



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
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Summary record of the 781st meeting

Held at Headquarters, New York, on Tuesday, 22 May 2007, at 10 a.m.

Chairperson: Ms. Šimonović

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined initial, second and third periodic report of Pakistan (CEDAW/C/PAK/1-3; CEDAW/C/PAK/Q/3 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Pakistan took places at the Committee table.*

2. **Mr. Mahmood Salim Mahmood** (Pakistan), introducing his country's combined initial, second and third periodic report (CEDAW/C/PAK/1-3), said that the Constitution guaranteed equal rights for all citizens without any discrimination on the basis of caste, colour, sex or race and that it ensured the full participation of women in all spheres of national life. Pakistan had ratified the Convention with the sole object of reaffirming its commitment to the empowerment of women and becoming accountable to the world community. The obstacles that still existed to women's full enjoyment of their rights were due to traditional attitudes which the Government had taken steps to overcome. To that end, it had, in 1998, launched a National Plan of Action (NPA), prepared on the basis of a national participatory process, and, in 2002, had announced its First National Policy for Development and Empowerment of Women, under which several social, legal and institutional reforms had been undertaken.

3. Specific measures had been adopted to address violence against women, towards which Pakistan had a zero tolerance policy, and to provide social, psychological and legal support to its victims. Parliament had passed a law against honour killing in 2004, followed in 2006 by the Protection of Women (Criminal Laws Amendment) Act, deleting and amending the Hudood Ordinances. Other measures included ratification of the South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children; preparation of a code of conduct for gender justice in the workplace and a bill on domestic violence; and adoption of an amendment to the 1951 Citizenship Act, giving nationality rights to the children of foreign spouses. A Gender Crime Cell had been established in the National Police Bureau to monitor and address crimes against women, while a Human Rights Wing

had been set up under the Ministry of Law, Justice and Human Rights to deal with human rights violations, especially in regard to women.

4. A number of other mechanisms were also in operation. They included monitoring committees at the federal, provincial and district levels; separate complaints cells in police stations for women victims of crime and violence, free legal aid and investigations, where practicable, by female police officers; a Federal Cabinet Committee to follow up cases of violence at the highest level; and a National Committee on Prevention of Violence against Women. Under the 2006 Law Reforms Ordinance, some 1,300 women held in prison for crimes other than terrorism and murder had been released on bail.

5. Several institutional reforms had likewise been set in motion. At the federal level, the Ministry of Women Development had been given greater responsibility for women's issues, in particular through its 2005 Gender Reform Action Plan (GRAP), whose gender mainstreaming component was implemented by gender units in nine line ministries. The Women's Development Departments had a similar focus at the provincial level. Moreover, a National Commission on the Status of Women had been set up in 2000 to monitor the relevance and efficacy of policies, programmes and measures for women's development and gender equality. Jail reforms had also been introduced for the benefit of women prisoners, while a package of measures known as the Access to Justice Programme gave women greater access to justice as litigants and addressed their concerns as lawyers and judges.

6. Under the Gender-Responsive Budgeting Initiative (GRBI), gender-sensitive amendments had been made to the Government's Medium-term Budgetary Framework Budget Call Circular (2007-2008), used by a number of ministries. The amendments would make a significant contribution to institutionalizing the gender perspective in the Government's budgetary procedures.

7. A major obstacle to the empowerment of women in Pakistan was women's lack of capacity and their low literacy levels. Substantial progress had been made in meeting that challenge, through a number of initiatives, including the National Plan of Action on Education for All, 2001-2015, which had resulted in a higher ratio of girls to boys at all levels of education and improved

literacy rates among women, reflected in a greater share of women in urban employment. In addition, gender equality was one of the human rights themes that had been incorporated in school curricula.

8. He stressed the economic dimension of women's empowerment, since women were among the poorest of the poor. Accordingly, the Government's Poverty Reduction Strategy Paper (PRSP) included several measures aimed specifically at women, notably income-generating projects for rural women, as well as the microcredit scheme recently launched by the Ministry of Women Development. Similar schemes were being introduced by the First Women's Bank, a unique facility run by women for women, which also operated as a regular commercial bank.

