



**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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**List of issues and questions with regard to the consideration
of periodic reports: Pakistan**

Addendum

**Replies of Pakistan to the list of issues to be taken up in
connection with the consideration of its fourth periodic
report***

* In accordance with the information transmitted to State parties regarding the processing of their reports, the present document was not edited.

Constitutional and legislative framework

Reply to the issues raised in paragraph 1 of the list of issues (CEDAW/C/PAK/Q/4)

1. Like other Muslim countries, Pakistan has incorporated Islamic Laws in the Constitution as well as other domestic laws. While the sources of both differ, both of them lead to promotion and protection of human rights. Pakistan, while formulating its state laws, policy frameworks and implementation mechanisms remain cognizant of its obligations under international human rights instruments, to which it is a state party, as well as domestic laws and principles of Islamic law. In this regard, articles 8-28 of the Constitution protect human rights and fundamental freedoms, i.e., security of person, right to education, equality of all citizens before law, safeguard against discrimination, among others. It has been laid down in the Constitution that laws inconsistent with or in derogation of Fundamental Rights would be void. No law of any kind can be enacted or customary practice allowed to continue in the country which is against the spirit of the Constitution. This makes the Constitution compatible with international human rights standards.

2. In addition, Council of Islamic Ideology reviews laws and gives recommendations to harmonize the state laws and Islamic laws. Human rights form the bedrock of an Islamic society. There is, therefore, no conflict between international human rights standards and Islamic Laws.

3. With regard to Frontier Crimes Regulation (FCR), some long overdue amendments have been made which will give the people of Federally Administered Tribal Areas (FATA) for the first time the right of appeal against decisions of the Political Agent. The amendments envisage setting up of a three-member FATA tribunal headed by a Chairman. It will exercise the powers of revision against orders/judgments of an appellate authority having powers similar to a high court under Article 199 of the Constitution - a provision dealt with the jurisdiction of the high court. Contrary to the past practice, the amendments to the FCR provide right of bail to the accused. Women, children below 16 years and men aged above 65 cannot be arrested or detained under the collective responsibility clause. Also the entire tribe will not be arrested under the clause. Similarly, no person will be deprived of his property without adequate compensation, as per prevailing market value, in accordance with the procedure laid down in the Land Acquisition Act 1894 in settled areas. Section 58A has been inserted into the FCR to make provision for jail inspection by the FATA tribunal. The Government has also promulgated the Extension of the Political Parties Order 2002 to FATA where political parties can operate freely and present their socio-economic programmes.

II. Reply to the issues raised in paragraph 2 of the list of issues

4. Criminal Law (Third Amendment) Act, 2011 commonly known as Prevention Of Anti Women Practices has been enacted on 22 December, 2011, with the aim to banish harmful, old-age customary practices like giving a female in marriage or otherwise in badla-e-sulh, wanni or swara, depriving a woman from inheriting property, forced marriages, marriage with the Holy Quran. Under the Act, Provincial Governments cannot interfere in sentences of rape. Different provisions of the Convention have been incorporated in the Act by addressing all types of discrimination against women.

5. Domestic Violence (Criminal Law Amendment) Bill, 2012 has been prepared by National Commission on the Status of Women. The proposed Bill is aimed to amend the Pakistan Penal Code (PPC) and the Code of Criminal Procedure (CCP). The Bill is under consideration of the Parliament. The provisions of the Bills are in accordance with provisions of the Convention on the Elimination of All Forms of Discrimination against Women. It defines the domestic violence in terms of physical, psychological, verbal and

emotional abuse and economic abuse. Under this Bill, a protection committee is proposed to be set up to provide assistance to the victim and collect data about violence against women. Moreover a provision for counselling of the victim and of the accused has also been laid down.

6. Protection of Women (Criminal Laws Amendment) Act 2006 has been enacted making 30 important amendments to the Offences of Zina (Enforcement of Hudood) Ordinance 1979, the Offence of Qazf (Enforcement of Hudood Ordinance 1979), the Pakistan Penal Code, the Code of Criminal Procedure and the Dissolution of Muslim Marriage Act 1939. In addition, the Government has adopted following legislations pertaining to protection of rights of women:

- (a) Criminal Law (Amendment) Act, 2010
- (b) The Protection against Harassment of Women at the Workplace Act, 2010
- (c) Criminal Law (Second Amendment) Act, 2011 (The Acid control and Acid Crime Prevention)
- (d) Criminal Law (Third Amendment) Act, 2011 (Anti women Practices)
- (e) Women in Distress and Detention Fund Act, 2011
- (f) Strengthening of National Commission on the Status of Women (2012)
- (g) Establishment of National Commission on Human Rights

7. The process of examining legislation that may discriminate against women has been undertaken. At present there are three permanent Commissions which review laws.

(a) The National Commission on the Status of Women (NCSW), established in the 2000, reviews laws, rules and regulations affecting the status and rights of women. The NCSW suggests repeal and/or amendment in legislations and recommends new legislation which it considers essential to eliminate discrimination against women, safeguard and promote their rights and foster gender equality in accordance with the Constitution and Pakistan's international obligations and commitments.

(b) The Law and Justice Commission is a Federal Government institution, established under Ordinance (XIV) of 1979. The Commission is headed by the Chief Justice of Pakistan. Its 12 other members are the Chief Justices of the superior courts, the Attorney General of Pakistan, the Secretary, Ministry of Law and Justice and the Chairperson of the National Commission on the Status of Women. Each Province is represented by one member. Since the Chairperson of the National Commission on the Status of Women is an ex officio member of the Law and Justice Commission and vice versa there is an institutional link between the two Commissions for the review of laws and related activities. The Commission operates a Legal Discovery Centre and a Legal Awareness Scheme under which articles are prepared on legal issues and problems of public interest, some of which include issues of specific concern to women.

