National Consultation of NGOs

A Preliminary Report
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Introduction

The Beijing Platform of Action for Equality, Development and Peace was adopted in 1995 at the Fourth UN World Conference on Women. This document served as a guideline through which a manifesto and blueprint for the empowerment of women was presented. The Beijing Platform for Action (BPfA) addresses twelve critical Areas of Concern from a women’s perspective with strategic objectives and proposed actions. It requires a sustained and long-term commitment from governments requiring them to develop national plans of action (NPAs). Structured within the framework of equality, development and peace, the NPAs are devised at local levels to create equality between men and women as a fundamental human right and to remove obstacles ensuring women’s active participation in public and private spaces by making them equal partners in economic, social, cultural and political decision-making.

The process of reviewing the progress on the implementation of BPfA at a regional level has been an ongoing one. The continued and persistent lobbying and advocacy by women’s movements and civil society organisations of the Asia-Pacific region has been relentless. Despite these efforts, women and girls continue to face enormous challenges particularly in the sectors of health, education and agriculture. Democracies in distress, political crises, unstable governments, frequent military rule, a sharp rise in extremism, the violation of human rights with impunity, violence against women and discriminatory customary practices impact adversely on the security, livelihoods, displacement and well-being of women. Additionally, women now also have to contend with the consequences of inter and intra-state conflicts fuelled by globalised militarization. The vested interests of international finance agencies and UN bodies play a major role in impeding developmental endeavours. The combined forces of a market driven economy, the ecologically destructive activities of foreign corporations and climate change negatively affect sustainable development and nutritional security. Fifteen years after governments of the region committed to the BPfA the situation of women remains largely unchanged. In the face of these challenges, the women of the Asia-Pacific region
stand united and demand of their respective governments’ equality of citizenship; policies and programmes focussed on sustainable development; security in the home and workplace; education and health facilities; livelihood security; political leadership and participation, and an end to conflicts in the region.

At the national level, Shirkat Gah and ASR have played a lead role in the Beijing Conference and the subsequent review processes. ASR’s involvement with UN World Conferences on Women goes back to the World Conference held in Nairobi in 1985. Along with their numerous local partners both organisations continue to actively lobby and advocate for the Government of Pakistan to deliver on their commitments on the BPfA, the MDGS, CEDAW and other international instruments ensuring the progress of women.

Shirkat Gah Women’s Resource Centre – a leading women’s rights organisation and an NGO on the Roster in consultative status with the Economic and Social Council of the United Nations - has been closely involved in the Beijing process since the preparatory committee meetings of the UN and the drafting of Pakistan’s official National Report for Beijing in 1995. Shirkat Gah initiated and led an NGO review process for the Beijing +5 and Beijing +10 reviews. For the Beijing +5 process it produced the NGO Report through a consultative process, facilitated NGO delegations to South Asia and Asia Pacific NGO Forums, to UNCSW and UNGASS sessions and organized a wrap up meeting at the end of the process. At the time of Beijing +10 it produced a guide for taking forward the Beijing agenda, participated in Government of Pakistan consultations on Beijing +10 and co-authored the selected civil society report on Beijing +10. In anticipation of the 54th session of the upcoming UN Commission on the Status of Women at which the implementation of the BPfA will be reviewed Shirkat Gah has been actively involved in all the regional preparatory processes as a member of the Asia-Pacific Women’s Watch (APWW) Steering Committee: the Asia Pacific NGO Forum in Manila organised by APWW, a High-level Intergovernmental Meeting in Bangkok and a South Asia Women’s Consultation held in Delhi hosted by the South Asia Women’s Watch.

Applied Socio-Economic Research (ASR), a non-profit, non governmental feminist resource centre working towards social transformation, developed a long term, multidimensional and multilayered programme ‘Towards Beijing and Beyond’ in 1992. From 1992 until 1996, in its own capacity and as a member of the Asia and Pacific Working and Planning Committee, it was responsible for the formulation, planning and implementation of the Regional process as well as representing the region at international levels. ASR has been involved in all NGO and UN ESCAP discussions, meetings, conferences and lobbying necessary for the UN to reflect the interests of Asia Pacific.

Working towards strengthening the national and regional stance on Beijing +15,
ASR and Shirkat Gah formulated a collaborative programme the purpose of which was to undertake a broad based consultative process to enable a collective reflection and review on the implementation of the Beijing commitments as well as their linkages to other international agreements. ASR and Shirkat Gah conducted a nation-wide survey of civil society organisations encapsulating the achievements, challenges and emerging issues for the period 2004-09 which culminated in a two-day National Consultation of NGOs on B+15, “Weaving Wisdom, Confronting Crises, Forging the Future” held in Lahore.

This preliminary report is a compilation of the deliberations of the National Consultation of NGOs. This report reflects on the roles and contributions of civil society towards meeting the objectives of the BPfA, it reviews achievements, identifies gaps and obstacles and proposes recommendations. This all-inclusive perspective consisting of collective inputs from diverse members of the civil society will, in addition to feeding into the national review and NGO report, also hopefully serve to successfully map out future strategies towards attaining women’s empowerment and gender-inclusive development.