9. In the employment sector, a series of legal measures had been taken to promote the role of women in development, including ratification of the International Labour Organization (ILO) Equal Remuneration Convention, 1951 (No. 100), an ILO-supported project on women's working conditions, and an increase in the minimum wage. Thanks to a number of steps taken by the Government, women's representation had also improved in all walks of life as well as in decision-making. The Local Government Ordinance, 2001 was a watershed for the political empowerment of women in Pakistan, as it provided for 33 per cent representation of women in all tiers of local government. At the same time, educational action had been undertaken to develop the political awareness of women and enable them to perform effectively as public representatives.

10. The Pakistani media were helping to ensure a balanced and positive portrayal of women by avoiding stereotyping and highlighting cases of violence and discrimination against them. Under the Government's "Open Media" policy, many private television channels had been launched, including Hum TV, which was owned by a woman and focused on women's issues. Special programmes on women's rights were also being aired.

11. However, women's rights would remain a mirage if they were not upheld by a strong and sensitive judiciary. Accordingly, efforts were being made to sensitize the judiciary to women's issues and to encourage women to join the legal profession. Disaggregated data were also crucial for successful gender mainstreaming and were being provided by a

statistical organization specially set up for that purpose.

12. In conclusion, he said that Pakistan's periodic report had been prepared through a transparent and participatory process and that every effort had been made to make it as comprehensive as possible. He was aware that, notwithstanding the considerable progress achieved, much remained to be done. The Government therefore remained as committed as ever to promoting and protecting the rights of women enshrined in the Convention and looked forward to the continuing and much-appreciated support of civil society, international NGOs and donor agencies in its ongoing pursuit of that goal.

Articles 1 and 2

13. **Mr. Flinterman** said that if the Constitution prevailed in the event of a conflict with the Convention — which was his understanding of the declaration made by Pakistan on acceding to the Convention, it would be contrary to international law; clarification as to the scope of the declaration would be welcome. Since, according to the responses to the list of issues and questions (CEDAW/C/PAK/Q/3/Add.1), the declaration was under review, he enquired about the conditions under which it might be withdrawn. It would also be interesting to know the views of the Commission on the Status of Women on the matter. Lastly, the Committee would appreciate more precise information concerning the State party's intention to take up the question of its ratification of the Optional Protocol "at the right time" (responses, para. 43). The individual communication procedure was not an end in itself but rather a means of strengthening the Convention.

14. **Ms. Gabr** asked about the relationship between the Ministry of Women Development, the National Commission on the Status of Women and the office of the Federal Ombudsman; about any mutual monitoring functions; and about their financing and their relationship to civil society. The Committee wished to know what was being done to reconcile the State party's obligations under the Convention with the requirements of Islamic codes of conduct.

15. **Ms. Shin** expressed concern about the absence in Pakistan's domestic legislation of a definition of discrimination in line with that contained in the Convention. Examples all around the world showed

that constitutional guarantees of equal treatment for men and women were never enough but had to be backed by specific legislation. Then again, amendments to discriminatory laws were commendable, but people, and particularly women, needed to be informed about them. She wished to know what was being done along those lines, notably under the Access to Justice Programme. She noted that considerable amounts of donor resources had been used to provide information kiosks and washrooms in court buildings and wondered what was being done to encourage people to have recourse to justice.

16. **Ms. Begum** asked whether, during the preparation of the periodic report, full consultations had taken place with the main NGOs and with the National Commission on the Status of Women. The Committee would also appreciate information about any mechanisms put in place, in partnership with NGOs, to promote an enabling environment conducive to the advancement of women. She welcomed the recent amendment to allow the release on bail of women detained on charges of adultery but wondered what was being done to repeal the discriminatory law under which they had been held. She stressed the importance of realities on the ground and requested information regarding the recent case of a woman Government Minister who had been required to resign from the Cabinet on account of photos taken of her in Paris.

17. **Ms. Maiolo** requested clarification of the Government's policy of introducing changes to overcome discrimination, while taking care not to upset the prevailing balance.

18. **The Chairperson**, speaking as a member of the Committee, noted that the State party had withdrawn the declaration it had made on acceding to the Convention on the Rights of the Child and wondered whether it could follow that example in respect of the present Convention. In the light of the statement in the periodic report (CEDAW/C/PAK/1-3) that Pakistan's laws could not contravene the provisions against discrimination contained in the Constitution, the Committee wished to know what mechanisms were available to challenge laws not in line with the Constitution or with the Convention.

19. **Mr. Mahmood Salim Mahmood** (Pakistan) said that the Constitution guaranteed the equality of rights of men and women and banned discrimination based on

race, religion, caste or sex. It was also true that no law could stand if it were found to be inconsistent with the basic law in the Koran, which provided the basis for Pakistan's traditional respect for women and protection of their rights.

