



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND  
www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: [registry@ohchr.org](mailto:registry@ohchr.org) – [cedaw@ohchr.org](mailto:cedaw@ohchr.org)

REFERENCE: YH/follow-up/Pakistan/64

10 August 2016

Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the fourth periodic report of Pakistan at the Committee's fifty-fourth session, held in February 2013. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/PAK/CO/4). You may recall that in the concluding observations, the Committee requested Pakistan to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 22 and 28 of the concluding observations.

The Committee welcomes the follow-up report received with a nine-month delay in November 2015 (CEDAW/C/PAK/CO/4/Add.1) under the CEDAW follow-up procedure. At its sixty-fourth session, held in July 2016 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 22** of the concluding observations that the State party “ensure the proper implementation of the Prevention of Anti-Women Practices Act of 2011 and other relevant legislation, ensure uniformity in the application of the law and repeal the provisions of the Qisas and Diyat ordinances which discriminate against women”: The State party reported on the various policy and administrative measures taken to provide counselling and legal aid to women victims of violence and facilitate their speedy access to justice, as well as on the Suo Motu action taken by the Supreme Court in cases where women's rights guaranteed by the Constitution and subsequent legislation have been violated. It added that a Steering Committee on Human Rights and Gender Issues has been established by the National Police Bureau, which is engaged in formulating strategies and programs to eliminate violence against women. Regarding the implementation of the Protection against Harassment at the Workplace Act 2010, it indicated that departmental committees have been established and an ombudsperson has been appointed at the federal level to address harassment cases. Furthermore, it reported on the steps taken in the provinces of Punjab and Sindh to prosecute criminal cases related to violations of women's rights. Finally, it mentioned that the National Commission on the Status of Women undertook a review of the Qisas and Diyat Law to remove provisions that may lead to its possible misuse or manipulation. The Committee notes the various institutional and policy measures taken by the State party to address cases of violence against women and harassment in the workplace, as well as the review of the Qisas and Diyat Law to remove

Her Excellency  
Ms. Tehmina Janjua  
Permanent Representative of the Islamic Republic of Pakistan  
to the United Nations Office at Geneva  
Rue de Moillebeau 56  
1211 Geneva 19

E-mail: [mission.pakistan@ties.itu.int](mailto:mission.pakistan@ties.itu.int)

provisions that may lead to its possible misuse or manipulation. However, it considers that the State party did not indicate whether it took specific measures to ensure the proper implementation of the Prevention of Anti-Women Practices Act of 2011 and other relevant legislation, ensure uniformity in the application of the law and repeal the provisions of the Qisas and Diyat ordinances which discriminate against women. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “address shortcomings in the Criminal Law (Amendment Act of 2004) and repeal all provisions under which perpetrators of the so-called honour crimes are allowed to negotiate pardon with victims’ families”: The State party mentioned that Section 311 of the Pakistan Penal Code empowers the Court to punish perpetrators of the so-called honour crimes even after the waiver or compounding by the heirs or walis of the deceased. It also indicated that, in order to further strengthen Criminal Law (Amendment Act of 2004), the National Commission on the Status of Women undertook a review of the Qisas and Diyat Law to remove provisions that may lead to its possible misuse or manipulation, particularly in the context of killing of women in the name of so-called honour. It further reported that, following a series of consultations, recommendations have been made to the Parliament to introduce imprisonment sentence of no less than 14 years and the payment of half of the Diyat by the offender in case of murder committed in the name of honour. The Committee notes the efforts of the State party to review discriminatory provisions of the Qisas and Diyat Law with regard to so-called honour crimes, as well as the recommendations made to the Parliament to introduce a minimum imprisonment sentence of 14 years for such crimes. It considers, however, that the State party did not take sufficient measures to address shortcomings in the Criminal Law (Amendment Act of 2004) and repeal all provisions under which perpetrators of the so-called honour crimes are allowed to negotiate pardon with victims’ families. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “strengthen support services for victims of violence, such as counselling and rehabilitation services, both medical and psychological; increase the number of shelters to ensure the implementation of the standard operating procedures for the treatment of victims in all provinces”: The State party indicated that 26 Shaheed Benazir Bhutto Crisis Centres, which provide shelter, legal and medical aid and counselling facilities to women victims of abuse and violence, have been established by the Ministry of Women Development and transferred to provinces. It added that Provincial Departments of Women Development and Social Welfare are committed to increasing the number of women crisis centres. It also mentioned that the Provincial and District Level Monitoring & Evaluation Committees have been constituted to plan, review and evaluate implementation of SOPs/Guidelines in about all the crisis centres. It further reported on the measures taken at the provincial level to provide women survivors of violence with protection and rehabilitation services, including shelter, legal, psychological and medical support, and helplines. The Committee welcomes the initiatives taken by the State party to strengthen support services for victims of violence, such as counselling and rehabilitation services, both medical and psychological, as well as the establishment of the Provincial and District Level Monitoring & Evaluation Committees, which have been tasked with the planning, reviewing and evaluating of implementation of SOPs/Guidelines in almost all the crisis centres. It further notes the commitment of the Provincial Departments of Women Development and Social Welfare to increase the number of women crisis centres. The Committee considers that the State party took significant steps to implement the recommendation. It considers that the recommendation **has been implemented**.