(c) The Council of Islamic Ideology is a Constitutional body that advises the legislature on whether or not a law is repugnant to Islam, namely to the Holy Quran and Sunnah. The Council has at least 8 and not more than 20 members (including the Chair) representing various schools of thought, having knowledge of the principles and philosophy of Islam, as enunciated in the Holy Quran and Sunnah or having an understanding of the economic, political, legal or administrative problems of Pakistan with at least two of the members to be sitting or retired judges of the Supreme Court or a High Court and at least one member to be a woman. The current Council has three women members.

Legal complaint mechanisms

Reply to the issues raised in paragraph 3 of the list of issues

8. Traditional jirgas play an important role in peaceful settlement of small disputes at the village level. There have been cases where the jirgas have overstepped their authority and taken decisions on criminal matters, which do not fall within their mandate. The courts have taken serious notice of these illegal decisions and nullified such verdicts. In this regard, in April 2004, Sindh High Court imposed a ban on holding jirgas in the province. Subsequently, in 2008, the Sindh Government issued directives to all District Police Officers to ensure a complete ban on holding illegal jirgas and arresting those involved. Besides, National Commission on the Status of Women (NCSW) has completed a study on prevalent informal Justice Systems within the country and has come up with policy recommendations for the Government of Pakistan. Along with that, in 2012, NCSW has also submitted a petition in Supreme Court to ban holding of 'Jirgas' and 'Panchayats' across the country. The case is currently sub judice.

9. Gender Justice through Musalihat Anjuman (GJTMA) Project employs a comprehensive strategy to implement the Alternate Dispute Resolution (ADR) mechanism through Musalihat Anjumans, under the Local Government Laws. The project aims to institutionalize the community based dispute resolution mechanisms (Musalihat Anjuman), with a goal "to assist women and other vulnerable sections of society in improving their conditions through safeguarding and promoting their rights and lawful entitlement". The project was initiated in eight selected pilot districts (from 2005-07). Later on, the project was extended to 12 more selected districts (five in each province) increasing the number to 20. The project is currently functioning in 24 selected districts.

10. The panel of Musalihat Anjuman comprises of three members including one female. The logic behind ratio of two men and one woman is that as per political set up at districts level, women are given 33 per cent representation in local bodies. Therefore, same ratio of representation is maintained under Gender Justice through Musalihat Anjuman (GJTMA).

11. For reforming the formal legal justice system, a national judicial policy in 2009 was introduced which endeavoured to address the back log of the cases and asked for the speedy disposal of the suits/cases. The National Judicial Policy 2009 enhanced women's access to justice and emphasized that family cases should be decided within 3-6 months, i.e., Civil appeals arising out of family cases, custody of minors, guardianship, succession and insolvency shall be decided within one to four months and for any delay, reasons should be furnished to the High Court concerned. It further directs that priority should be given to women and juvenile cases for quick disposal. To address the issue of convicts including women languishing in jails for want of payment of Dyad, Arsh & Daman even after serving their entire period of sentence of imprisonment, the Federal Government has already framed Rules, called the Diyat, Arsh and Daman Fund Rules 2007.

National machinery for the advancement of women

Reply to the issues raised in paragraph 4 of the list of issues

12. As a result of 18th Amendment in the Constitution the Ministry of Women Development (national machinery for women's development) has been devolved to the Provinces. However, one of its function i.e. representation of gender at international fora has been transferred to the Ministry of Human Rights. Presently, Ministry of Human Rights is a coordinating body at the Federal level with respect to advancement of women and National Plan of Action for Women at national level. Besides, after the devolution of Ministry of Women Development, the role and mandate of NCSW has been enhanced to

safeguard and monitor the women rights. A National Commission on Status of Women has been in place since July 2000. In March 2012, a new law was enacted to strengthen the Commission and make it more independent.

13. Women Development Departments have been made functional in all provinces. Supreme Court of Pakistan has passed an order to establish Provincial Commissions on the Status of Women on priority basis. At the provincial level, total budget outlay for women is Rs 240 million for the current fiscal year. Shaheed Benazir Bhutto Women Centers are also operating in 26 districts in all provinces.

14. Several development projects are underway in the provinces, such as, Sindh Women Economic Program, Chitral Indigenous Craft Development in Khyber Pakhtunkhwas and Project for the Economic Empowerment of Women of Balochistan. Similarly, 34 District Industrial Homes are operating in Punjab including six Dara-ul-Falah centers. The major initiatives to be continued in the provinces include strengthening of vocational training centers for women in 12 Districts of Balochistan, construction of 10 Bashlani in Kalash Valley and establishment of hostel for orphan girls in Sindh.

Reply to the issues raised in paragraph 5 of the list of issues

15. After 18th Constitutional Amendment, National Commission on the Status of Women Act has been enacted in March 2012 for the promotion of social, economic, political and legal rights of women. The Commission has been made autonomous with the powers to raise its own finances and maintaining a separate and independent account.

16. The Commission is mandated to examine policies, programmes and other measures of the federal government on gender equality, review all federal laws, rules and regulations and monitor implementation of international instruments ratified by Pakistan. While inquiring into the complaints of violation of women's rights, Commission may call for report from Federal Government, and autonomous bodies. In this regard Commission has powers vested in a civil court under the Criminal Procedure Code for enforcing the attendance of any person and compelling the production of documents.