20. **Ms. Agha** (Pakistan) said that the Ministry of Women Development was the main Government body responsible for the advancement of women, whereas the Federal Ombudsman's Office had a wider range of concerns, responding to complaints by any citizen, male or female, about a particular decision or action taken by a Government body. The National Commission on the Status of Women was an advisory body that monitored the situation and advised the Ministry on legislation and action that should be taken. The issue of withdrawing the declaration relating to the Convention, for instance, had been submitted to the Commission, which was expected to issue a report on it soon. The Ministry interacted regularly with civil society, and various documents, policies and programmes had been prepared in consultation with non-governmental organizations (NGOs), including the National Plan of Action and the code of gender justice.

21. **Mr. Mahmood Salim Mahmood** (Pakistan) said that the Standing Committees on Women of the Senate and the National Assembly were the eyes and ears of the Ministry and made suggestions to the Ministry regarding legislation.

22. **Mr. Qazi** (Pakistan) said that the Government had tried to maximize transparency in the preparation of the report to the Committee. A series of drafts had been sent for comments to NGO partners and several national consultations on the report had been held. There had been wide divergences in views among the stakeholders on some points and the Government had worked to arrive at consensus language. The report finally was sent to the Standing Committees in Parliament and to the Prime Minister for approval. The report had been widely publicized and disseminated, even before it had been sent to the Committee, and had been posted on the Government website.

23. **Mr. Zafar Hassan Mahmood** (Pakistan) said that Pakistan had ratified the Convention in 1996 but its basic law as stipulated in the Constitution remained in force, which was the concern expressed in the declaration accompanying its accession. He pointed out that seven articles of the Constitution contained specific prohibitions against discrimination and the

Convention simply augmented those prohibitions. There was no need to be concerned about any conflict between the Convention and Muslim principles, as Islamic law provided even more effective protection of women's rights than the Convention. On the Optional Protocol, he noted that ratification of the Protocol had become rather a fad on the international scene. Pakistan took its international obligations seriously and was keeping the issue of the Protocol under careful review.

24. **Ms. Agha** (Pakistan) said that dissemination of information to women, especially the majority in rural areas, was difficult, although the public and private media channels were very useful in that regard. The information received by the Committee on the resignation of the former Minister of Women Development following an incident abroad was not factual. The former Minister was widely respected; her decision to resign had been taken before her trip abroad and was based on political changes in her party's platform with which she disagreed.

25. **Ms. Chughtai** (Pakistan) said that the Access to Justice Programme, which had received funding from the Asian Development Bank, was helping to increase familiarity with the legal system and the legal profession, ensure access to courts by women and improve the facilities, particularly in the lower level courts. The media also publicized the functions and make-up of the courts, and the Ministry of Women Development maintained information kiosks in courts to reach out to women.

Article 3

26. **Ms. Chutikul** (Pakistan) noted that an audit of the National Plan of Action had apparently been carried out in 2002 by the Ministry of Women Development but the Committee had received no information on the results of the audit. The Committee had received information from other sources that certain measures in the Plan had not been carried out. She noted, in particular, that big gaps remained in the registration of births, marriages and divorces, and that many women, especially in rural areas, were still without national identity cards, which hampered their ability to access basic services. Noting the stated intention to set up a monitoring system for the Plan of Action, she expressed the hope that clear goals and indicators would be established so that progress could be measured. She requested more information on how

the National Plan of Action related to the Gender Reform Action Plan. Other information obtained by the Committee suggested that the national machinery for the advancement of women found itself marginalized in decision-making and policy formulation. She asked for more information on the relationship between the Ministry of Women Development and the National Commission on the Status of Women, and between the Plan of Action and the requirements of the Convention, and on the role of NGOs in the National Commission.

27. **Ms. Neubauer** asked about the status, authority and political recognition of the national machinery for the advancement of women. It seemed, for instance, that the Ministry was under-financed and under-staffed. She asked how large the staff of the Ministry was and how many decision-making posts were held by women. She requested information on coordination structures between the Federal Government and provincial units. The generally small proportion of women in Government suggested that departments were not being held accountable for failure to meet targets to increase the representation of women. What was being done to strengthen the capacity of the Government and its offices to ensure implementation of the Convention?