**Khawar Mumtaz and Nighat Said Khan**

February 2010
Weaving wisdom, confronting crises, forging the future
Beijing +15: the process

The Beijing +15 process in Pakistan followed the framework decided upon by APWW (June 2009) for the APNGO Forum, ‘Weaving Wisdom, Confronting Crises and Forging the Future’. It has sought to highlight the important contributions of civil society organizations (led by women and men) and movements in meeting the strategic objectives of the Beijing Platform for Action (PfA) The national review has attempted to: reflect the interests, experiences and recommendations of a wider spectrum of the women’s movement; to orient those not familiar with international agreements and processes; to facilitate the participation of a representative group to the regional NGO and UN deliberations; to share the results of consultations and the national report within a wider constituency; and, to develop a comprehensive and broad based plan of action based on ownership and collective programmes.

The review lead by Shirkat Gah and ASR Resource Centre consisted of two major activities: a template based survey of NGOs to collect information about activities in Beijing PfA’s critical areas and a two-day National Consultation in Lahore.

I. Weaving Wisdom

NGO achievements: Gauged primarily from the template sent out to about 100 organisations over the past 5 years it was found that NGOs/CSOs across the country have been engaged in wide ranging activities from the grassroots to provincial and national levels addressing practical and strategic needs of women specifically and other marginalised groups generally. While most of NGO advocacy was on VAW and related legislation or excesses, the least number of activities were undertaken by CSOs/NGOs in the critical areas of environment, media, and institutional mechanisms.
The majority of NGOs focused upon addressing **practical needs** which included:

- Formal and informal education; teacher training
- Provision of health care for women and children
- Organisation of vaccination campaigns for children (polio) and women (tetanus toxoid)
- Training of traditional birth attendants especially in areas where skilled attendants are not available
- Family planning including sterilisation and safe abortion
- Provision of micro credit towards poverty alleviation
- Girl child focused programmes primarily in the education field
- Water conservation; rehabilitation of mangroves
- Legal aid for family/personal law (divorce, maintenance, child custody) as well as criminal cases (rape, forced marriages, trafficking)
- Women’s shelters
- Studies to back campaigns: Provincially-Administered Tribal Areas (PATA), inheritance, honour killing, child labour
- Investigative stories on women in newspapers
- Publications and documentaries on economy, globalization, Sexual and Reproductive Health and Rights (SRHR), IEC material on women’s health/RH, elections
- Responding to natural disaster with short term humanitarian aid and long term strategic interventions (e.g. local women managed ‘Women Friendly Spaces’)

The **strategic needs** addressed were:

- Facilitation of making National Identity Cards essential for accessing government schemes, owning assets, participating in elections as voters and contestants, and availing of other opportunities
- Provision of training of women elected representatives in local government
- Advocacy against violence against women and killing in the name of honour; to exercise choice in marriage, etc.
- Advocacy for recognition of home-based workers and regularisation of their wages
Perhaps the most **significant development** since the Beijing Conference in 1995 that gained momentum over the years and led to tangible results in the last five years was joint campaigns of the women’s movement and NGOs on some key issues, like:

- The amendment to the discriminatory provisions of the Zina Enforcement of Hadd Ordinance 1979 (the infamous Hudood Ordinances that the women’s movement has campaigned against since 1981) through the enactment of the Protection of Women (Criminal Laws Amendment) Act, 2006. Women had been victimised by the Hudood Ordinances since 1979 due to its lack of differentiation between rape and consensual sex and burdened with proving their innocence. Thousands of women had to suffer imprisonment under the said laws.

- The Criminal Law (Amendment) Bill, 2004, that acknowledged the practice of killing of women in the name of honour and made it a criminal offence.

- Inputs in the Domestic Violence Bill which has been passed by the National Assembly (Lower House) making violence inside the home a criminal offence and covers also those working as domestics. However, no action was taken on the Bill awaiting passage in the Senate (Upper House) and it was allowed to lapse.

- Drafting contribution in the Protection against Harassment at Workplace Bill 2009 which was adopted by the parliament in January 2010.

- Campaigns against customary practices of offering girls in marriage to settle disputes and taking up of extreme cases like that of Mukhtaran Mai, of acid burning, Blasphemy Law, sexual violence, etc.

- Mobilising women to contest in local government elections; providing political education and awareness, and legal support where they were being denied participation. Exclusion of women from voting and contesting in some areas was highlighted.

NGOs also took an active part in **social movements** over the last five years signifying the expansion of the women’s agenda to include broader societal change and women’s role in it, as an activist put it, “**women’s participation in other movements prevents us from slipping into isolation.**” Women joined:

- The peasant movement in Central Punjab for tenancy rights and against ejection from lands they had sharecropped for almost a century. Peasant women actively participated in the struggle and emerged in leadership roles.

- The prolonged and successful movement by the lawyers community
to restore the Chief Justice and superior judiciary summarily removed by the then President General Musharraf.

- Anti-extremist protests such as those against the clerics of the Red Mosque and the public flogging of a young woman in Swat by the militants.

II. Confronting Crises

The National Consultation: The Consultation attended by about 140 people representing a cross section of grassroots organisations, provincial and national organisations from across the country focused in its two day deliberations on the current crises and the continuous issues of education, health and the environment. It also recapped the 20 years of process that preceded the UN Fourth World Conference on Women and the experiences of Pakistani women who had engaged with/participated in them (a number of women attending remembered the follow up to the Mexico conference and several had been at the Nairobi and following conferences).

Current/emerging crises were discussed in plenary sessions with high calibre presentations and analyses followed by discussions. The continuing issues were reviewed in working groups. Both days began with feminist poetry reading. A slide show documenting the contemporary women’s movement in the 80s and 90s was also part of the programme.

