

## Key Messages

- Gender Based Violence (GBV) is the most pervasive form of discrimination and a violation of basic human rights. Thirty five percent of women over the age of 15 have experienced GBV in their lifetime globally, most often at the hands of an intimate partner
- In Pakistan, GBV is pervasive in both physical and verbal forms. 40% of women report physical or emotional spousal violence over their lifetime and 35 % of women report physical injuries as a result of this violence. Only 35% of the survivors of domestic violence sought help. Less than 1% of these sought help from police, health providers, and lawyers with the majority, the majority their own family (74%), or their husband's family (22%). Women who are divorced, separated or widowed are more likely to experience violence during pregnancy
- Efforts to improve policies that address violence has resulted in progressive legislation, amendments to the Hudood Ordinance, and increased penalties under existing laws in Pakistan. Services for survivors, such as Dar-ul-Aman, Crisis centers, shelters, medical services and psycho social counseling are available to some extent thorough government funded facilities.
- Support survivors in registering complaints and receiving needed services by improving the first level of interface with providers, whether it be at the police stations, health and legal services, or the government run shelters and Daru-ul-Aman.
- Create awareness of laws among police, lower judiciary to improve implementation. Create mass awareness and target public service messages to men to prevent acts of violence.

Harmful traditional practices in Pakistan include honor killing, rape and sexual assault, sexual harassment, acid attacks, being burned, kidnapping, domestic violence, dowry murder, and forced marriages.

## Domestic Violence

40% of women experienced physical or emotional violence over lifetime. Divorced, widowed and separated women suffered more violence than married women. Twenty-seven percent experienced

## Context

As a near universal and pervasive phenomenon, women and girls, across all socio-economic groups are vulnerable to gender based violence (GBV) as are boys. Freedom from violence is essential for assertion of fundamental human rights and instrumental to the achievement of gender equality.<sup>1</sup>

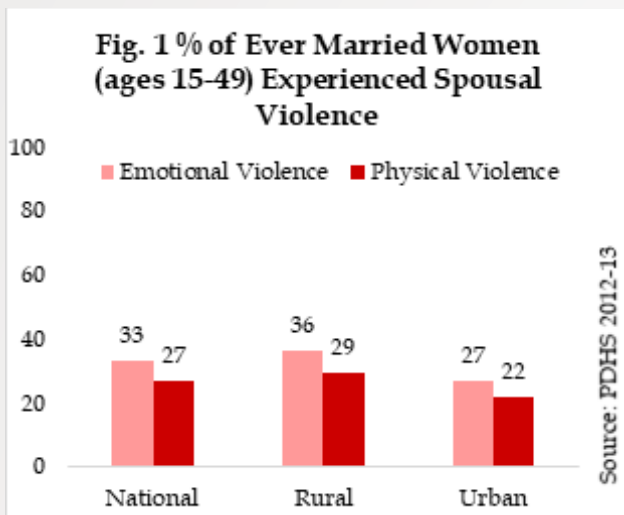
Globally thirty five percent of women over the age of 15 have experienced GBV in their lifetime, most often at the hands of an intimate partner (WHO, 2013), yet it is estimated that only four out twenty women seek help, preferring not to report the violence or seek assistance from the service providers.<sup>2</sup>

In Pakistan, GBV is pervasive in both physical and verbal forms. Many forms of violence are not even recognized as violence by the victims. Statistics often under-represent the actual number of cases, whether from the Gender Crime cell of the National Police Bureau or the Human Rights Commission of Pakistan (HRCP) as they are based only on registered or reported cases.<sup>3</sup>

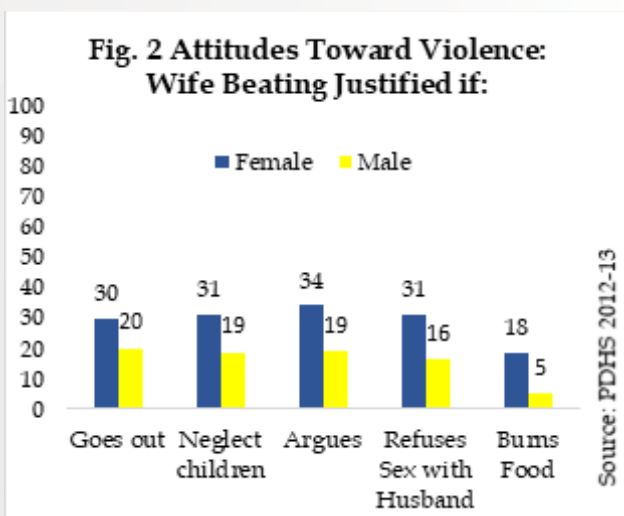
In Pakistan, efforts to improve policies that address VAW has resulted in progressive legislation, amendments to the infamous Hudood Ordinance, and increased penalties under existing laws. The 11th five-year plan provides justice to survivors of violence and strengthens effective support mechanisms like 24 hour helplines, shelters, crisis centers, free legal aid, counselling, and rehabilitation support. It also supports preventive measures such as behavioral change communication, awareness and sensitization at the family and community level.<sup>4</sup>

physical spousal violence while one-third of women (33%) reported that they experienced emotional violence in the past twelve months preceding the survey.<sup>5</sup>

Thirty five percent of the women experienced physical injuries. Women who are divorced, separated or widowed are more likely to experience violence during pregnancy. Women with 5 or more children are also more likely to experience physical violence.