28. **Ms. Schöpp-Schilling** welcomed efforts to undertake reform of legislation and asked whether a national commission on law reform had been established. She had heard that there was still discrimination in laws and services, citing as examples the laws defining adult culpability of men as opposed to women and the fact that many women had no national identity card, without which they could not vote or have a bank account. She asked what the Government was doing to rectify the situation.

29. **Ms. Saiga** asked about the relationship and linkages between the new National Gender Reform Action Plan and the older National Plan of Action. She would appreciate information about the secretariat of the Commission and who its chairperson was. Noting the establishment of gender units in ministries, she asked how they differed from the gender focal points.

30. **Mr. Mahmood Salim Mahmood** (Pakistan) said that the National Commission on the Status of Women had been created in 2002 and, pursuant to a provision in the Constitution, its main function was to propose changes in law that would fill gaps wherever there was an obligation or necessity to do so. Legislative recommendations were sent through the Ministry of

Women Development to the Ministry of Law, Justice and Human Rights, where they were considered and then referred to Parliament. Three Ministry Secretaries were ex officio members of the National Commission on the Status of Women. The Commission was independent and autonomous.

31. Pursuant to the Gender Reform Action Plan (GRAP), a fundamental document of which 2.2 million copies had been distributed to all 111 districts of Pakistan, gender desks had been established in the ministries responsible for planning, finance, establishments, education, social sector, health, and population to ensure female participation in those ministries and to give effect to GRAP programmes.

32. The Ministry of Women Development lacked capacity, proper staffing and resources, but it had been admirably performing its catalytic, advocacy and support role. Additional staffing and resources would probably be requested in the next financial period beginning July 2007 to enable the Ministry to cope with the constraints it faced. Support also came from the United Nations Development Programme (UNDP) and the German Agency for Technical Cooperation (GTZ).

33. **Ms. Agha** (Pakistan) said that the Chairperson of the National Commission on the Status of Women was Dr. Arfa Sayeda, a very able and qualified lady active in women's affairs. With regard to the registration of birth and identity cards, Pakistan's National Database Registration Authority (NADRA), was playing a very active role in registration, as were other national and foreign organizations involved in strengthening democracy through voter registration. As part of those efforts, mobile units would go to villages to make identification cards. Through the Ministry's intervention, the statistics division had produced gender-disaggregated data every year since 2004.

34. **Ms. Chughtai** (Pakistan) said that after Pakistan had signed the Convention, all Government departments and divisions had been asked to identify gender focal points, and Government officials had been sensitized on gender issues. In addition, under the Gender Reform Action Plan, specialized personnel were being employed to review the laws and plans of each ministry and identify gender gaps.

35. **Mr. Zafar Hassan Mahmood** (Pakistan) said that in implementing the Convention and coordinating work between the federal and provincial Governments, the

Government followed a complex and well-established procedure. The National Plan of Action was based on input from all quarters and all levels, including individual experts. Policy was formulated at the national level and implemented at the provincial or local level. A fully operational Women's Development Department was created in each province. Continuous coordination was carried out with the national Ministry of Women Development, which functioned as the central coordination entity in Pakistan's national machinery. Funding for implementation came from provincial budgets as well as each province's share in the national budget.

36. Pakistan had a standing national Law Reform Commission which recommended needed amendments to the laws, but even an individual citizen could initiate action to bring about an amendment of existing law, which then had to go through the houses of Parliament. The 2006 Protection of Women (Criminal Laws Amendment) Act, for example, contained 53 amendments to the basic five laws.

37. **Ms. Ishaque** (Pakistan) said that her Government was committed to the abolition of not only the 1979 Hudood Ordinance but also all discriminatory legislation. She was pleased to announce reforms in the Muslim Family Laws Ordinance, 1961 allowing the granting of judicial divorce regardless of sex and a new provision in the Criminal Law Amendment Act, 2004 making honour killing a criminal offence punishable by imprisonment regardless of the sex of the victim and the accused. All laws were under constant review and the Government and judiciary were encouraged to adopt a purposive approach in dispensing justice.

Article 4

38. **The Chairperson**, speaking as a member of the Committee, said that Pakistan's Constitution contained an important article allowing for temporary special measures to accelerate the advancement of women. Pakistan's report indicated that despite a 5 per cent quota for women in Government service, the level of implementation was uneven across provinces and two provinces had not accepted the quota. Was the quota established by law? Could provinces choose not to follow it? How could Pakistan provide for temporary special measures that would be followed uniformly? As no province had yet achieved the 5 per cent figure, what plans were in place to fully implement the quota?