1. Poverty, Environment and the Economy

a) Agriculture, Rural Economy and Women — Najma Sadeque

Food insecurity is a major crisis that intersects with poverty, environment and the economy. In 2008 the number of hungry in Pakistan rose from 60 million in 2007 to 77 million. Land distribution in Pakistan is extremely skewed as feudalism was never abolished, thus only 5% of agricultural households own 64% of the farmland. Over 80% of Pakistani farmers own less than 5 acres of land and women’s share of ownership of land is less than 2%. Of the 67.5% of the country’s rural population (living in 48,066 villages) 14% are landless tenants and 1.6 million are bonded labour according to ILO estimates. Women
form 70% of rural workers but have no control over their earnings as usually men collect all or most of their earnings. Large landowners benefit from credit facilities receiving 42% of formal loans while the landless and subsistence farmers cannot access any.

Every day, approximately 500 acres of farmland is swallowed up by urbanisation (1 acre of fertile farmland lost every 5 minutes) as the rural poor displaced by degrading land migrate. About 40% of irrigated cropland (producing 90% of farm output) suffers from water logging and about 100,000 acres of productive land is damaged by salinity every year (due to water course seepage during transmission of up to 40%). Dams are built to fulfil the three times more water requirement of chemical agriculture and have exacerbated salinity and water logging.

The Green Revolution introduced in Pakistan in the 60s couldn’t survive after producing high yields in the initial years leaving in its wake great damage; indigenous biodiversity has almost been wiped out by monoculture and patents. An estimated 800,000 farm families have been displaced; the cycle of debt has accelerated - poverty rose, hunger and mass migrations followed. At the same time indigenous seed foundation was also destroyed by substituting natural manure with chemicals and using artificially created seeds. The farmer became dependent on the company that sold seeds, was stopped from saving his own seeds and the livelihood of those who saved seeds was taken away. Currently unqualified seed companies operate without proper regulation and multinational seed companies (Monsanto, Dupont, ICI, etc.) sell their Genetically Modified seeds with impunity. Similarly, there are no rules on limits for pesticide use or ensuring their quality; multinational corporations import or manufacture pesticides and sell them through franchises.

Poverty means that peasants cannot afford proper silos which are key to preservation and fair prices and 30-40% perishables are lost at post-harvest stage. Storage methods are primitive and unsuitable for bulk production. While this is avoidable, governments don’t help. In addition, government policy is to promote crops for export rather than focus on the small farmer and sustainable agriculture that ensures food security of the poor. Thus more land is devoted to cash crops instead of domestic food needs. Even food grains are exported creating food scarcity at home. The recent move (initiated under General Musharraf’s regime) is to lease out large tracts of agricultural land (7 million acres) to Saudi Arabia and Gulf states.

The policies promoted/imposed by international financial institutions – World Bank, IMF and in more recent times the WTO – have contributed to the food crisis, the rapid degradation of soils and environment and the resultant spiralling poverty in the country. Their allies have been the country’s political and economic elite.
Recommendations on the basis of presentation and participant discussion:

The UN has warned that unless the world turns back to organic/natural agriculture, it will be faced with a food and agricultural catastrophe. Pakistan is already facing it. However, experts agree that most degraded land can be restored through organic farming in 3-5 years. Negative effects of global warming/climate change can also be mitigated by replacing industrial chemical agriculture with organic farming.

Given that women bear the principle responsibility for household food needs, it is recommended that for achieving full food security:

- Women-centred land reforms on usufruct terms be introduced.
- Give every woman in a poor rural household 2-5 acres of land for self-managed organic agriculture backed with appropriate extension and support services.
- The 7 million acres state land set aside for leasing to foreign governments be given to women instead to secure livelihood for 2 to 4 million farm families with surplus for exports, removal of foreign dependency and women’s empowerment to raise their status in society.
- Restrict building of anymore big dams as they deprive downstream lands of much needed water (e.g. Sindh where due to sea incursion, increased salinity and degraded mangroves livelihoods are destroyed).
- End commercialisation of deep sea fishing which has lead to the loss of livelihood of scores of women.

b) Women in the Urban Formal and Informal Economy and Home Based Workers — Zeenat Hissam & Aqsa Khan

Liberalization of Pakistan’s economy in 1990 through Structural Adjustment Programs (SAPs) entailed privatization, deindustrialization, trade liberalization, high inflation and export-led growth with serious implications on the working class. Women form a significant portion of urban economy with 60.2% of the women work force engaged in ‘crafts and related trades’ compared to 0.3% as ‘plant and machine operators.’ Women’s participation in the formal labour force is 20% of the total labour force (Labour Force Survey 2008) with a concentration of women workers in low-skilled, low-tiered jobs in manufacturing sector and their almost total lack of access to technical skills. The trend in women as unpaid family workers is rising and is said to be at 65% including women in the agriculture sector. Education levels among women are low and 62% live in katchi abadis (urban squatter settlements).
The informal sector employs 67.5% of women in urban areas in diverse manufacturing enterprises in Export Processing Zones or small factories (textiles, light engineering, plastic, chemicals, leather products, food processing), domestic employment on extremely low wages, and home-based piece rate work. The latter engages 70% of the informal sector women (8.2 million according to the World Bank) paying them exploitative wages. The lifting of subsidies from various goods and cut on social expenditures under SAPs has enhanced poverty with the process of privatization alone having resulted in thousands of workers losing their jobs over the decade. Export led growth has diverted investment away from the production of goods particularly food, shelter, clothing and transport and the market has failed to support the concerns of the poor. Hence, the clustering of women in the informal economy where there are no laws or policies to define or ensure their rights.