17. NCSW is playing an instrumental role in introducing legislation for the protection and promotion of women's rights. NCSW's opinion on various policies and laws is sought on regular basis by federal entities and parliamentary committees. Parliament has incorporated most of the recommendations made by NCSW. The NCSW has been instrumental in bringing amendments to various laws, such as:

- (a) Criminal Law (Amendment) Act, 2004;
- (b) Protection of Women (Criminal Laws Amendment) Act, 2006;
- (c) Sexual Harassment of Women at Workplace ACT 2011;
- (d) Domestic Violence (Prevention and Protection) Bill (under consideration of the Parliament);

Reply to the issues raised in paragraph 6 of the list of issues

18. In line with the "affirmative action" the Government has taken several measures to ensure gender equality. After the 18th Amendment in the Constitution, the implementation of framework on the National Policy for the Development and employment of Women rests with the provinces.

19. In this regard, the provinces are taking measures to ensure gender equality and gender mainstreaming, i.e., The draft policy on Home Based Workers introduced by Government of Punjab is a special measure to accelerate de facto equality between men and women which encapsulates the provision of legal shelter to the home based workers.

Administrative and legislative measures have also been designed in the proposed draft on short, medium and long term basis in compliance with ILO Convention 177. Besides, “Punjab Women Empowerment Package 2012” corroborates the Government's firm commitment to address the social and economic rights of women.

Stereotypes and harmful practices

Reply to the issues raised in paragraph 7 of the list of issues

20. The Government has taken a number of steps to eliminate harmful practices which contribute to pervasive patriarchal attitude.

21. The Criminal Law (Amendment) Act 2004 amended the Pakistan Penal Code and the Criminal Procedure Code to define ‘honor killing’, to define karo kari as murder and to establish punishments for committing ‘honor killing’.

22. The Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011 has strengthened protection for women against discrimination and harmful traditional practices. It criminalizes forced marriages, child marriages and other customary practices that are discriminatory towards women. Forced marriage is now punishable with imprisonment of up to 10 years and a fine of Rs. 500,000. The reprehensible practice of “Marriage to the Quran” for depriving women of their right to inheritance has also been criminalized and carries a sentence of three to three years. Besides, the Council of Islamic Ideology (CII) has drafted a Bill to take legal measures to stop this practice.

23. Provincial governments have also taken a number of steps to curb harmful practices and pervasive patriarchal attitudes. The Government of Punjab has introduced measures for safeguarding property rights/right of inheritance of women. Government of Khyber Pakhtoonkhwa has taken legislative initiatives to curb harmful practices, i.e., Right to Ownership (Women) Act 2011, Child Protection and Welfare Commission Act, 2010 and Provincial Commission on the Status of Women Act, 2009.

24. Similarly, Government of Sindh through its Directorate of Women Development (DWD) has taken steps for protection of women, i.e., establishment of complaint centres, working women hostels and a number of awareness-raising programmes. In FATA, sensitization of tribal elders, activists and students is being done through trainings, meetings, awareness campaigns and workshops.

25. In order to counteract harmful practices, the Government has launched awareness campaign. The Ministry of Information and Broadcasting has broadcasted numerous programmes on gender equality, women empowerment, women rights and career opportunities. Besides, the Government has introduced a number of measures for the economic, social, legal and political empowerment of women in the country. These measures include legislation for eliminating harmful practices, creation of employment opportunities through allocation of special quotas, political participation of women from the Parliament to the Union Councils etc.

26. Non-state actors in the form of terrorists and extremists in the recent years have undermined women and girls’ enjoyment of human rights. However, the people of Pakistan are united to curb this menace so that all citizens of the country can enjoy their fundamental rights guaranteed by the Constitution. In this regard, the Government is taking punitive action against extremist elements which intend to undermine women and girl’s enjoyment of rights. The Government has also launched awareness campaign for the public so that all citizens can join hands to shun extremist ideology espoused by a fringed minority.

Violence against women

Reply to the issues raised in paragraph 8 of the list of issues

27. With the increase in reporting of incidents of violence against women, it is not correct to deduce that violence against women is on the rise. What has in fact happened is that due to free and vibrant media, reporting of such incidents has increased, which has led to punitive action against perpetrators of violence against women. The parliament has passed landmark legislation mentioned earlier to curb violence against women.

28. The Gender Crime Cell (GCC) was established within the National Police Bureau (part of the Federal Ministry of Interior) in April 2006. The creation of the GCC demonstrates the Government's strong commitment to take the steps necessary to combat violence against women and to foster the rule of law, women's empowerment and access to justice. Gender Crime Cell gathers collates and analyzes data of cases of violence against women, especially of gang rape, rape, abduction, kidnapping and karo-kari. The Cell acts as central depository of relevant data in case of violence against women and assists the top policy-makers to develop holistic and effective countermeasures to control this menace.

29. Government of Pakistan has undertaken a number of measures to ensure that disaggregated data is compiled and is made available to all. These measures include the sensitization and capacity building of the Federal Bureau of Statistics and the Population Census Organization and aligning it with the SAARC gender database.

30. The Government established the National Forensic Science Agency in 2006 in Islamabad to establish the identity of the perpetrators of physical crimes. The Agency has dealt with more than 200 cases so far. It is intended that the Laboratory will, amongst other things, reduce the sexual abuse of women in police custody. Similarly, The National Police Bureau has established a Complaints Cell, which has processed over 400 complaints against the Police so far. Departmental proceedings are initiated against police officers found guilty.

31. At the provincial level, Government of Punjab has established Women Crisis & Rehabilitation Help Desk and 24/7 toll free help line at district level which will maintain disaggregated data on gender-based violence. A report on State of Gender Parity will be maintained on annual basis to reflect all statistics. Government of Sindh collects data through compliant cells, media cells, Shaheed Benazir Center for Women. Government of KPK is collecting data through placement of separate 'report registers' to file complaints of all cases against women and children. Similarly, Government of Balochistan gathers statistical data on gender based violence in collaboration with civil society organizations working on issues of women rights. Women Empowerment Wing, FATA is in process of engendering existing processes and analysis mechanism and development of engendered data collection and analysis mechanism.