39. **Mr. Mahmood Salim Mahmood** (Pakistan) said that Pakistan's Cabinet had recently decided to raise the quota to 10 per cent across the board for all federal services. In a recent examination for federal services, for example, the new 10 per cent quota had been guaranteed. With regard to provincial governments, the quota of each province was specified according to population and those quotas were followed faithfully.

40. **Mr. Zafar Hassan Mahmood** (Pakistan) said that the President of Pakistan had announced at a recent women's conference that he would like to raise the quota immediately to 25 per cent and, if necessary, to 50 per cent. However, any such system required capacity for those selected, and capacity-building was a long-term process. The Government was fully committed to improving educational and training opportunities for women. In higher education, women had begun to achieve the highest scores in Pakistan over the past two years. Hopefully, Pakistan's next periodic report would show that the proportion of women in public service had grown very substantially.

Article 5

41. **Ms. Patten** said that Pakistan had taken a series of commendable initiatives with regard to violence against women. However, lack of data made monitoring difficult. Had the gender-sensitized statistical organization mentioned in the State party's introductory statement begun compiling data on violence against women? Although independent reports indicated that 70 to 90 per cent of Pakistani women were victims of domestic violence, it seemed that the only measure to combat it was a bill currently under consideration. What priority was being given to the enactment of that bill? What sanctions and remedies did the bill provide for? Did it envisage shelters, counselling, rehabilitation and support services? Did it include provisions on marital rape? Was the definition broad enough to encompass sexual and psychological violence? The Hudood Ordinances apparently still criminalized adultery as well as non-marital sex, and sexual violence continued to be dealt with through the Ordinance. Was amendment of those discriminatory provisions also in the pipeline?

42. **Ms. Gabr** said that problems arising from sexual stereotypes were prevalent in Islamic societies. There was much abuse and misinterpretation of religion and the role of women, running counter to tolerant sharia laws. In Pakistan, as in Egypt, such stereotypes were

on the rise. How was Pakistan dealing with them and correcting them, especially those that were related to religion? In Egypt there were advocates promoting an improved image of women in education and the media. Did Pakistan have such advocates seeking to disseminate the real tenets of Islam with regard to the role of women? Training of the judiciary, especially with regard to the treatment of women in prisons, should be another priority.

43. **Ms. Tavares da Silva**, evoking article 5 of the Convention, stressed how much positive change was needed — and how quickly, starting with the practice of honour killings. It had been reported that hundreds of women had been killed in the name of honour every year since the adoption of the Criminal Law (Amendment) Act, 2004. Had all the perpetrators of those crimes been prosecuted? Reportedly, they had not; there was leniency and tolerance towards those crimes. Other crimes occurring in impressive numbers included severe burns and acid attacks on women, rape, and gang rape. There was information available to the Committee to the effect that women were forcibly divorced or even killed for giving birth to girls instead of boys — which was amazing, since the male chromosomes determined a child's sex. If these reports were true, were all those responsible for the crimes prosecuted? While noting the State party's initiatives to combat violence, she wondered whether they were sufficient in a population of over 150 million, and whether the Government should not be more proactive in changing beliefs and behaviours to support fundamental rights. An intensive, ongoing awareness campaign was needed.

44. **Mr. Zafar Hassan Mahmood** (Pakistan) said that in Pakistan many different cultures and religions had lived together for centuries before colonial times. After independence in 1947, the country had become an Islamic republic but still had tribes and traditions that went back centuries. The Government was making a serious effort to do away with those age-old traditions. Contrary to the 2005 report, there was a significant reduction in honour killings, and killing a girl-child in Pakistan was unimaginable.

45. **Ms. Chughtai** (Pakistan) said that such crimes had been committed over the years but had not been reported. The legislation now in place had increased awareness and, thus, the frequency of reporting. Thus, it was not that the number of cases had increased but rather that more people had access to justice.

46. With regard to monitoring of violence, there was a Gender Crime Cell working with the Ministry of the Interior and the National Police Bureau, constantly monitoring cases, gathering data, and addressing and reporting cases to relevant local governments for investigation and referral to police. The system might not be as strong as it should be, but it was working.

47. There were individuals trying to highlight the true role of Muslim women through print and electronic media, and theatres were involved in outreach activities in the rural areas. The judiciary was trained at a Federal Judicial Academy for judges as well as provincial judicial academies, using a very intensive gender sensitization module, particularly for new judicial officers. Were those measures enough? They were never enough: society kept on growing, new issues kept on emerging, and new strategies kept on emerging to combat them.

