000 and 100,000, to million for the violators.
- Women were not allowed to contest elections or withdraw their nominations by three agreements between candidates in Union Councils.
- A religio-political party Jamiat-e-Ulema Islam (JUI-F Group) prohibited women to file nomination for elections and to vote by legitimizing their action as a part of their local customs²².
- “Incidents of sexual harassment and even rape of lady councilors were reported, which point to the lack of congenial environment for an effective participation of women in the political process.
- An NGO reported that in four districts (Turbat, Malakand, Sukkur and Multan) women and minority councilors complained that they were not consulted in decision making over important issues²³.

²² State of Human Rights in 2005, by Human Rights Commission of Pakistan (Lahore: Maktaba Jadeed Press, January 2006), p.176.

²³ State of Human Rights in 2005, by Human Rights Commission of Pakistan (Lahore: Maktaba Jadeed Press, January 2006), p.196.

Women's role in policy making

“The women are not sufficiently represented in the state institutions of power and decision making and control over productive resources”²⁴. According to the Establishment Division for December 2000, women holding position in Basic Pay Scale from scale 17 to 22 for Federal Government cadres of District Management Group and Secretariat Group was as follows:

District Management Group²⁵

Basic Pay Scale	Male	Female
22	10	0
21	28	0
20	169	10
19	165	6
18	220	11
17	113	12
Total	705	39

²⁴ Pakistan National Report Beijing + 10, by Government of Pakistan Ministry of Women Development Islamabad 2005, p.51

²⁵ Inquiry Report on the Status of Women Employment in Public Sector Organizations, by National Commission on the Status of Women Government of Pakistan, p.132.

Secretariat Group

Basic Pay Scale	Male	Female
22	29	0
21	47	1
20	107	5
19	238	14
Total	421	20

According to Federal Government Civil Servant Census (NIPS 1998), the number of women civil servants was 9152 or 4.87% of the total where as only 0.63% of women were in senior professional grades²⁶. It appears that majority of women were employed at the lower level of official hierarchy.

Women representation in judiciary is very low. No woman has ever been appointed a judge in the Supreme Court of Pakistan and women Judges at the High Courts were few.

“Objective 4 of National Plan of Action is about enhancing women’s representation in all public, semi autonomous and government cooperation to 25% but the National Plan of Action was not endorsed by the present cabinet. The government’s attempt to reserve 5% quota for women in government employment has not borne results.”²⁷

²⁶ Inquiry Report on the Status of Women Employment in Public Sector Organizations, by National Commission on the Status of Women Government of Pakistan, p. 7

²⁷ Ibid, p.131

Recommendations

- a) Women representation in politics needs more than reservation of seats at different levels. It is necessary to improve the state of law and order and establish the rule of law to inculcate democratic values and enabling environment for women to participate in the political process and policy-making.
- b) A check and complaint system and other effective measures, including monitoring of the illegal curbs on women's participation and prosecuting those who bar women from exercising their political rights.
- c) A quota must be fixed for the recruitment of women in judiciary and civil services.

Article 8

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

International Participation

Currently one woman is positioned as Spokesperson at Ministry of Foreign Affairs and another as the Governor, State Bank of Pakistan.

“Women were underrepresented in the Ministry of Foreign Affairs²⁸ (10%) as well as other government departments / Ministries. There were a few women positioned in diplomatic missions and international organizations.”²⁹

²⁸ Government report on CEDAW p.41

²⁹ Inquiry Report on the Status of Women Employment in Public Sector Organizations, by National Commission on the Status of Women Government of Pakistan, Annex 3 p.2.

Recommendations

Women should be given equal representation in delegations to foreign countries and appointments in the diplomatic missions.

Article 9

- 1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.*
- 2. States Parties shall grant women equal rights with men with respect to the nationality of their children.*

Nationality to foreign husband

Under Section 10 of Pakistan Citizenship Act 1951, Pakistani men can extend their nationality to their foreigner wives but a foreigner husband of a Pakistani woman cannot apply for Pakistani nationality.

Pakistan Citizenship Act 1951 was amended in 2000 in order to enable women of Pakistani descent to claim Pakistani nationality for their children born from a foreign husband. However a Pakistani woman has to go through the naturalization procedure whereas men in similar conditions are not required.

Recommendation

The Citizenship Act should be amended to provide equal right to nationality to women and their spouse.

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

- a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;*
- b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;*
- c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;*
- d) (d) The same opportunities to benefit from scholarships and other study grants;*
- e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;*
- f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;*
- g) (g) The same opportunities to participate actively in sports and physical education;*
- h) (h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.*

Disparity in Education

Pakistan is among the lowest performing countries in the world in the field of literacy where at least 68.4 million out of 150 Million population is illiterate³⁰. Pakistan has one of the lowest female literacy rates in the world according to an estimate by the Asian Development Bank. The highest inequality is among male and females also exists in Pakistan. In some parts of Northern areas and Federally Administered Tribal Areas, literacy rate among women is 0.5 only³¹. The overall literacy rate is 52% (64% for males and 39% for females) as per Official data from Economic Survey for 2004 –05.³² In tribal areas, 0.08% of women are literate as compared to 11 % of males³³.