Reply to the issues raised in paragraph 9 of the list of issues

32. Standard Operating Procedures on treatment of women victims of violence have been disseminated to all police stations in the country. National Police Bureau is imparting trainings for following these SOPs to all concerned police officers. The SOPs provide that women victims of violence are processed by female police officers.

Reply to the issues raised in paragraph 10 of the list of issues

33. Killings in the name of honour continue due to harmful customary practices, not due to discretionary powers of the courts. In cases of honour killing courts have handed down judgments against perpetrators of crime of honour killing in the light of The Criminal Law (Amendment) Act 2004 which amended the Pakistan Penal Code and the Criminal

Procedure Code to define ‘honour killing’, to define karo kari as murder and to establish punishments for committing ‘honour killing’.

34. ‘Honour killing’ is now included in the definition of fasad-fil-arz (social disorder) with a minimum penalty of 10 years and a maximum of 14, laid down as tazir [“law of the land”]. Section 311 of the Penal Code empowers the Court to punish an accused even after the waiver or compounding by the heirs or/walis of the deceased by way of tazir with death, or imprisonment for life, or imprisonment of either description for a term which may extend to fourteen years as tazir. Besides, The Court can award a penalty in cases where the right of qisas (retribution) has been waived or compounded by the families involved.

35. Furthermore, "Criminal Law Amendment Act (2011)" has been enacted to curb the offence of acid throwing as non-compoundable. Therefore, Qisas & Diyat have no applicability in instances of acid throwing.

Trafficking and exploitation of prostitution

Reply to the issues raised in paragraph 11 of the list of issues

36. The Government has taken a number of steps to prevent trafficking in women. A bill titled “the Prevention and Control of Women Trafficking Act, 2010” is in the National Assembly for consideration. Similarly, The Criminal Law Amendment Bill, 2009 was drafted by the NCCWD which provides for amendments in Section 82 of the PPC & insertion of new sections in the PPC i.e. 292 A (exposure to seduction), 292 B (child pornography), 292 C (punishment for child pornography), 328 A (cruelty to a child), 369 A (trafficking of human beings in particular internal trafficking), 377A (child abuse) and 377 B (punishment for child abuse). Necessary amendments are also proposed in the Schedule II of the Code of Criminal Procedure (CrPC). The Ministry of Law, Justice and Parliamentary Affairs has been requested to vet the draft Bill. The summary will be presented to the Cabinet after vetting of the said Bill to deter child abuse and exploitation.

37. Twenty-six Shaheed Benazir Bhutto Centers for Women (Crisis Centers) in the country are providing support services for women who are the victim of violence. The Centre in Islamabad has residential facility attached to the Crisis Centre, whereas, in other centres women victims of violence, who require shelter, are temporarily accommodated. In all districts any woman requiring long term refuge and care is accommodated at Dar-ul-Amman (women’s protection centre).

Participation in political and public life

Reply to the issues raised in paragraph 12 of the list of issues

38. The Government has taken significant steps to increase participation of women in political and public life. Political empowerment of women has been among the top priorities of the democratic government. The number of women in elected positions has shown steady increase. They hold 22.2 per cent seats in the National Assembly, 17 per cent seats in the Senate and 17.6 per cent seats in the Provincial Assemblies. Pakistan has also introduced 30 per cent reserved seats for women representatives at all three tiers of local bodies in line with the Beijing Platform for Action.

39. Women are playing a leading role in all spheres of public life. Pakistan elected its first woman Speaker of the National Assembly in 2008. Deputy Speaker of the Provincial Assembly of Sindh is also a woman. Dr. Shama became the first female governor of Gilgit-Baltistan.

40. Women parliamentarians are among the most active legislators. They head 5 Standing Committees of the National Assembly and 5 Committees and one Sub-committee of the Senate. They have organized themselves across party lines and political persuasions. In 2008, a Women Parliamentary Caucus was inaugurated under the patronage of the Speaker of the National Assembly. Comprised of women parliamentarians from all political parties, the Caucus has played a leadership role in introducing landmark legislation on women and child rights and developing national consensus on human rights issues.

41. Several women have served and are serving as Ministers in the federal and provincial governments including Ministries of Foreign Affairs, National Services and Regulations, Health and Social Welfare and Women Development. In 2011, the first female Foreign Minister was appointed. Under her leadership, women continue to play a prominent role in diplomacy. They constitute 13.86 percent of the diplomatic cadre and 18.39 per cent of officers at ambassadorial rank are women.

42. In order to increase participation of women, 10 per cent quota has been reserved for women in the Civil Services. Women in increasing numbers are joining diverse fields such as medicine, judiciary, banking and finance etc. Shamshad Akhter became the first female governor of State Bank of Pakistan. Women are also actively participating in sports. Naseem Hameed became the fastest woman sprinter in South Asia following the 2010 South Asian games; she gained widespread popularity for the remarkable feat.

43. Punjab Bank has initiated "Women Entrepreneurship Scheme" for granting loans to commercial ventures by women for initiatives in private capacity, including day care centres, bakeries, eateries, catering, furniture, interior designing, boutiques, fitness gymnasias, event management, vocational institutes, driving schools, jewellery, clothing and accessories, and any other feasible projects.

44. Over 86 per cent of women population has been registered with National Database and Registration Authority and have been issued National Identification Cards (NICs). The total number of women include in national database is around 40 million which has significantly enhanced female voters list.

45. NADRA has established 817 Data Acquisition Units (DAUs) nationwide to door steps of citizens and performing registration operations through numerous mobile units. It has 469 National Registration Centers, 250 Mobile Registration Vans and 90 Semi Mobile Units countrywide registration centres for remote areas.