48. The four witnesses referred to in connection with Hudood related to the consensual crime of *Zina*, which was addressed in the Koran and could be either fornication or adultery, but not rape, which required circumstantial evidence and a medical examination. Rape was a crime against the individual, while adultery was a crime against society. If a crime had been overtly committed before four reputable witnesses, society had been affected. Thus, there was no problem with requiring four witnesses in connection with adultery and fornication.

49. **Ms. Ishaque** (Pakistan) said that the Prevention of Anti-Women Practices (Criminal Law Amendment) Bill was one of the Government's top priorities and would be enacted by the National Assembly at its next session. The Pakistan Penal Code and the Code of Criminal Procedure provided that no one was obliged to file a claim under the Hudood Ordinances of 1979. In addition, the admissibility of evidence and the number of witnesses required were at the discretion of the sitting judge. She could provide Committee members with data on crimes against women for the period April 2006 to March 2007 if they so wished.

50. **Ms. Agha** (Pakistan) said that the Government had requested the media to make efforts to portray men and women in different roles as a means of combating stereotypes. For example, a number of television dramas had featured working women and female heads of household. In addition, the family identity cards issued by the National Database Registration Authority

(NADRA) could now identify a woman as the head of household; previously, only men were identified in that capacity. The school curriculum was being revised with a view to eliminating gender stereotypes. Lastly, police officers and doctors were being trained to deal with cases of domestic violence and to be more aware of gender issues.

51. **Ms. Pimentel** requested more information about the content of the Prevention of Anti-Women Practices (Criminal Law Amendment) Bill and about the current stage of the follow-up and reporting project relating to the Convention mentioned in the report. Having read in a shadow report that the number of honour killings was increasing, including in urban centres, she would appreciate more information on that issue and on what action the Government planned to take to address the problem. Lastly, she wished to know whether the Government had enacted or planned to enact legislation to abolish all parallel systems of justice, including the Federal Shari'at Court, so as to ensure a uniform and integrated judicial system.

52. **Ms. Shin**, having commended the State party's efforts to use the media to reach out to women, said she had heard that a number of illegal radio stations in Pakistan were inciting violence against women and claiming that the education of girls, the vaccination of girls against polio and the use of contraception were un-Islamic practices. She hoped that such radio stations were indeed illegal and asked what action was being taken to curb their activities. She also requested more information about jirgas, which were said to order honour killings in some cases. The Government should redouble its efforts to address that issue. Welcoming the establishment in police stations of separate complaint cells for women, she asked whether such cells existed in all districts of the country and whether there were enough female police officers to head each cell. She also wished to know whether the number of women reporting crimes had increased since the establishment of the cells.

53. With regard to the crisis centres mentioned in the report, she had heard that women did not know how to access them and that they were poorly managed, with the result that the services they provided were not as effective as they should be. She asked whether women with disabilities were able to access the centres and to obtain the assistance they needed.

54. **Ms. Dairiam** requested more information about the scale and scope of efforts to prevent violence against women and asked whether the Government structures responsible for eliminating discrimination were held accountable for their actions. She also wished to know whether data was being collected through the special complaint cells on the number of complaints lodged by women and how they were resolved, including the number of prosecutions and the penalties imposed. Such data could help to identify problems with women's access to justice and at what stage in the complaint process any such problems arose. Lastly, she welcomed the establishment of monitoring committees for the implementation of policy with regard to women, but wished to know whether they were able to hold the authorities accountable if they failed to fulfil their obligations in that regard.

55. **Mr. Mahmood Salim Mahmood** (Pakistan) said that jirgas, which existed only in a small number of tribal areas, were councils of elders whose decisions on certain matters were taken by consensus and were binding. However, their role was gradually diminishing because of the increasing level of education of women and the growing influence of civil society and NGOs in the tribal areas.

56. The number of crisis centres was to be increased within the coming year to cover half of the country's districts. Efforts were being made to address management problems and to improve services: legal experts and psychiatrists had been appointed to each centre and there was close liaison between the centres and the Gender Crime Cell. Steps were also being taken to increase women's awareness of the availability of the centres.

57. He confirmed that the radio stations referred to by Ms. Shin were illegal and said that they existed mainly in the tribal areas. The emergence of independent media organizations meant that honour killings were more widely reported than in the past. However, the number of such killings was actually decreasing.