Home based workers are among the poorest, are usually unprotected due to non visibility, remain unacknowledged and unregulated, and are confined due to social restrictions and work to supplement family income to meet basic needs when male earning members become unemployed. Isolated and divided they have minimal bargaining power or organization capacity. The work they do is often hazardous and is the lowest in the value chain. Given their low level of income home based workers have less say in household decision making, or independence in spending the money they earn.

National labour legislation for both the formal and informal sectors lacks gender sensitivity; the data too is not gender segregated. Across all industry divisions and all occupations, the average Pakistani woman is getting 3.6 times less than an average male worker. There is no female lawyer in labour courts; no female judge/presiding officer (except one in Karachi Labour Court). Government procedures are cumbersome, tripartite consultations do not include women.

**Recommendations based on presentations and participant discussion:**

The following rights of women workers require promotion and protection through the consolidation of Labour Laws:

- The right to organise and to bargain collectively and be recognised and facilitated regardless of their being in the formal or informal sector.
- The right of organizations of home workers to join trade union federations or confederations.
- Expedite protection from sexual harassment and gender based discrimination at the work place legislation.
- Expeditiously adopt the draft policy and legislation for Home
Based Workers prepared by NGOs.

- Adopt the UN Home Based Convention Application C-177 1996 which provides for the right to organize and bargain collectively, removal of legislative or administrative restrictions or other obstacles to this right.

- Ratify ILO Conventions and implement those ratified: 87 (Freedom of Association and the Right to Organise); Convention 98 (The Right to Organise and Bargain Collectively); Convention 29 (Forced Labour); Convention 105 (Abolition of Forced Labour); Convention 100 (Equal Remuneration); Convention 111 (Discrimination in Employment and Occupation); Convention 138 (Minimum Age Convention).

- Fix minimum rates of wages for home based work.

2. Crisis of Democracy

A principle issue identified was that of centralization vs. de-centralization, of upholding principles of participation, transparency, and accountability; of ending discrimination based on differences of class, caste, sex and as minorities; of ensuring the continuation of women’s participation in local government.

a) Democracy and the Rule of Law — Hina Jillani

The crisis in Pakistan is of democracy and democratic institutions that have failed to end the marginalisation and discrimination especially of religious and ethnic minorities and women (minorities form approximately 5% of Pakistan’s population. Scheduled castes majority among all minorities constituted by Christians, Hindus, Sikhs, Ahmedis, scheduled castes, etc.). Democracy is not necessarily gender sensitive it has to be made gender sensitive; it is not a state but a process. It is incorrect to say that democracy has not delivered in Pakistan for democracy has not yet come. We are in a stage of transition that can be long drawn. The environment that democracy creates where voices may be raised has not developed and the achievements have been (women’s movement, restoration of judiciary, etc.) despite the stifting of space. Institutions that have a role in taking democracy forward have not had the space to develop or have
not succeeded in playing a positive role in promoting democracy. For example many questions at critical moments have been referred to the judiciary for resolution which has not responded adequately, in fact has harmed democracy.

With reference to the rule of law our struggle is for pre-eminence of laws that should be based on human rights and justice and not for authoritarian control. Strong institutions needed for ensuring the supremacy of law - qanoon ki baladasti - are lacking. Achieving the rule of law is a long process, not achievable in one day. The struggle towards that goal gets diverted leading to greater complexity. Women have struggled against many of the exploitative and discriminatory laws. In Pakistan the legal framework that comes from the Constitution has been polluted. While Article 25 that protects women includes affirmative action the judiciary’s role is not evident in giving judgments that assert their rights and overcome weaknesses in law.

Judicial activism is very necessary, but for promoting democracy every institution needs to play its role and also recognize its boundaries, and not go beyond them. In Pakistan in the absence of functioning institutions people revert to the courts, which then:

a) Get over worked and are not able to do their work
b) Start thinking that they are to solve all problems
c) Prevent other institutions from developing

The lawyers’ movement was a unique movement. The reason for participation of women and civil society at large was not only to give the executive a message, but also to the judiciary that if the right thing is done there will be support. We should be critically viewing the performance of the judiciary.

Political parties so necessary for a strong political process perform unsatisfactorily and are perhaps difficult to support. The dilemma is that our institutional weaknesses will not be removed unless the political process is allowed to proceed, and this cannot be done without political parties which in turn are undemocratic within. It is therefore our responsibility to ask for transparency and accountability; unless there is a strong urge for accountability including that of the public mindset political parties will continue to work according to their convenience and without fear. To have elections is not enough. We need regular elections for not just to bring a government into power, but to throw it out when it fails to provide justice or maintain the rule of law. Unless that can happen the essential spirit of democracy will remain violated. It is therefore our responsibility to hold governments accountable, to not accept corruption.

Re minorities, we need to now go beyond tolerance to accommodation of minorities and talk of citizenship as the human rights principle is that nobody should be stateless. Pakistani law does not grant them citizenship which should
be granted to them as well as fundamental rights. Under the Constitution fundamental rights are enforceable as they are part of the Objectives, whereas social, economic and cultural rights should not remain part of principles but also become enforceable. The rights are inalienable.