46. In order to enhance female registration, NADRA has taken following additional steps:

- (a) Establishment of 70 female mobile registration vans;
- (b) Establishment of 11 female NADRA Registration Centers;
- (c) Friday is declared exclusively as female day registration at selected DUAs;

Reply to the issues raised in paragraph 13 of the list of issues

47. National Disaster Management Authority and Provincial Disaster Management Authority has taken following measures to incorporate gender concerns in the decision making processes:

- (a) Establishment of Gender and Child Cells within NDMA and PDMA as permanent entities- to mainstream gender and child protection concerns in provincial disaster risk reduction, preparedness and management;
- (b) Development of Protection, Prevention, Provision and Participation Framework of Action under overall social protection strategy of NDMA;

(c) Inclusion of separate chapter on gender consideration in National Early Response Strategic Action Plan titled 'Gender Equality Early Recovery Strategic Plan';

(d) Capacity building sessions for government officials in NDMA and PDMA with the help of UN WOMEN for the integration of gender equality concerns.

Nationality

Reply to the issues raised in paragraph 14 of the list of issues

48. Section 10 (2) of the Citizenship Act, does not allow a non Pakistani husband to acquire Pakistani citizenship when married to a Pakistani woman. On this Suo motu notice was taken by the Federal Shariat Court and in its judgment FSC 2008 PLD 1 held this Provision to be discriminatory, ruling that it negated gender equality and was in violation of articles 2-A and 25 of the Constitution. The Court required the President of Pakistan to take suitable steps for the amendment of Section 10 (2) and other provisions of the Citizenship Act (1951) within a period of six months. Currently the matter is sub judice before the Supreme Court as a result of an appeal filed on the judgment of the Federal Shariat Court.

49. A Private Member's Bill has also been introduced before the National Assembly to eliminate discrimination against women in the Citizenship Act (1951). The Bill has been referred to the Standing Committee on Interior.

Education

Reply to the issues raised in paragraph 15 of the list of issues

50. Pakistan is fully cognizant of the fact that education is a key to empowerment of women in all spheres. Therefore, the Government has taken a number of steps to overcome obstacles to women and girls' education.

51. In the 18th Constitutional Amendment, article 25A has been incorporated in the Constitution, which would further the cause of women and girl's right to education. In this regard, Campaign for enhancement of literacy was launched, especially for promotion of primary education for girls in rural areas.

52. Acknowledging that adult literacy, and particularly functional literacy for women in rural areas, is an issue that requires serious attention, the Government's National Commission on Human Development has established a country-wide Adult Literacy programme. Approximately 2 million women (approximately 2/3 of the total learners) have acquired functional literacy skills under the programme, since it began in 2002. Amongst other benefits, the acquisition of functional literacy strengthens women's ability to acquire knowledge that enables them to operate small businesses more effectively and motivates families to keep their daughters in school. There are several other programmes to reduce the rate of women illiteracy in Pakistan, contributing to improving women's functional literacy levels across the country.

53. The Government has made significant strides in increasing girls' enrolment and retention rates in Primary, Middle and High Schools in recent years. Physical infrastructure has been improved in many schools, especially in rural areas, which has encouraged parents to send their children to school, particularly girls. New schools have also been built. A significant effort has been made to increase the number of women teachers. Training programmes to improve the classroom environment (i.e. interactive teaching methods, zero tolerance for corporal punishment, group work, the use of stimulating learning materials) have also been strengthened.

54. Numerous time-bound programmes have been developed to ensure the enrolment and retention of girls, including the large-scale 'Education Sector Reforms' and 'Education for All' programs, both of which have gender-specific targets.

55. Moreover, The Strategic Action plan prepared in the light of MDGs has been translated into specific programmes and projects. The initiatives include:

- (a) Free education up to secondary level;
- (b) Induction of vocational / technical streams in secondary schools;
- (c) All primary schools will move towards the goal of 100 percent female teachers;
- (d) Introducing 4 year stream in Degree Colleges;
- (e) Opening of literacy centres;
- (f) Opening of more Primary Schools, Up-gradation of Primary schools to Middle level and Up-gradation of Middle schools to secondary level;
- (g) Addition of classes XI-XII in secondary schools;
- (h) Strengthening of existing Teachers Training Institutes;
- (i) Stipend for girl students and scholarships for talented students;

56. Several Provincial programmes are providing stipends, free textbooks and nutritional support to girls' schools. These have resulted in increased girls' enrolment. The Sindh Department of Education and Literacy Reform Support Unit (2005-2011) provide stipends to girl student in Classes 6-10. The objective is to increase retention rates in remote and underprivileged areas. The stipend is Rs 24,000 per annum, a significant addition to the incomes of poor families. In KPK, 70 per cent of girls' schools in 'backward' districts are providing stipends under child support programmes. Construction of library blocks, boundary walls and provision of facilities have been completed in various degree colleges of the province. Measures are also been taken in private and public institutions to create awareness towards the traditional negative attitudes towards women and girl's education. The Education Department is promoting education through its network of schools and efforts at District levels for increase in enrolment.

57. To increase and retain enrolment of girls in Balochistan and Punjab, the World Food Programme provides wheat and oil, primarily for girls, throughout the Province. This constitutes a significant incentive to send girls to school and to ensure they stay enrolled beyond Class 5. Moreover, following additional measures have been taken by the Government of Punjab to overcome traditional attitudes that constitute obstacles to girls' and women's' education.