Primary Education for All is one of the objectives under Government Education Policy (1998-2010), the Millennium Development Goals (MDG) target is to reach 80% literacy till 2015. “The literacy increased an average of 2% per annum in the past four years and with this rate it is highly unlikely that Pakistan would be able to reach the MDG target unless there is major change in the policy and implementation framework³⁴.” “Indeed maximum drop out of girls is at Primary and Middle stages. The visibility of girl students falls significantly after Grade III. Currently 44% of the boys 56% of the girls leave school before reaching Grade V³⁵.”

³⁰ State of Human Rights in 2005, by Human Rights Commission of Pakistan (Lahore: Maktaba Jadeed Press, January 2006), p.240

³¹ Tahmina Rashid, Contested Representation, (Oxford University Press, 2006), p.96

³² State of Human Rights in 2005, by Human Rights Commission of Pakistan (Lahore: Maktaba Jadeed Press, January 2006), p.241

³³ Tahmina Rashid, Contested Representation, p. 97 (Oxford University Press, 2006).

³⁴ Survey by Government, Online available from; http://www.finance.gov.pk/survey/sur_chap_05-06/11-education

³⁵ White Paper, Education in Pakistan, Javed Haassan Aly, Ministry of Education p.35, December 2006

Province wise female literacy rate

Province	Rural %	Urban %	Overall %
Pakistan	29	62	53
Baluchistan	13	42	37
N.W.F.P	23	47	45
Punjab	35	66	55
Sindh	18	62	56

*Pakistan Social & living measurement survey 2004 – 05*³⁶

Gender disparity was wide in primary education in the country that will hamper the accomplishment of MDGs. According to the Ministry of Women Development, only 19% of females have attained education upto Matric, 8% upto Intermediate, 5% Bachelor's degree and 1.4% achieved a Master's degree. 60% of the female adult population is illiterate. Of the 3.3 million out of school children, 2.503 million are girls. 73.6% of primary age girls attend school, compared with 92.1% of boys. Moreover, a sizeable majority of rural girls drop out of primary schools³⁷.

Dropout rate among girls is higher than boys. One girl in every ten completes primary education compared with one in every six for boys³⁸. "Two-third children are girls and in rural areas 17% of girls complete their primary education, overall estimates suggest that 70% of the girls are illiterate³⁹".

"Private schools are contributing more in providing educational facilities to girls. Around 21% of girls are enrolled in private schools⁴⁰". The standard of education offered in private institutions is far better than government run schools.

³⁶Survey Government of Pakistan, Online available at; http://www.finance.gov.pk/survey/sur_chap_05-06/11-education.PDF

³⁷ White Paper, Education in Pakistan, Javed Haassan Aly, Ministry of Education p.35, December 2006

³⁸ Tahmina Rashid, Contested Representation, (Oxford University Press, 2006), p.97.

³⁹ Pakistan National Report Beijing + 10, by Government of Pakistan Ministry of Women Development Islamabad 2005, p.17.

⁴⁰Pakistan National Report Beijing + 10, by Government of Pakistan Ministry of Women Development Islamabad 2005, p.13.

Institutions	%
Primary schools	28.24
Middle schools	23
High schools	19
Secondary schools	43.90
Arts and Science colleges	44
Professional colleges	5.1

Vocational Technical Education

Gender gap exists in women access to technical and vocational training institutions. According to official figures the number of women in commercial, industrial vocational and polytechnic Colleges was 9604 as compared to 54,998 males in the 2000 – 01.⁴¹

Access to schools

In addition to customary practices and hostile attitudes towards female education in rural areas, low female literacy is compounded by factors such as restricted mobility, domestic engagements, early marriages, long distances to school, shortage of trained teachers, insufficient transport facilities and lack of financial resources.

The excuse that Pakistan is poor country is unacceptable in the wake of huge spending on administration and armaments building.

⁴¹ ICPD Ten Years on Pakistan Report, by Khawar Mumtaz, Shirkat gah, p.37.

⁴⁴ Pakistan National Report Beijing + 10, by Government of Pakistan Ministry of Women Development Islamabad 2005, p.14.

Biases against women in Curricula

“State approved text books have gender biased stereotypes that portray women as subordinate” according to a Sustainable Development Policy Institute report. The government needs to eliminate gender stereotypes from the curricula”⁴⁴.

Education on family planning

The overall fertility rate is 4.5 (urban 3.7 and 5.4 rural) according to Pakistan Reproductive Health and Planning Survey 2000-2001. Early marriages, limited access to family planning services and misconceptions about contraceptives are reasons for higher fertility rate.