**Recommendations on the basis of presentation and participant discussion:**

- Justice based on principles of inalienable human rights.
- Women’s participation in movements to prevent them from slipping into isolation.
- Women’s organisations and movement to be diligent watchdogs of the judiciary.
- Regular electoral process.
- Move beyond toleration to accommodate the rights and concerns of minorities.
- Grant equal citizenship to all regardless of gender, religious belief or ethnicity.
- Incorporate social, economic and cultural rights as part of enforceable fundamentals rights under the Constitution.

**b) Local Government and Women — Salman Abid**

In 2000 the local government system was introduced which was distinct from previous local bodies systems as administrative and financial powers were for the first time also devolved to the local level opening greater opportunities of public participation, access to information, and allocation of resources.

The Local Government Ordinance, 2000 made the provision of 33% reserved seats for women to be directly elected to Union Councils, the lowest tier of the three-tier LG system. The debate that followed was that women would not be available to fill these seats, however 92% seats were filled in the elections; in the next round of LG elections 95% seats were filled and a number of women nazims and naib-nazims were successfully returned. Under the law Union Councils (UC) could have 7 different committees with mandatory inclusion of women; as a result many women became members and headed the committees. Citizen Community Boards (CCBs) created for development work at the local level proved to be a space for women’s initiatives at the grassroots. 22% of the CCBs were of women. The perception of women local leaders got strengthened and a tangible difference was made as women got inducted into the mainstream
of politics and also political parties. The police reform under the system included women in the advisory board.

Important for us to note and reflect is the fact that local bodies/governments have always come in Pakistan with military rule. Political parties have not addressed local governance and now with the return of civilian governance the move is back to go back to centralization. The provision of forming committees at the UC level is being removed, CCBs have been discontinued, the term “local body” instead of “local government” has been introduced and bureaucracy’s supremacy is being brought back. This reduction in public participation will reduce the presence of women in public politics and represents a reversal of their participation.

Recommendations based on presentations and participant discussions:

- Continuation of local government system with reforms to remove lacunae.
- Direct elections for all tiers of local government.
- Strengthen democracy, create more space for women, and ensure 33% quota at all levels.
- Electoral reforms should enable middle class to contest.
- Ensure provincial autonomy and reform local government system to stay within the framework of provincial autonomy.
- Have a secular state repeal amendments to the Constitution.

c) Minority Perspective — Ayra Inderyas

Minority women are in a double bind as women and as belonging to minority communities. There has been the absence of affirmative action for minority women. Talibinazation and the associated religion based militancy have created great stress as in the recent cases of Gojra where mob action has forced minorities to leave their homes and areas. Faith based organizations are faced with challenges and women are subject to cultural restrictions. In spite of this women are making a headway.

Recommendations:

- Promote and ensure gender justice.
- Remove new issues of insecurity of minorities and eliminate suspicion.
• Develop mechanisms for translating government pledges made at international forums.
• Form an independent Commission of minority affairs.
• Repeal the Blasphemy Law.

3. Conflict-related Crises

a) Interface of Inter and Intra State Conflicts — Saba Khattak

The discussion opened with a review of conflicts and the impact of these on women in the South Asian region. The point of reference was the South Asian Feminist Declaration formulated by South Asian feminists in 1989 which identified the realities as they presented themselves at that point and anticipated trends in the future. Increasing militarization, national and religious chauvinisms it was argued would not only build on mutual and militant hostilities but would lead to increasing conflicts and violence. These in turn would not only become binding forces of national ‘integration’ but would be invoked to maintain constructions of the nation state and would give rise to ideologies that would suppress other identities. As a result of each of these transformations the declaration anticipated that women would be further oppressed.

Over the past twenty years these trends have intensified, particularly in Pakistan. The Afghan jihad against the Soviet Union in the 1980s continues to impact on Pakistan and Pakistani society with conflicts within Afghanistan overlapping with cross border conflicts across the Durand line separating Afghanistan and Pakistan and conflicts within Pakistan. While the interconnectivity of inter and intra state conflicts is located in a history that predates independence it is important to understand historical continuities since ‘resolutions’ of conflicts will necessarily need to address these. Complicating these internal and regional imperatives is the globalization of conflict particularly since 9/11 and the ‘war against terrorism’ much of which is being played out in Pakistan and Afghanistan.

Given the imperatives of these ‘realities’ the relationship of the women’s movement and progressive civil society towards the state has undergone a transformation. While earlier a critique of the State and its often violent oppression of dissent was the starting point of feminist analysis, women and society in general are demanding that the writ of the state be upheld even if this requires military action. Violence thereby gets ‘justified’ and legitimatized and notions of justice get transformed into notions of power and control. These
notions of power and control then extend themselves as ideological parameters within society as a whole. Violence against women is an extension of this larger ideological construct and gets played out in society and within the home.

For instance the ‘tolerance’ of violence by the state/military against the Taliban or other militants, including those fighting for regional and ethnic rights leads to a silencing on violence against ‘suspects’ and against civilians often as a result of ethnic and other identity profiling. An acceptance of collective punishments/disappearances/detentions/ target killings and acceptance of impunity leads to a less tolerant society as a whole and to the tolerance of violence against women and the marginalized. People’s demands and the demands of women are thus silenced by the ‘larger’ questions of national and personal ‘security’.