- (a) Hostel facility in at least one District Degree College for Women at the District Headquarter (to be provided in the uncovered Districts);
- (b) Women Degree College in the uncovered tehsils;
- (c) All Women Colleges (Intermediate, degree and post-graduate) without adequate transport shall be provided buses;
- (d) All the girls' schools shall be provided with toilet and boundary walls on top priority basis. 60 per cent of the funds out of Punjab Education Sector Reforms Program (PESRP) shall be earmarked for provision of missing facilities in girls' schools in the next ADP 2012-2013;
- (e) School merger policy shall not be applied to female schools.

58. Under the FATA Sustainable Development Plan (2006-15) budget for education, funds have been allocated for promoting education for girls and women, raising enrolment and retention rates, and raising awareness of the need to educate girls and women. In the Northern Areas, a Female Directorate of Education was established in 2006. Its purpose is to closely monitor the quality of education in girls' schools. New colleges for girls have been established in two districts. It will facilitate young women of these districts to remain in the Northern Areas for higher education. There are also new hostels for women teachers in Gilgit District. Community schools were established in the Northern Areas under the World-Bank funded Social Action Program. Girls' enrolment in these schools is 58 per cent and the majority of teachers in these schools are women.

59. Besides, more young women, than ever before, are attending University, as demonstrated by their increasing enrolment rates. Enrolment figures by discipline (2004-05) show that women students outnumber men students at the Bachelors level in the sciences and the social sciences. Of the 49 Government Universities in Pakistan, four are specifically for women: two in Punjab and one each in KPK and Balochistan. In addition to equal opportunity for enrolment in all medical colleges, there are four exclusive medical colleges for women. A number of colleges for Girls have a long and illustrious history in Pakistan. There are also a number of private Universities for women.

Employment

Reply to the issues raised in paragraph 16 of the list of issues

60. Pakistan is home to around 180.7 million people growing at a rate of 2.05 per cent per annum. Out of total population, 59.3 million (33 per cent) are in the labour force comprising 45.5 million (77 per cent) male and 13.8 million (23 per cent) female. Female population constitutes 48.8 per cent of total population but their share in labour market is not in proportion to their share in total population. As far as overall employment is concerned, only 0.02 million are employers while self-employed, unpaid family helpers and employees are 1.9, 7.9 and 2.6 million respectively. In other words, women employers are 0.14 per cent, while self-employed, unpaid family helpers and employees are 15.5 per cent, 63.4 per cent, 20.9 per cent respectively, indicating that women employment status as employers and self employed is very low.

61. The low visibility of women in the employment sector in Pakistan is usually attributed to supply side factor such as cultural restrictions, household responsibilities and a low level of education and skills. In this regard, the Federal Government has initiated a number of programmes to increase the employment through an effective human resource development programmes. These programmes include National Internship Program, President's Rozgar Program; Credit for Self Employment by National Bank of Pakistan (NBP), Enhancement of Residential Facilities by Construction of One Million Housing Units, Doubling of Lady Health Workers to cover Kachi Abadis, Raising of Minimum Wage from Rs. 6,000 to Rs 7,000 and Pension of workers, Establishment of National Vocational Technical Training Commission (NAVTTTC), Benazir Income Support Program (BISP) and Restoration of Trade Unions. The Government of Pakistan together with Employers' and Workers' representatives with technical support of ILO is implementing a "Decent Work Country Program (DWCP)" in all provinces.

62. Benazir Income Support Programme (BISP) is making substantial contributions in empowerment of some of the poorest and most marginalized women all over Pakistan. BISP transfers are made directly to the women of the beneficiary households and currently 7.2 million households are eligible to receive case grants under BISP.

63. The recently concluded baseline survey for BISP finds that while women have considerable decision making power in matters concerning their children, money matters continue to remain largely a domain of the men. But, at least among BISP beneficiary households, this imbalance is expected to reduce over time as some money and decision-making power shifts into women's hands. BISP makes women a part of daily activities in the public domain that were previously taboo for them. Two million beneficiaries of BISP are collecting their cash transfers through Smart Care, Benazir Debit Card or through mobile banking, Smart Cards and Benazir Debit Card require women to visit banks and get ATM cards while mobile banking gives them ownership of cell phones.

64. Provincial Governments have taken measures to provide technical skills to women and youth in order to encourage female to join formal labour sector. In the light of the approach adopted in the new Framework for Economic Growth the Government of Punjab is undertaking various policy measures for Expansion of the vocational training and employment promotion programmes to cover all districts. These programmes will be launched at a district level and will be executed through TEVTA Punjab, Skill Development Council (SDC), Punjab Board of Technical Education, and Punjab Vocational Training Council (PVTC).

65. Punjab Youth Policy also emphasizes on 'youth for labor development' with a view to augment youth employment rate, address gender gaps in labour market, focus management positions for young women and reducing spaces between job market and potential employees. The Punjab Government has also initiated project of self-employment generation under which loans worth one billion rupees would be given to the youth to help them stand on their own feet. The skilled youth particularly women would be given preference under the scheme and the upper limit of loans would be Rs 50,000 in order to generate self-employment, job opportunities as well as promotion of economic activities.

66. The Government of Sindh has also introduced multiple technical education and vocational training programmes under Benazir Bhutto Shaheed Youth Development Program (BBSYDP) with a particular focus on women to do away with the menace of unemployment. The Program aims to provide opportunities for short-term employment and skill development to approximately 100,000 semi-literate and educated unemployed youth in Sindh for a period varying between three months to one year. Government of Sindh is planning to launch a similar programme for Youth with World Bank grant of \$2.7 million (Rs 234.7 million) under Japan Social Development Fund (JSDF) for emergency training of youth. The programme aims to provide employment opportunities for vulnerable jobless youth ranging from under matric to post-graduate level. The project would be implemented through Benazir Bhutto Shaheed Youth Development Program. This will address issue of poverty and unemployment through Human Resource Development in Province. Sindh Technical Education & Vocational Training Authority (TEVTA) and Small & Medium Enterprises Development Authority (SMEDA) are going to work together on promoting a culture of self-employment.