Recommendations

- a. The Education Sector Reforms and the 1998-2010 Education Policy should be formulated in consultation with NCSW, and civil society organizations, focusing on education, women and minorities' rights.
- b. Secondary level education should be made compulsory and free especially for girls. Additional resources should be provided to the provinces for bridging the gender gaps.
- c. In order to provide quality education, the government should increase allocation for education to at least 10 % of the GDP in national and provincial budgets.
- d. Affirmative action should be taken to increase number of girl child enrollment and female teachers in higher education. Gender and religious biases in the syllabi should be removed.
- e. Hiring of teachers and teachers training should be oriented towards reducing gender gaps.

- f. Services delivery and awareness on family planning should be spread through education programs.
- g. The government must ensure linkages between federal, provincial Education Departments and research organizations for gender disaggregated data and analysis so it can inform policy inputs.
- h. The Ministry of Education should maintain a gender balance in all positions and bodies.
- i. Greater emphasis should be placed on vocational training and technical education for women.

Article 11

States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- a. The right to work as an inalienable right of all human beings;*
- b. The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;*
- c. The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;*
- d. The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;*
- e. The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;*

- f. The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.*
- 1. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:*
 - (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;*
 - (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;*
 - (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;*
 - (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.*
- 2. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.*

De Jure position: Protections, economic and other opportunities;

Article 18 of the Constitution of Pakistan guarantees equal rights to citizens with regard to freedom of trade, business, or profession and nothing in the Constitution bars women from entering employment in public sectors. Under Article 35 the state is obliged to protect family, mother and child. Article 37 says that state shall provide for just and humane conditions of work to every one.

Measures and Lapses

“Under the National Plan of Action, the Government committed 25% quota however it announced 5% reservation only for women in government jobs. One province (N.W.F.P) reduced it to 2%, whereas two other provinces (Punjab and Baluchistan) did not endorse it”⁴⁵. Government announced quota for women without giving guidelines, 70% of women officials did not know about this initiative. Provincial and Federal government departments did not ask for clarification and elaboration of this government policy. Finally this quota was discontinued by the present government in 2003⁴⁶”.

Pakistan is party to International Labour Organization Convention 1958 (Employment and Occupation), but has not enacted any legislation for equal treatment and / or equal pay for equal work. In addition, there is no legislation for home based workers (non-formal) and domestic servants that led to non-recognition of their work. There is no government policy or mechanism for helping women in acquiring jobs.

⁴⁵ Inquiry Report on the Status of Women Employment in Public Sector Organizations, by National Commission on the Status of Women Government of Pakistan, p.1.

⁴⁶ International Conference on Population and Development Ten Years on Pakistan Report, by Khawar Mumtaz, Shirkat gah, p.36.

“Women workers in formal sectors stood at 13.45%, occupying less than a quarter of 1% in the combined categories of legislators, senior officials, managers, one half of 1 % as technicians and associate professionals and 0.83% of professionals”⁴⁷.

Employment ratio in Major sectors (% age)⁴⁸

Gender	Agriculture	Industry	Services
Female	66.4	10.6	23.2
Male	40.7	28.2	39

Very few women are employed at high positions in the public sector. “With regard to occupation, women are still underrepresented at the senior, legislative and managerial positions”⁴⁹

Employment opportunities

During the past 6-8 years, 25 women out of 600 officials were appointed to 128 positions in Planning and Development and other departments across four provinces including Azad Jammu and Kashmir (AJK), Northern Areas and concerned Federal ministries. In the same duration, no female official was appointed at secretary rank in ministries in Punjab, Balochistan, AJK and Northern areas.”⁵⁰

⁴⁷ Inquiry Report on the Status of Women Employment in Public Sector Organizations, by National Commission on the Status of Women Government of Pakistan, p. 6

⁴⁸ Source: Acharya 2000 Attaapattu 2000, GOP 1917, Mohammed Mahmud 2000, Mehta 2000

⁴⁹ Pakistan National Report Beijing + 10, by Government of Pakistan Ministry of Women Development Islamabad 2005, p.43.

⁵⁰ Inquiry Report on the Status of Women Employment in Public Sector Organizations, by National Commission on the Status of Women Government of Pakistan, p.9.

Four women were commissioned as pilots and a few as engineers in Pakistan Air Force in 2006 while another 12 were hired for basic flying training and preliminary training.⁵¹

Economic Activity: Refined Activity Participation Rates (%)⁵²

Year	Both sexes	Women	Men
1999-2000	42.8	13.7	70.4
2001-02	43.3	14.4	70.3
2003-04	43.7	15.9	70.6

*Refined Activity Participation Rate is the percentage of persons in labour force, to the population 10 years of age and above.