The women’s movement while being a part of these societal trends has nevertheless contributed to the debates and to raising issues especially as conflicts impact on women. To the extent that women, peace and security issues are addressed and demands expressed for the inclusion of women’s experiences and voices in peace negotiations and resolutions has been because of a concerted effort by the women’s movement. However, the movement itself needs to question violence in all its manifestations whether it is the violence against women, violence in society, violence by the State and non state actors as well as economic violence. It also needs to examine aspects of conflict situations that are often not ‘visible’ or are silenced, for instance the displacement of women, whether in Baluchistan or inter and intra city displacement as a result of local level conflicts. At the same time the movement must address the politics of humanitarian support and the politics of foreign aid especially as this may lead to or propel more conflicts in the future. A more inclusive women’s movement is needed to address the complexity of this problem yet while doing so the movement must not lose its own political understanding of peace and justice.

b) Internally Displaced Persons — Rukhshanda Naz

Inter and intra state migrations and displacements form a continuing motif in Pakistan from the unprecedented cross border movements of people in 1947 to the millions of Afghan refugees who sought security in Pakistan as a result of the Afghan war against the Soviet Union in the 1980s and intra and intra state conflicts in Afghanistan since 2001. Internal displacements have also been widespread as a result of military or militant actions, natural disasters such as the earthquake in 2005, by certain development programmes and when contending forces have led to conflicts within communities. In each the security of women has been particularly impacted.

The large scale military action against the Taliban in Swat and Malakand in 2009 led to unprecedented displacement of people. Out of a population of about 6.5
million almost 3.6 million moved out of their regions. A proportion of these were housed in refugee camps administered by the government, the military, international organizations and civil society. A majority were given shelter by family and communities in adjoining areas while some (despite resistance by the provinces of Sindh and Punjab) sought shelter in other parts of Pakistan. The military ‘victory’ by the army has enabled those internally displaced to start returning to their homes yet the future they face is not only uncertain but fraught with impediments.

This presentation is focused on a specific programme addressing internally displaced women based on women’s testimonies and on site research and activism. At the time of the Beijing + 15 National Consultation in September 2009, many of the houses and shops of the IDPs were still locked and inaccessible. The non availability of food and distress sales of goods and properties were primary concerns especially since official registration of IDPs by government authorities had not yet been systematized. The data released by the Earthquake Review Unit on 10 July, 2009 showed that the maximum eligible registered displaced persons came from Swat followed by Bajaur, Lower Dir, Mohmand Agency, Shangla and Malakand districts. Specific details of those displaced and having returned were shared.

There are serious and alarming implications for the process of support, relocation and reconstruction for women even though often they are the most vulnerable in conflict situations. Women are ‘regulated’ not only by the community because of local culture and traditions but also by Security Protocols put in place by the Government and the military. These protocols are mandatory for all work undertaken by civil society and aid agencies and in most instances women development workers have to conform to strictures that impede their work. Many of these also reinforce patriarchal structures. For instance, it is advised that when stationing women staff in rural areas they must be accompanied by another female staff member. Discretion is advised for men approaching local women which must be done in consultation with males/heads of families although women staff members can freely interact with women. Care is meant to be taken within offices working in the area. Female staff members must be seated separately and male and female staff members are to avoid conducting meetings behind closed doors. Further limitations are working hours for women and the discouragement of ‘mixed’ activities (that is those that include both men and women). This includes training workshops/seminars/official functions etc. Humanitarian organizations working in conflict areas must also obtain a No Objection Certificate and/or approval prior to starting operations and all projects related to intervention in any conflict areas must be submitted for approval.

While these impediments and protocols can hamper the working of civil society organizations, especially Pakistani civil society, the challenge for women
The government’s ‘Early Recovery Plan’ includes aspects specific to women not only in terms of policy but also funds being allocated for trauma counselling and trainings. The focus of the government, however, is on mega projects and infrastructure which makes it imperative not only that the women’s movement channel its efforts to address the present exigencies as far as women are concerned but to ensure that patriarchal structures do not get reinforced that could be detrimental for women in the long term. This requires innovative and creative approaches so that while addressing immediate concerns and being sensitive to social norms women are integrated into the reconstruction process.

c) The Process of ‘Talibanisation’ and its Impact — Nazish Brohi

Until 2002 the Taliban for Pakistanis meant those in power in Afghanistan which while oppressive for women did not impact on Pakistan. This changed radically after the ‘defeat’ of the Taliban by the United States in Afghanistan in 2001 which not only pushed Afghan Talibans across the Durand line but gave impetus to a number of Pakistani militant groups which have assumed a generic movement which threaten the State itself. However, the response to this phenomenon by Pakistanis is not uniform.

On the one hand the Taliban is seen as coming in from the margins and radically threatening the state. They are seen as being against women; against minorities; against the people; against democratic norms; as a form of religious militancy to change the nature of the State and/or of an international terror network which threatens global security. Vigilantism against women and minorities, collective banning of films, music and other creative expressions, collective killing by the Taliban give sustenance to this positioning.

Reiterating the argument made earlier in the discussion on women and conflict and rising conservatism and intolerance within society and the ‘justification’ of state violence in the interest of ensuring state legitimacy, the emphasis in this presentation is on how violence gets ‘normalized’ as a form of control. This extends to violence against women in society generally and within the home. While the women’s movement used to challenge the use of violence under any circumstances even within this movement there is an ongoing debate on whether violence can be condoned under certain circumstances especially against those challenging the nature of the state itself.