Controlling behaviors of husbands tend to isolate the spouse from family and friends. 9% of the women were not permitted by husbands to meet their friends and 7% were only allowed limited contact with family. 28% of the women stated that their husbands showed signs of jealousy when they talk to other men. The degree of marital control exercised can be a precursor of physical violence. Help was sought by 35% of the survivors of domestic violence, with the majority preferring to seek help from their own family (74%), or their husband's family (22%), with one percent and less seeking help from the police, health providers, and lawyers. Only 0.8% of the women who experience physical violence actually go to the police for help.<sup>6</sup> The reasons for not reporting domestic violence can be varied. Women fear being ostracized and loss of support from key family members if they break the silence and encounter serious challenges from the police and service providers.



For each of the reasons noted in Fig.2, twice as many women as men concur that a husband is justified in

beating his wife. Arguing with husband is seen as valid excuse for physical violence, implying that the threat of violence potentially silences women. Physical reprisals for leaving the house is a means of restricting mobility.

### Legislation for addressing VAW (2006-2018)

- Criminal Law (Amendment) (Offences relating to Rape) Act 2016
- Criminal Law (Amendment) (Offences in the name or on pretext of Honor) Act 2016-Punjab Protection of Women against Violence Act 2016
- Child Marriage Restraint Act (Punjab Marriage Restraint Amendment Act 2015. Sindh 2014)
- Domestic Violence Prevention and Protection Act Sindh (2013) and Balochistan (2014)
- Khyber Pakhtunkhwa Deserving Widows and Special Persons Act 2014
- Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011 (pertaining to forced marriages and inheritance deprivation in the name of custom)
- The Women in Distress and Detention Fund (Amendment) Act 2011
- Right to Ownership (Women) Act 2011
- The Acid Control and Acid Crime Prevention Act 2011
- The Protection Against Harassment of Women at the Workplace Act 2010 (Azad Jammu & Kashmir 2011, Punjab 2012, Gilgit Baltistan 2013)
- Women Protection Act 2006

Note: This is not exhaustive list.

### Violence in the Public Domain

Women not only face violence at the household level but are also victimized outside the four walls of their home. A study reported that 82 percent of women commuters face harassment at the bus stop. Women between the age group of 20-29 years were faced the most sexual harassment. Housewives were found to be the most vulnerable group followed by domestic workers, students and working women. Staring, stalking, obscene gesturing, whistling, passing of

sexual comments and touching were the most prevalent form of violence. Moreover, 95% women and girls were not aware of pro-women legislations on sexual harassment.<sup>7</sup> High numbers of sexual violence and kidnappings of women and girls are recorded and reported by the HRCP annually.

**Cyber violence** Women's increased access to cell phones, internet and the use of social media platforms has made them vulnerable to online abuse and sexual harassment as 75% users are men. The Digital Rights Foundation reports that 40% of the women surveyed had experienced online harassment via messaging applications.<sup>8</sup>

Dhurnal, a village in Chakwal district of Punjab is a highly-developed settlement with government schools and colleges but its women have never cast their votes since the 1960s. Their men have stopped them from voting.

Violence against women also restricts women's

mobility and capacity to participate in electoral processes. Denial of voting rights, contesting elections, character assassination, and kidnapping threats effectively disenfranchise women.<sup>9</sup>

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## Conclusion

Discriminatory gender norms and harmful customary practices violate the human rights of women and subject them to violence in the domestic and public spheres. Few cases are reported, and despite existing legislation that can support survivors of violence to seek justice, the forensic and long drawn judicial processes discourage women from seeking redress. Violence against women is a human rights issue and by taking the human rights approach, the mechanism of state and state actors can be made responsible for such violation of rights, whether these occur in the household, family or community.

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## Recommendations

- The mechanisms for initial registration of complaints should be simplified and extended so that it is widely available.
- The establishment of women's police station or separate desk in existing police stations to, facilitate the survivors of VAW in registering cases of violence will go a long way in improving implementation of existing laws. Training these desk officers to deal sensitively with complainants, provide necessary referrals and support the women to access legal aid or medical services is needed.
- Legal aid extension services be made available for those who want to take legal action. Serious crimes of violence against women should not be subject to the "forgiveness" clause whereby survivors and their families are pressurized to withdraw cases and settle out of court.
- Rehabilitation centers and transitional home for survivors of violence, managed by trained sensitized staff and having access to a panel of service providers such as lawyers, psycho-social counselors, skills training institutes etc. The Darul Aman operated by the provincial Social Welfare departments is a very useful facility but subject to issues of low capacity, resources, and archaic rules that limit their efficiency and effectiveness..
- Media and awareness campaigns that target men, especially young men. Public service messaging by the government to discourage GBV and to create awareness of laws and penalties for violating the law are needed.

## End Notes

- 1 Voice and Agency: Empowering Women and Girls for Shared Prosperity, World Bank. 2012
- 2 Solotaroff, Jennifer L. Pande, Rohini Prabha. Violence against Women and Girls: Lessons from South Asia. World Bank Group, 2014
- 3 NCSW. 2015. Standardized indicators on violence against women in Pakistan.
- 4 Violence in Pakistan: A Gendered Perspective. Zainab Mustafa, Research Society of International Law, 2017
- 5 PDHS 2012-13
- 6 Ibid
- 7 UN Women and Aurat Foundation, 2017. Women's Safety Audit in Public Transport in Lahore
- 8 Digital Rights Foundation, 2018. Cyber Harassment Helpline, Bi-annual report, December 2016 to May 2018.
- 9 Center of Social Research (2014). Violence against Women in Politics.

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