- “In March 2005, Haripur district government banned women telephone operators and ordered all public telephone centers to dismiss all female telephone operators.
- The service age of hostesses in Pakistan International Airlines (PIA) was fixed at 35 years and validated through a High Court judgment. The decision was challenged by PIA, the Supreme Court upheld the decision fixing retirement age of airhostesses at 35 till its decision against the judgment of High Court was fully disposed⁵³.
- Among the poor of the society, mostly women are the principal earners, working as domestic servants, or engaged in home-based income earning activities and their earning is critical to the sustenance of their households. There is no affirmative policy for implementing an equal minimum or otherwise wages for women working in important sectors e.g. factories, carpet weaving, brick kilns and agriculture.

⁵¹ Daily Nawa-e-Waqt, Lahore December 31st, 2006

⁵² http://www.pakistan.gov.pk/ministries/planninganddevelopmentministry/usefull%20links/Gender_Main_Streaming/S4%20Manual/Handouts%20GMT%2016th%20Dec.doc.

⁵³ State of Human Rights in 2005, by Human Rights Commission of Pakistan (Lahore: Maktaba Jadeed Press, January 2006), p.179.

Sexual harassment at workplace

- “At least 50 % of women in public sector face harassment at work place in one form or the other”⁵⁴. Mostly women keep silence due to delicacy of situation but it is a dominant problem in the lives of the working women.

Child care facilities

- There is no legal provision for childcare facilities to women employees in public and private sectors. There are no childcare facilities, secure mobility and outstation residence facilities available to women.

Recommendations

- a) Employment opportunities for women should be increased at all levels.
- b) Obstacles to women employment including social pressure, sexual harassment at work place. Women complaint committees should be set up at district level comprising at least 60% women members to investigate reports of sexual harassment.
- c) In view of career and family and children responsibility; possibilities should be created for women such as flexible timing and day care centers at workplace for women workers.
- d) A quota must be fixed for women employees and its implementation must be monitored by competent bodies.
- e) Recruitment of women in Pay Scales 17 - 22 should be encouraged to reduce the gap in higher bureaucracy.

⁵⁴ Inquiry Report on the Status of Women Employment in Public Sector Organizations, by National Commission on the Status of Women Government of Pakistan, p.18.

Article 12 (reference to 10, 14)

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

Health conditions

“Around half of the female population is anemic and malnourished. More than 30,000 women die each year due to pregnancy related complications⁵⁵”. Infant mortality rate is correlated with the education level of mother. It is found that it is higher (89/1000 live births) among illiterate mothers and it declines with increasing level of mothers’ education⁵⁶.

“It is established by several researches that higher level of maternal mortality is caused due to delayed or poor access to peripheral health facilities, deliveries in unhygienic conditions and unsafe abortions, and untrained/unskilled birth attendants especially in rural areas and urban slums⁵⁷”. According to survey (2004-05), the frequency of postnatal check-up is 23%.

⁵⁵ Pakistan National Report Beijing + 10, by Government of Pakistan Ministry of Women Development Islamabad 2005, p.23.

⁵⁶ Tahmina Rashid, Contested Representation, (Oxford University Press, 2006), p. 107.

⁵⁷ International Conference on Population and Development Ten Years on Pakistan Report, by Khawar Mumtaz, Shirkat gah, p.41.

Abortion is not allowed except to save the life of the mother with the requirement of professional judgment of two qualified doctors to testify that further course of pregnancy would be fatal for mother. Abortion is not allowed even in case of rape, as it is a criminal offence under the Pakistan Penal Code.

Measures and lapses

Government launched a Health for All policy in 2001 emphasizing on *accessibility, affordability and acceptability* of health services by general population.

As meager as 0.51 % of the GDP is being spent on Health and nutrition⁵⁸, health expenditure as percentage of GNP remains stagnant as 0.7 from the fiscal year 2001 to 2003 and further declined to 0.6 in the fiscal year 2005 – 2006⁵⁹. As compared to the needs, there are few Government run programs focusing on the issues of maternal and neonatal preventive and curative problems are underway.

Recommendations

- a. The budget for health and allied services should be increased to at least 4 % of the GDP.
- b. Existing health infrastructures must be made functional with adequate personnel policies. Quality, uniformity and accountability of services must be ensured in private sectors through legal check and balance. The pricing system of health care and medicines in the private sector must be regulated.

⁵⁸ Ibid.

⁵⁹ Bulletin March 2006 College of Physical Surgeons Pakistan, Online available from;
<http://www.cpsp.edu.pk/bulletin%20archive/mar06/chapter1.asp>

- c. An effective policy on maternal mortality rate, sexual and reproductive health with strong monitoring and evaluation must be given high priority.
- d. Appropriate legislation must be undertaken for safe abortions and allowing abortion of rape and violence victims.
- e. Enabling environment must be created for government and civil society partnership to promote health concerns for women.
- f. Maternal health care facilities and emergency care centers must be established at accessible distance with suitable transport in rural areas.