Others view talibanization as expressing ‘legitimate’ concerns arising out of economic deprivation, injustice and western hegemony. Several peace agreements between state forces/political players with the Taliban have been based on upholding ‘speedy’ justice such as the Nizam-e-Adil negotiated by the
government in Swat. This position is given legitimacy by the trend towards social conservatism and by the argument that poverty is the fundamental cause of violent dissent, and that the ‘suppression’ or lack of understanding of Islam leads to reactions that are retrogressive.

This position is given validity by the international forces not least by donor and academic communities. Over the last three decades and with even greater focus over the last few years the move to ‘understand’ Islam and to promote ‘progressive’ Islam has led to a narrowing of spaces for the articulation of other identities. The state and the media play a significant role in this ideological construct. This trend has particularly focused on women and Islam with funding agencies encouraging and supporting ‘progressive’ interpretations and supporting women’s groups addressing the problematic within these narrow confines. ‘Respecting the veil’ is now a key element of development both intellectually and within developing or activist programmes. Donor agencies for instance are supporting such project across the Muslim world and most donor assistance to Pakistan is premised on this narrowing. Development of women is thus seen as economic contribution (often in the garb of women’s empowerment) with an emphasis on the informal, domestic sphere usually in the form of micro credit schemes.

Secular forces are weakened or marginalized in this process not least the women’s movement for equal rights in the public and private spheres. The women’s movement must address this complex but urgent phenomenon if it seeks to empower women at multiple levels by addressing and challenging all articulations of patriarchy.

4. Violence Against Women

a) Dimensions of Physical Violence on Women — Nafisa Shah

While violence against women has been a focus of the women’s movement there has been a tendency to understand this either in terms of legal and institutional mechanisms or as articulations of culture and tradition. Seldom addressed is the fact that both processes are in collusion and tend to reinforce or give legitimacy to both. This discussion focuses on the practice of Karo Kari (a form of ‘honour’ killing particularly prevalent in Sindh). Often Karo Kari is understood as a cultural norm. While this aspect may have validity, a cursory understanding of culture does not explain why such norms and traditions exist and why so often those killing in the name of honour are able to do so with impunity. The role of the state in sustaining such norms needs also to be examined since the state often
upholds culture and tradition.

This presentation was based on research undertaken on this specific aspect of violence against women. Over the previous year 1600 deaths were recorded as a result of *Karo Kari*. Of the 3000 accused only 3% were convicted of the crime. This gives weight to the argument that cultural violence resonates with the law since the police, the laws and the judicial process often uphold cultural norms and practices. ‘Honour’ killing is invariably executed by supposed ‘protectors and guardians’ of women, in most cases members of the immediate family or kin. In a society where the family governs almost all relationships and where ‘family matters’ are given legal cover, crimes within the home are often silenced. The family as a primary institution of control and moral articulation therefore gets translated into law with the private and the public in collusion with each other to uphold cultural practices and articulations.

The legal cover of *Qisas* and *Diyat* (compensation and forgiveness by members of the family) for instance allows for murderers especially those within the family, to be forgiven. This law was amended in 2004 but these changes still allow the relatives of victims to negotiate a settlement. Informal systems of justice such as the *Jirga* are not illegal in Pakistan and while the criminal procedure code is clear that murder is a crime, common law still understands murder as a private offence. This is ironic given that *Zina* (adultery or sexual relations) which are or should be a private matter is a crime against the state.

Recent legislation such as the Domestic Violence Bill widens the space for state intervention within the home and changes the divide between the public and the private – nevertheless, resistance by the Council of Islamic Ideology (and silence by the Senate) has impeded the bill being translated into law.

The women’s movement has done tremendous work in not only highlighting the many dimensions of violence against women but in working towards legal and institutional changes. However, the challenge of contesting both the state and society working in tandem with each other is formidable. Nevertheless, women must continue to struggle for their rights and their autonomy as part of the mainstream and as an autonomous women’s movement.

**b) Psychological Violence and Trauma — Saima Ashraf**

Violence against women is not only a physical violation of individual human rights but has enormous psychological implications. Sexual abuse and violence is a threat not only to the individual victim but threatens the well being of those who are witness to such violence. Long term exposure to situations of social inequality, verbal abuse, harassment can similarly be as threatening especially the threat of repeatedly being subject to these. These and apart other aspects of
violence in society and catastrophic events such as natural disasters, war and mass violence impact women in different ways.

Women experience a range of symptoms and effects at the physical, emotional and cognitive levels. These include sleep and eating disturbances, sexual dysfunctions, low energy, chronic unexplained pain, shock, denial, flashbacks, nightmares, fear, anger, resentment, despair, depression and loss of self esteem. Generally this could also have impacts such as withdrawal from normal routine, difficulty in making decisions, feeling distracted etc. These symptoms and traumas are seldom addressed making women even more vulnerable to violence since these manifestations are often understood as resistance by women to fulfill what are considered their responsibilities within the home and in society.

There is, therefore, a need to address these aspects of violence through public awareness campaigns, strong and effective support mechanisms, a focus on qualitative rather than quantitative measures, monitoring and accountability mechanisms and public sensitization programmes including trainings.