67. The government has prioritized KPK, FATA and other areas and given special importance to employment of women. Numbers of Technical institutes and students have significantly increased in 2011-12. At present, 108 technical institutes have been established in various Colleges of Technology, Polytechnic Institutes, Colleges of Commerce and Management Sciences, Technical and Vocational Centers (TVC), Advanced Technical Teacher Training Centers, Technical Teacher Training Centers, and SDC.

68. Realizing the importance of technical skills for employment opportunities, the Baluchistan Government approved Technical Education and Vocational Training Bill in 2011 with a view to devise and review policies in the light of guidelines issued by the NAVTEC to evolve strategy for developing technical education, vocational training and employment in general and to collaborate with the sources of labour market information

with a view to assess future training needs on continuous basis, both local and foreign. Balochistan's TEVT sub sector comprises of two polytechnic institutions for women established under Technical Education Project (TEP)-with over 1000 students (about 500 women) and about 130 teachers; and 11 Technical & Vocational Training Centers (TVTCs) with about 1300 students). Besides government has accorded high priority to Balochistan in 7th NFC awards and initiated Aghaze Haqooq-e- Balochistan package to remove disparity and accommodate deprived region.

69. For economic and social empowerment of women, 10 percent quota for women in civil services has also been reserved.

70. In March 2010, two laws against sexual harassment were enacted. The Criminal Law Amendment Act 2010 amended the Penal Code and the Code of Criminal Procedure to criminalize harassment at public and work places. Sexual harassment is now punishable with imprisonment of up to three years or a fine of PKR 500,000 or both. Protection against Harassment at the Workplace Act 2010 defined harassment and outlined a Code of Conduct for workplace. In implementation of this Act, Government departments have established departmental committees to inquire and address harassment cases. As prescribed in the Act, an Ombudsperson has been appointed at the federal level to hear complaints of sexual harassment as an appellant authority.

71. National Commission on the Status of Women has established an Implementation Watch Committee for the oversight of the Implementation of these laws. The Committee is ensuring the implementation of law in all public institutions within two years. Orientation sessions have also been organized for the dissemination of these two laws.

72. At the provincial level, Punjab Government is in the process to implement Code of Conduct for protection against Harassment of women at the workplace. A provincial committee has been notified to oversee implementation of the Act, whereas, announcement has been made to appoint Ombudsperson under Protection against Harassment of Women at the Workplace Act. The Government of Sindh has introduced a scheme which aims at providing legal and medical aid to the women in distress.

73. The Government has recently set up a Sexual Harassment Implementation Watch Committee (notified in August 2012) to have a continuous overview of the implementation status of the Act. The appointment of a "dedicated Ombudsperson for Sexual Harassment" has been publicly announced in the province. In Balochistan, Provincial Implementation Watch Committee of the Anti-Harassment Act 2010 meets on quarterly basis. Departmental inquiry committees have been formed in more than 18 departments and Summary for the establishment of a separate provincial Ombudsperson Office has been approved by the Chief Secretary. Besides, copies of the laws pertaining to harassment have been distributed in all government departments.

74. The Committee to address sexual harassment at workplace has been notified by FATA Secretariat. The women empowerment wing is in process of printing and distributing Act and in formation of required committees in department.

75. The National Policy on Home Based Workers was formulated by the erstwhile Ministry of Women Development in consultation with devolved Ministry of Labour and Manpower. However, as a result of 18th amendment, both the Ministries were devolved to the Provinces. Therefore, Ministry of Human Rights (MOHR) took an initiative for finalization of said policy. Ministry of Law and Justice and Ministry of Inter Provincial Coordination (IPC) have approved the policy. It is in the process of finalization.

76. The Government of Punjab has formulated a "Draft Policy for Home Based Workers" covering the strategies, plans and programmes for the protection and promotion of rights and benefits of home based workers who mostly comprise of females.

Health

Reply to the issues raised in paragraph 17 of the list of issues

77. In pursuance to 18th Amendment to the Constitution, health sector has been devolved to the provinces with administrative and financial autonomy. Pakistan Atomic Energy Commission's (PAEC) 13 Cancer Hospitals in four provinces are already providing diagnosis and treatment facilities to cancer patients, nine new cancer hospitals are in the process of construction. Breast care clinics have been established at all the nuclear medical centres. National breast Screening Project for early detection of breast cancer for ICT has been approved by CDWP in June 2012 with total cost of Rs. 338.66 million.

78. Government has launched several health care programmes for controlling malaria, TB, HIV/AIDS etc. In addition Progress on some other health activities is as follows:

(a) Establishment of 7 Rural Health Centers (RHCs) 30 Basic Health Units (BHUs) up gradation of 15 existing RHCs and 35 BHUs;

(b) Addition of 4000 new doctors, 450 dentists, 3000 Nurses, 4500 paramedics and 500 Traditional Birth Attendants;

(c) Under the preventive programme, about 7 million children were targeted to be immunized and 19 million packets of ORS are likely to be distributed during 2011-12;

(d) 4500 HIV positive cases have been reported to the National and Provincial AIDS Control Programs which includes 2700 full blown AIDS. Around 1030 patients are receiving free treatment through 12 AIDS Treatment Centers.