Article 13

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to family benefits;*
- (b) The right to bank loans, mortgages and other forms of financial credit;*
- (c) The right to participate in recreational activities, sports and all aspects of cultural life.*

The constitutional guarantees

Article 34 of the Constitution says “steps shall be taken to ensure full participation of women in all spheres of national life”, Article 37, obligates the state to promote social justice and eradicate social evils, similarly Article 38 is about the obligation of the state to promote social and economic well being of the people.

Financial credit schemes

The loans disbursed by the National Development Finance Cooperation to women were 0.1% and 0.5% in case of Industrial Development Bank of Pakistan. Women are the lowest borrowers and users of loan and borrowing facilities offered by the prime financial institutions in the country”⁶⁰.

The rural women remained out of the realm of government sponsored credit schemes and loan facilities. Women were deprived in terms of their income generation capacity, ownership of land and productive assets, access to labor market, economic options, social services and security⁶¹”.

“The First Women Bank Limited (FWBL) was established in 1989, small loans were given to 23,240 poor and deserving women ranging from Rupees 5,000 – to 25,000 per woman till 2003⁶²”.

Women’s participation in cultural and recreational activities (also refer to article 10)

In Gujranwala on April 3, 2005, mixed marathon race was attacked and disrupted by activists of religious groups”⁶³. After religious parties announced that they would not allow women to participate in sporting mixed events, Government cancelled other marathons to be held in other cities.

On May 14, 2005 police manhandled several women and men participants in a marathon race organized by Joint Action Committee for People’s Rights and some leading women rights activists were detained in police lock up.

⁶⁰A Comparative Study of UNCEDAW, Islamic Laws of Pakistan (Peshawar: Shaheen Press, 1995), p.93.

⁶¹ Pakistan National Report Beijing + 10, by Government of Pakistan Ministry of Women Development Islamabad 2005, p.5.

⁶² Pakistan National Report Beijing + 10, by Government of Pakistan Ministry of Women Development Islamabad 2005, p.7.

⁶³ State of Human Rights in 2005, by Human Rights Commission of Pakistan (Lahore: Maktaba Jadeed Press, January 2006), p.180.

Recommendations

- a) Concrete steps should be taken to operationalize the credit and loan schemes for economic empowerment and advancement of women.
- b) Social attitudes barring the participation of women in sports and cultural activities must be dealt with by raising consciousness on the gender issues and official encouragement. The government should make a policy about encouraging the civil society initiatives regarding women's participation in this area.
- c) Social, cultural and economic barriers that mitigate women's right to inheritance, bank loans and other forms of financial credit should be removed.

Article 14

States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

- (a) To participate in the elaboration and implementation of development planning at all levels;*
- (b) To have access to adequate health care facilities, including information, counselling and services in family planning;*
- (c) To benefit directly from social security programmes;*

- (d) *To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;*
- (e) *To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;*
- (f) *To participate in all community activities;*
- (g) *To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;*
- (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

Unrecognized role in the economy

Women in rural areas contribute largely to different sectors of economy that include crop and livestock production and cottage industries. "The economic participation of women can not be ascertained due to the inadequate statistical sources on the Labour Force Participation Rate"⁶⁴.

Family Planning Education (reference also to article 10, 12, 14)

The urban fertility rate is 3.7 and the rural fertility rate is 5.4, "Adolescent and Youth in Pakistan Survey 2001 – 2002 stated that rural females are more vulnerable to marriage before the age of 20 than their urban counterparts"⁶⁵.

⁶⁴ Tahmina Rashid, *Contested Representation*, (Oxford University Press, 2006), p.109.

⁶⁵ International Conference on Population and Development Ten Years on Pakistan Report, by Khawar Mumtaz, *Shirkat gah*, p.44.

Inadequate health facilities, lack of awareness on family planning, place women's health at risks. "Although the rate of deliveries taking place at home is decreasing (from 85% in 1990 – 91 to 77% in 2000 – 01), however the number remains high because only 54% of rural population lived within 6 Km from primary healthcare centres⁶⁶".

Measures and lapses

Government launched a program Jafakash Aurat for economic empowerment of rural women in NWFP (Chitral), Punjab (Sheikhpura, Gujranwala) and Baluchistan (Gwadar) in 2005 - 2006⁶⁷.

However sustainability of government initiatives is questionable, initiatives to offer subsidiary only favorable to privileged rural households while a fraction of poor rural women benefit from such credit schemes.

Recommendations

- a. The rural women must be made a priority group in the allocation of resources for health, maternity care and formal and non-formal education.
- b. The government should fix a minimum wage for different agricultural work performed by women.
- c. The statistical experts must find ways to calculate women's contribution, especially in the rural economy to the income of the family as well as the national economy.