III. Continuing issues

The issues that were not discussed in the main plenary sessions of the National Consultation were taken up through group work. Below are the summaries of issues and recommendations from the Working Groups of Education, Health, the Environment and the Media.

a) Education and Training of Women
- Government failure to improve public schooling leading to increased reliance on private sector
- Talibanization and increased conservatism
- Health related issues e.g. hepatitis, quality of drinking water, pollution, nutrition etc. as they impact on teachers and students
- The double burden of household responsibilities and career preventing women from reaching the top
- Increased harassment of women during their commute to schools and back
- Increase in poverty and lack of resources keeping girls from enrolment
• Lack of accessible secondary and higher education facilities for girls
• Lack of linkages between education and social issues at ministerial level and in programs
• Despite improvement in Pakistan’s literacy rate since independence, the educational status of women remains among the lowest in the world.

Recommendations

• Improve quality of education, remove gender biases in texts
• Provide training opportunities for girls and women in diverse non traditional fields
• Understand the political, economic and social context of girls’ education and unpack gender accordingly
• Expand the role of the media to create these linkages
• Address as a high priority the critical area of mobility
• Ensure access to both informal and formal education for girls paying particular attention to the needs of girls and women in minority and marginalized communities
• Promote public campaigns aimed at parents and community leaders on the importance of girls’ education
• Include basic reproductive health (RH) information in school curricula for girls starting at age 10 with information getting progressively more mature with age
• School texts to ensure that by age 18 girls receive complete premarital information including information on family planning (FP), nikahnama, reproductive parts and sexual relations in order for girls to have ownership and control over their body.
• Visibility of women in media, highlighting and giving more space to women’s issues.

b) Health

• Women and girls lack access to the most basic health care services and are at the highest risk for contracting sexually transmitted diseases including HIV/AIDS
- Non availability of lady health service providers in rural areas
- No arrangements for education on basic principles for health care and hygiene
- Women are often not taken to medical clinics or hospitals because only male doctors are available
- Number of qualified doctors is decreasing in rural areas
- Medicines are costly and government hospitals do not give proper medicine
- Becoming an IDP and ongoing tribal warfare has a significant impact on women’s health. Without access to services, women specially are at greater risk of maternal morbidity and mortality
- Lack of awareness on the part of women regarding serious health issues

**Recommendations**

- Government and CSOs should develop support mechanisms jointly for improved service delivery as well as educate health care providers to recognize and address specific physical, maternal and mental needs of women in their diverse locations and backgrounds
- Provide opportunities to women for learning about basic health and sanitation practices
- Demand government accountability in provision of critical RH services in particular universal access to RH/FP services as committed to under ICPD and MDGs
- Organize regular mobile health and RH camps in under-serviced areas to provide primary health care at the door step but also to accelerate advocacy and mobilization processes
- Eschew short term projects and institute programme level activities
- Take a holistic approach in population to include aspects of sexual health (emergency obstetric and neonatal care, Primary Health Care, accessibility and affordability of services) to achieve a decline in maternal mortality, improve maternal health indicators and respond to unmet need for family planning
c) **Women and the Environment**

- Shortage of land fill sites and resultant poor management of solid waste in urban and rural areas; public burning of waste as a waste disposal mechanism
- Domestic use of plastics for fuel and lack awareness of the impact on health
- Industrial and saline drainage effluent in water bodies creating toxicity in bloodstream
- Poverty-environment degradation nexus
- Water shortage and poor underground water quality
- Impact of pesticide use on rural women
- Introduction of Genetically Modified Organism strains like BT cotton
- Lack of environmental/agricultural education for girls
- Marginalisation of women in their role of preserving and transmitting indigenous knowledge, promoting biodiversity and managing environmental resources

**Recommendations**

- Launch campaigns in schools on the importance of keeping environment safe from pollution
- Initiate campaigns addressed to men/male policy makers regarding poverty and environment nexus
- Provide environment friendly livelihood security through promotion of organic agriculture and indigenous fruit/trees
- Stop conversion of prime agricultural land for housing, industrialisation and urbanisation
- Stop building big dams and introduce innovative measures of water and energy conservation
d) Media

- PEMRA (Pakistan Electronic Media Regulation Authority) is often misused by the Government; Committees formed by PEMRA are on paper only with no implementation.
- Due to lack of code of ethics, there is also lack of women specific concerns.
- Civil society has no mechanism to keep check on media.
- Stereotypical portrayal of women - though there is greater visibility of women and their issues as well as more space/opportunity for women to join the media.
- Media motivated by financial considerations and profit making.
- Electronic media has proliferated but lacks professional training and is under pressure of the religious lobby.
- Political instability.
- Trans-nationalization of media leading to ignoring of local culture.

**Recommendations**

- NGOs should take the initiative for advocacy and interaction with journalists/media persons.
- Government to pay attention to gender-sensitisation of all forms of media.

**IV. Beyond Beijing +15**

The review of Beijing +15 in Pakistan highlighted the changing context in which women’s issues need to be examined. It also became clear that the strong linkages between some of the critical areas of BPfA demand an integrated approach rather than isolated/vertical one. Therefore it is proposed that:

- The critical areas of ‘Poverty, Economy and Environment’ be clustered together.
- Rights and legal provisions should crosscut and be a part of every critical area instead of a critical area on ‘Human Rights’.
• The ‘Power and Decision-Making’ critical area should focus more on sharing power and changing roles in the household
• ‘Girl Child’ concerns should be reviewed and actions infused into all critical areas actions to ensure inclusion and focus on the girl child
• Greater focus on persons displaced due to conflicts and natural disasters

It is also felt that the Beijing PfA is a basic document that defines women’s rights and the recommended actions in the twelve critical areas should not lose their validity but be reinforced in the light of emerging issues through necessary amendments.