58. **Ms. Ishaque** (Pakistan) said that the jirga system was an alternative mechanism for dispute resolution at the local level that was inexpensive and easily accessible. However, no one was under any obligation to use it.

59. The relevant section of the Penal Code had already been amended to establish specific honour crimes as offences punishable by the death penalty or for a minimum of 10 years' imprisonment. With regard to the increase in the number of honour crimes indicated in the shadow report, she said that a new report by the Gender Crime Cell showed that the number of such crimes had decreased markedly between April 2006 and April 2007.

60. **Ms. Chughtai** (Pakistan) said that the jirga and panchiat systems had never been intended for any purpose other than the resolution of minor disputes between two parties. Serious disputes and offences were to be reported to the police, who would refer them to the courts as necessary. Attempts by jirgas to rule on more serious cases that fell outside their sphere of competence had been curbed by the Government with a view to ensuring that such cases were reported to the police in the proper manner.

61. Separate complaint cells had been set up in almost all police stations in larger cities, where there were enough female police officers to staff them. However, there were fewer female police officers in remote areas. Efforts were being made to encourage women to join the police force so that more cells could be established in police stations around the country.

62. The crisis centres were now known as women's centres, and their role was being expanded to include the provision of vocational training and rehabilitation programmes. Efforts were being made to encourage women to use them. An evaluation process was under way with a view to improving their services.

63. With regard to data on women's access to justice, she said that the high courts and district courts published annual reports on cases brought to trial and their outcomes. In some cases, data was available on the relevant court websites.

64. **Ms. Agha** (Pakistan) said that there were no Government programmes specifically targeting women with disabilities. However, there were programmes aimed at all disabled persons covering areas such as education in special schools and post-school vocational training. Consideration was being given to the question of educating disabled children in mainstream schools. There was also a special law on the employment of persons with disabilities. Disabled women had equal access to women's centres.

Article 6

65. **Ms. Begum**, noting that Pakistan had ratified the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children and had also adopted a law against human trafficking, asked whether a comprehensive action plan involving all relevant stakeholders had been drawn up on the basis of that legal framework. She also requested information on the number of perpetrators prosecuted and punished. The State party should indicate whether the Gender Crime Cell and the separate complaint cells for women had registered any complaints relating to trafficking in women. She had independent information that women were being trafficked into Pakistan from Afghanistan and Bangladesh to be used as sex slaves or for the purposes of forced marriage, domestic labour or prostitution. She wished to know what remedies were available under existing laws to foreign women who were victims of trafficking and whether the shelter homes mentioned in the report were accessible to such women. Lastly, she asked whether the establishment of a database of all adult citizens of Pakistan and the issuing of national identity cards, as mentioned in the report, had had any impact on efforts to control trafficking in women and children.

66. **Ms. Chutikul**, welcoming the fact that the State party had ratified International Labour Organization (ILO) Convention 182 and had signed the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, expressed the hope that it would also ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. In addition, it was important to understand the differences in meaning between terms such as “smuggling” and “trafficking”, since different measures were required to deal with the victims and perpetrators of each phenomenon. She had read that some Government officials had been found to be involved in human trafficking. She wished to know whether such offenders incurred more severe penalties because of their position, as in a number of other countries.

67. She requested information about how the authorities dealt with women and girls who seemed to be illegal migrants but were later found to have been trafficked. It was important to treat them not as

offenders but as victims, and to offer them appropriate protection and repatriation or reintegration services. The State should also indicate what services were provided in shelters to victims of trafficking. Lastly, she requested more information about the State party’s obligations under the SAARC Convention on Preventing and Combating Trafficking in Women and Children.

68. **Ms. Simms** said it was evident from the report that the Pakistani Government did not agree with the views of various NGOs or with information from other sources on the extent of human trafficking in Pakistan. However, since the report also stated that persons trafficked into Pakistan disappeared among the population, there was clearly a problem that needed to be addressed. It was worrying that the Government seemed to be less concerned about the fate of foreign women trafficked into Pakistan than about the situation of Pakistani women. She also wondered why any woman would be imprisoned under the laws relating to trafficking, as mentioned in the report. Such women were victims, not criminals; it was the perpetrators who should be in prison. The State party should take urgent action, including the amendment of its laws on prostitution and trafficking in women, so as to deal with the problem more effectively.

The meeting rose at 1 p.m.