⁶⁶ Ibid.Pp.41-42

⁶⁷Planning and Development Ministry of Pakistan; Review 2005 – 2006, Online available from;
http://66.249.93.104/search?q=cache:3fWWMIsNMR4J:www.pakistan.gov.pk/ministries/planninganddevelopmentministry/annual%2520plans/200607/Chapter_6/Women%2520Development.pdf+women+in+national+provincial+assemblies+2006&hl=en&gl=pk&ct=clnk&cd=7

Article 15

- 1. States Parties shall accord to women equality with men before the law.*
- 2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.*
- 3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.*
- 4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.*

Constitutional guarantee for equality

Article 25 of Constitution of Pakistan declared equality of citizenry before law and accorded equal protection of law to men and women. Article 9 and 10 guarantee the right to life, liberty and security while fundamental rights are covered by article 15 to 20.

Recommendations

- a) Same as under articles 1, 2 and 9.

Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

- a. The same right to enter into marriage;*
- b. The same right freely to choose a spouse and to enter into marriage only with their free and full consent;*
- c. The same rights and responsibilities during marriage and at its dissolution;*
- d. The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;*
- e. The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;*
- f. The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;*
- g. The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;*
- h. The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.*

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

De Jure Position: Marriage by choice

There is no legal bar on women to marry but cultural norms and practices blatantly restrict women's own choice to marriage, especially in rural and tribal areas. Women's nod of the head and thumbprint is taken as her consent to marriage.

Discriminations: Marriage and dissolution

The marriage certificate under Muslim Family Law Ordinance 1961 requires the disclosure of the marital status of the bride, not the bridegroom. Clause 18 of marriage contract allows the husband to delegate his right of divorce to his wife but in practice this clause is often crossed out before handing over to the bride, depriving her right to divorce.⁶⁸

A woman can only get divorced after filing a suit for dissolution of her marriage provided her husband agrees to grant that (Khula). Women seeking divorce have to face number of problems; the number of family court is inadequate, lengthy procedures, and expensive litigation. Section 7 of Muslim Family Law Ordinance allows only man to give a notice of dissolution of marriage to wife meaning a man can unilaterally exercise the right of divorce without disclosing and proving the reason. Moreover a women seeking divorce is obliged under the law to return bridal gifts (Mehr) on seeking a divorce.

There is no provision for the appointment of women conciliator at Musalihat Anjuman, an institution where court refers matter for reconciliation that it deems appropriate for settlement under section 104 of Local Government Ordinance 2001.

⁶⁸ Report of the Commission of Inquiry for Women Pakistan, by the Commission of Inquiry for Women (Islamabad: August 1997), p. 23.

Rights of Divorced Women

Family laws are silent on the rights of divorced women.

Guardianship

Under Guardianship Ward Act (VIII of 1890) mothers are disentitled to have the custody of children after dissolution of marriage hence the mothers are not recognized as natural custodian and legal guardian of minor children (below 18 years of age).

Forced Marriages

Forced marriages take place under customary practices; state has not taken any steps to curb such practices. Parents are not held accountable under any law. Many marriages are performed under various customs and traditions such as Wani / Swara: giving away girls in marriages to settle disputes. It was confirmed by the United Nations Development Fund for Women, in parts of the North West Frontier Province of Pakistan, charging bride money by their parents is a marriage custom⁶⁹, exchange marriages (Watta Satta), Haq Bakshwana: woman's marriage to Quran so that the girl's inheritance may not transfer through marriage. Hundreds of girls each year in Sindh province are "married" to the Holy Quran (also Koran), forcing them to live without husbands through out their lives⁷⁰.

⁶⁹ United Nations Development Fund for Women, Facts and Figures on VAW: Harmful traditional Practices
http://www.unifem.org/gender_issues/violence_against_women/facts_figures.php?page=3 [accessed 26 April 2006]

⁷⁰ International Human Rights Observer, Women Online; available from <http://www.ihro.org.pk/feedback.php> [accessed 29 April 2006]

Child Marriages

Child Marriage Restraint Act 1929 established minimum age for marriage, 18 years age for boys and 16 years age for girls or when she reaches puberty. Since girls reach puberty at earlier age than 16 years, the clause legitimized minor marriages. "Several studies have shown that nearly one third of the marriages in the rural communities take place before the girls reached the age of 15"⁷¹.

Right to property (reference to article 5)

Women do not have equal right to inheritance to that of men under Muslim Personal Laws. A proportion is given to women depending on the number of heirs among the family. In the presence of male offspring, females are entitled to half share of brothers. Traditionally, women are not considered eligible heir to inherit any property in the presence of male members.

Marriage contracts

Marriages contracted in urban areas have higher rate of registration than those in rural areas where most of the marriages are contracted through oral agreements. "In Baluchistan 90% of marriages are unwritten and unregistered"⁷².

⁷¹ Distorting Mirror Perception of Women in the Rural Communities of Sindh ,by Democractice Commission for Human Development (Lahore: Freedom Art Press, 2005), p.40.