79. The Program for Family Planning and Primary Health Care has been launched exclusively for female and has recruited about 110,000 Lady Health Workers (LHWs). More than 60 per cent of total population and 76 per cent of target population stands covered by LHWs. Out of 30 million children, about 16 million are immunized by LHWs during National Immunization Days (NIDs). Similarly in high risk districts out of 5 million target women, 4.5 million are vaccinated by LHWs. Their role in improving mother and child health is by now well recognized. Government is providing health facilities to women in far flung areas through Mobile Health Units. In Punjab, Mobile Health Units have been introduced to make up for the deficiencies of static coverage and effective service delivery at remote areas. The Mobile Health Unit contains collapsible & non-collapsible diagnostic and invasive & non-invasive electro-medical equipment. It also contains health education material to disseminate the information strategically. Six Mobile Health Units are already in operation in Muzaffargarh, Rajanpur, Mianwali, D.G. Khan, Bahawalpur and Bahawalnagar since January, 2011. Additional 50 Mobile Health Units (MHUs) are to be procured. 20 MHUs will be launched during 2012-13.

80. Maternal & Child Health Program has been launched by the government in order to improve Maternal and Neonatal Health services for all particularly the poor and the disadvantaged at all levels Health, Nutrition and Population of health care delivery system. It aims to provide improved access to high quality Mother and Child Health and Family Planning services, train 10,000 community midwives, comprehensive Emergency Obstetric and Neonatal Care (EmONC) services in 275 hospitals/health facilities, basic EmONC services in 550 health facilities, and family planning services in all health outlets.

Disadvantaged groups of women

Reply to the issues raised in paragraph 18 of the list of issues

81. The Government of Pakistan considers the people affected due to floods or Law Enforcement Operation as “dislocated persons” and not in “internally displaced persons”.

82. The massive floods and rains of 2010, 2011 and 2012 caused dislocation of 2.6 million people. Extremist threat and the ensuing law enforcement action in Swat also resulted in dislocation of a section of the local people. Despite the unprecedented nature of these challenges, the relief efforts were swift and orderly. Early mobilization of resources, both human and financial, ensured timely assistance to affected communities in terms of shelter, food, health, water and sanitation. During the relief and recovery phase, an effective coordination between authorities at the federal and provincial level and the dynamic synergies between the Government, International Organizations, Civil Society organizations and local communities was realized. As water receded from their homes the dislocated individuals began returning home. The Government will continue to provide basic facilities and protection to the temporarily dislocated individuals with special focus on women and children.

Reply to the issues raised in paragraph 19 of the list of issues

83. Pakistan has hosted one of the world’s largest refugee populations for more than 30 years. Presently, 1.7 million Afghan refugees are registered with UNHCR and there are more than two million unregistered refugees in Pakistan. 83,000 births every year is adding to the Afghan population.

84. Even though Pakistan is not a state party to the 1951 Refugee Convention, it has demonstrated respect for international principles relating to refugee protection. The Afghan refugees are covered under the Management and Repatriation Strategy for Afghan Refugees in Pakistan (AMRS) of 2010. Despite drastic reduction in international assistance, Pakistan continues to host the refugees in spirit of our traditional hospitality. Their treatment has been humane despite the social, economic and security problems caused by their presence in host communities. Their continued presence exerts enormous pressure on already limited educational and health facilities. While the government has done its best to provide quality medical and educational facilities to female Afghan refugees, it confirms to believe that repatriation of Afghan refugees, with dignity and honour, is the ultimate solutions for their problems. This has done its best to provide health and educational facilities to female Afghan refugees.

Reply to the issues raised in paragraph 20 of the list of issues

85. Religious minorities enjoy human rights and fundamental freedoms. In the preamble to the Constitution it has been laid down: “Wherein adequate provision shall be made for the minorities freely to profess and practice their religions and develop their cultures”. All citizens are equal before law and they are entitled to equal protection of law. Under article 26 of the Constitution there would be no discrimination against any citizen on the basis of race, religion, caste, sex, residence or place of birth. Provisions have also been made in Pakistan Penal Code to protect freedom of belief of citizens. Section 295 of the Penal Code states: “Whoever destroys, damages or defiles any place of worship, or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.”

86. Apart from constitutional and legal protections available to religious minorities including women (belonging to minority community) many steps have been taken in recent years to empower them and to bring them in national mainstream. Job quota of 5 per cent has been fixed for them in public service. Ten seats for them have been reserved in the National Assembly and four seats in the Senate. Twenty three seats have been reserved for them in the provincial assemblies. They have also been given the right to election through joint electorate system.

87. The Government has established Ministry of National Harmony to safeguard the interests of minorities. Besides, A “Special Fund for the Uplift of Minorities” has been operative in the erstwhile Ministry of Minorities (now shifted to National Harmony) since 1985. The Fund has been utilized for financial assistance to needy individuals from minority’s communities as well as the implementation of small development schemes for them. The Provincial Governments have established District Interfaith Harmony Committees with representation from prominent religious leaders of minority and majority communities.

88. NCSW has also reviewed and proposed substantial Amendments in Christian Marriage and Divorce Acts to eliminate discriminatory provisions in the said laws against minority women. A bill entitled “Hindu Marriage” is also under consideration of the National Assembly to legislate on personal laws of the Hindu community.

Marriage and family relations

Reply to the issues raised in paragraph 21 of the list of issues

89. A bill for standardization of age of marriage for females and males is under process in Sindh Assembly. Anti Women practices Act 2011, is also applicable in cases of women belonging to minorities. Moreover, A bill “Hindu Marriages” has been introduced in National Assembly. A draft of the bills introducing substantial Amendments in Christians personal Laws has been submitted by National Commission on Status of women which is under consultation.

90. The Hudood Ordinances apply to all citizens of Pakistan. However, punishments differ in case of Muslims and non-Muslims. If accused is non-Muslim in case of Zina, the eye witness may be a non-Muslim. Moreover, if accused is a non –Muslim, then presiding officer can be a non –Muslim.