⁷² Women, Law Society: An Action Manual for NGOs by Shirkatgah p..50-53

Recommendations

- a. The Family or Personal laws should treat men and women as equals in all legal matters, the age of a girl for marriage must be raised to 18 years. Strict penalties should be levied on parent(s), guardian(s), and those who solemnize child marriages.
- b. Men and women should have equal rights for dissolution of marriage. Section 10 (4) of Muslim Family Ordinance 1961 must be amended so that women should not have to return the bridal gifts (Mehr) to her husband.
- c. A mother should be considered as natural custodian and legal guardian of their children at par with father at the time of dissolution of marriage.
- d. Appropriate women representation in conciliatory body (Anjuman-e-Musliheen) should be ensured.
- e. The environment of the Family Court should be made conducive for women litigant. Both male and female judges must preside over family courts. Family courts must be assisted by a panel of technical experts for assistance and monitored by constituting Monitoring Committee at Federal, Provincial and Local level.
- f. For destitute women, shelter homes should be established and information of shelter homes must be widely disseminated.
- g. Laws should be enacted for protecting girl children from sexual and economic abuse and effective implementation of laws must be ensured.
- h. Child Marriages Restraint Act should be amended to remove discrimination in marriageable ages of men and women.
- i. Media should be encouraged for positive portrayal of women and eliminate gender stereotypes.

The personal laws and minority women

The matters related to marriages, divorce, etc. of the religious minorities are governed by the following laws, known as personal laws;

The Christian Marriage Act 1872, The Births, Deaths and Marriages Registration Act 1886, The Divorce Act 1869, Indian (Non-Domiciled Parties) Divorce Rules 1927, The Parsi Marriage and Divorce Act 1936, The Hindu Widow's Marriage Act 1856, The Hindu Marriage Disabilities Removal Act 1946, The Hindu Married Woman's Rights to separate Residence and Maintenance Act 1946, The Anand Marriage Act 1909, Buddhist Law 1909, The Arya Marriage Validation Act 1937.

Problems with these laws

1. The main problem with these laws is their antiquity. These laws promulgated in pre-independence period, before the human rights standards were set, are redundant and source of human rights violations. They were never reviewed after the creation of Pakistan.
2. The overriding effect of the subsequent Islamic legislation has changed the entire concept and application of the personal laws of the religious minorities. For instance, adultery is one of the main grounds for dissolution of a Christian marriage⁷³ under the Hudood laws (Zina Ordinance VII, 1979) punishable by stoning to death and later imprisonment for 25 years (Women Protection Act 2006). The Christians, in the circumstances of dissolution of marriage can not invoke their personal law due to the common (Islamic) laws. The matter was made more complicated when the qualifications for a court testimony reduced the value of a non-Muslim witness in Hudood laws in 1979 and Law of Evidence 1984.

⁷³ Section 10, Divorce Act 1869

3. The third issue is manipulability of the personal laws of religious minorities on pretext of conversion to Islam. Numerous Christian and Hindu girls, mostly minors, have been taken away from their families after their reported abduction and conversion to Islam.

Conversions

Conversion in Pakistani context means conversion to Islam. Theoretically speaking, there is no restriction on changing ones religion in Pakistan. However, converting to another religion from Islam is treated as apostasy, punishable by death according to common interpretation of Islamic laws.

The members of minority community also convert to Islam in case of illegal marriages and marriages without the consent of family. The Catholic (National) Commission for Justice & Peace (NCJP) recorded 762 non-Muslims conversions to Islam between 1999 and 2004 by monitoring the four daily newspapers printed from Lahore⁷⁴. However there was no conversion reported from Islam to any other religion.

Conversion after blasphemy allegations

- In 1994 Ms. Carol, a seven grade Christian girl was alleged of committing blasphemy in Sukkar. She converted to Islam in order to save herself from litigation and other possible sufferings.⁷⁵
- A similar case is of Ms. Lakshami from district Swabi NWFP, was reported to have converted to Islam in jail when the Chief Judge of the Peshawar High Court was visiting the jail. The Chief Judge praised her for converting to Islam.

⁷⁴ Human Rights Monitor 2005, Lahore, National Commission for Justice and Peace

⁷⁵ NCJP Fact-finding Report National Commission for Justice and Peace – Lahore

⁷⁵ NCJP report on minorities in Pakistan 1998

Conversions after abduction and marriage

In a number of cases, minority women (Christian, Hindu and Sikh), including minors were abducted and converted to Islam through a Muslim marriage. Their contact with families is made impossible on account of their conversion. Scared by the abductors, they make statement before the judge that they were doing so on their free will. The police and administrative machinery usually side with the socially and economically powerful culprits who also happen to be from the majority community. The lower courts have generally ignored the circumstances (detachment from family, crime involved, age of the so called converted) and the need for enabling conditions for a free consent. Following are few examples:

- In 1997 three sisters Nadia, Naema and Nabila (15, 13 and 11 of age respectively) of Rawalpindi were given in the custody of their Muslim neighbors by the Magistrate instead of their parents on pretext of conversion to Islam, while the Christian parents had approached the court reporting their abduction. Moreover the law did not require separating children from the natural and bona fide guardians despite conversion.⁷⁷
- Hervinder Kor, a six years old Sikh girl was kidnapped by persons belonging to *Afridi* Tribe from Khyber Agency in 2003. This tribe reported that the minor had converted to Islam thus she could not be returned to her parents. The government failed to do anything to recover the girl.⁷⁸
- A 13-years old Hindu girl Mashu was converted to Islam in Mirpurkhas, Sindh. She was named Mariam by her abductor cum husband. The court validated the marriage on a statement of consent, ignoring the circumstances and the motive. Police refused a meeting between the girl and parents on the pretext of conversion.⁷⁹

⁷⁶ Human Rights Monitor 2004, National Commission for Justice and Peace - Lahore

⁷⁷ The Christian Voice – Karachi, January 22, 2005

- Three Hindu sisters Reena (21), Usha (19) and Rima (17) were kidnapped in 2005 from their house in Karachi. A case was registered against the neighboring boys as principle suspect with abduction charges by the parents. Police arrested the boys but later set them free.

A few days later, parents came to know that their daughters were staying in a religious seminary. The parents believed that their daughters were kidnapped and forced to convert. The Supreme Court ordered police to provide security to the girls and shift them to Edhi orphanage from the seminary.⁸⁰

Measures and Lapses

Mr. Misri Ludhani a Hindu father, in his petition challenged the authorization of his daughter's marriage (Ms. Neelam) by the lower court who reportedly converted to Islam to marry Amjad, a Muslim man. The gravity of the situation concerning the conversion of minority women was felt by the superior judiciary also. Justice Iftekhar Mohammad Chaudhry, the Chief Justice of the Supreme Court of Pakistan presiding over this petition on May 25, 2006 gave an interesting verdict.

Exercising its 'parental jurisdiction' the court ordered the family of the husband to furnish a bank bond of Rs. 1.5 million as a guarantee for Neelam's welfare. The Supreme Court also instructed the family of the husband to facilitate the occasional visit of the girl with her family.⁸¹

On this implicit recognition of the underlying problems, the Supreme Court established two principles:

⁷⁸ Daily Dawn December 3, and Daily Times December 17, 2005

⁷⁹ Daily Pakistan, May 26, 2006

- a) The minority women need protection from any restriction on their freedom of movement and well being and violence against women in case of interfaith marriages.
- b) The conversion does not mean that the one converting to Islam has to relinquish relationship with one's family.

Second marriage after conversion

The lawlessness and persecution of minorities due to various economic, social and political factors make the minority women even more vulnerable to sexual harassment, rape and abduction. Given that religious sentiments are easily manipulated against the religious minorities in Pakistan, the conversion of women and minors after their families report them missing should not be taken as normal.

The Federal Shariat Court's judgment in *Ms. Kundan Mai vs. The State* (PLD 1988, FSC 89)⁸² established that Iddat (three months waiting period) was a precondition for a re-marriage under the Islamic law even in case of conversion of a non-Muslim married woman. Also in the *Sardar Masih vs. Haider Masih* case (PLD 1988) and the more recent precedent of *Ms. Fatima Bibi vs. Station House Officer, Ichhra Police Station, Lahore*, Justice Khawaja Mohammad Sharif of Lahore High Court (PLD 2005, Lahore 126) upheld the view that a non-Muslim married woman must invite her husband to embrace Islam and her earlier marriage under Christian rites does not stand automatically dissolved after embracing Islam. The above mentioned case laws (precedents) prove that the injustices and abuse in personal laws vis-à-vis conversion has been noticed by the higher judiciary in various judgments, however judicial pronouncements are no substitute to a proper legislation.

⁸⁰ FSC is Federal Shariat Court and PLD is Pakistan Law Digest.

Recommendations

- a. Family or personal laws for religious minorities in Pakistan should be reviewed by a competent and representative Review Commission to check injustices against minority citizens through abuse of these laws and procedures, to see that these personal laws comply with human rights standards and prevent the overriding effect of the personal law of the majority community.
- b. Family laws should be enacted for Kalash and other communities who are not governed by any such laws. Sikh and Hindu Personal Laws should provide for a marriage registration / certificate.
- c. In order to vitalize the institution of family and stop malpractices and enable marriage without mandatory conversions, there is a need of enacting a Common Civil Code, making it possible for the citizens to contract a civil marriage, interfaith and otherwise.
- d. The government should sponsor a training / awareness campaign on the personal laws and customs of religious minorities for the subordinate judiciary and prosecution officers. Police training should include a course on the problems of religious minorities in order to sensitize them to be able to handle gross injustices to the minorities.
- e. A literacy drive for the all poor women, including minority women, in target areas should be initiated so that they do not become victim of violence and syllabus should be reviewed to stamp out religious biases against the minorities.
- f. The government and the civil society should undertake awareness campaigns to uplift social consciousness, self respect and confidence among minorities especially among women and parents.