Regarding the recommendation that the State party “adopt a comprehensive strategy to eliminate all harmful practices and stereotypes, in conformity with articles 2, and specifically 2 (f), and 5 (a) of the Convention, which includes awareness-raising efforts targeting the general public and the media, religious and community leaders, in collaboration with civil society and

women's organizations": The State party indicated that it has made concerted efforts to eliminate harmful practices and stereotypes regarding women by formulating laws and taking policy and administrative measures, including the adoption of the National Plan of Action of the Ministry of Law, Justice and Human Rights, the drafting of a model Women Empowerment Package (which provides a multifaceted approach to address the issues faced by women), as well as the consideration of several relevant bills relating, inter alia, to domestic violence, sexual and reproductive health, marriage, and smuggling and trafficking. It further reported on the multiple initiatives taken at the provincial level to promote women's rights and empowerment, including the adoption of the Punjab Women Empowerment Package 2012, the Punjab Commission on the Status of Women Act 2014 and the Punjab Fair Representation of Women Act 2014, the KPK Women Empowerment Policy Framework, the Sindh and Balochistan Domestic Violence (Prevention and Protection) Act, 2013, and the KPK Elimination of Custom of Ghag Act, 2013. The State party further informed the Committee on the various awareness-raising measures regarding women's rights, women's empowerment, gender equality and violence against women, which include celebrations of the International Women's Day, the dissemination of information to the private and public sectors, sensitization seminars, workshops, symposiums and consultative meetings with engagement of the police, law enforcement officials, judiciary and academia, the launch of Pakistan Women's Media Complaint Cell to promote and ensure gender responsiveness within media houses and among journalists, and the launch of a nationwide campaign during 16 Days of Activism for Elimination of Violence against Women through seminars, TV, radio, social media, banners, printed media, SMS, etc. The Committee notes the various legislative, institutional and policy measures taken by the State party to promote women's rights at the federal and provincial levels, as well as the awareness-raising efforts targeting the general public and the media to support women's empowerment and combat gender stereotypes and violence against women. However, the Committee notes that these efforts do not involve neither religious and community leaders nor civil society and women's organizations. Moreover, it notes that the State party did not take specific measures to adopt a comprehensive strategy to eliminate all harmful practices and stereotypes, in conformity with articles 2, and specifically 2 (f), and 5 (a) of the Convention. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party "ensure a robust and effective regulation of the arms trade as well as appropriate control over the circulation of existing and often illicit arms to enhance the security of women and girls": The State party indicated that it has a robust arms control regime in place. The Committee considers that **it did not receive sufficient information** to assess whether the recommendation has been implemented.

Regarding the recommendation that the State party "take appropriate measures to ensure disaggregated data collection on all forms of violence against women, including domestic violence, by the Gender Cell Crime (GCC)": The State party stated that a number of measures have been undertaken to ensure that disaggregated data is compiled, including the sensitization and capacity building of the Federal Bureau of Statistics and the Population Census and its alignment with the SAARC gender info-base, which provides extensive information on, inter alia, violence against women. It also reported that the GCC gathers, collates and analyses data on violence against women, especially cases of gang rape, rape, abduction, kidnapping, honor killings, and sexual harassment in the workplace. In addition, it indicated that the National Commission on the Status of Women is supporting the GCC to develop a system of sex disaggregated crime data, including all forms of violence against women, from all provinces and areas for analysis, tracking and policy planning. The Committee notes the initiative of the State party to establish a nationwide system of sex disaggregated crime data which would include all forms of violence against women. However, it notes that this system is still being developed and is not yet ready to be used to ensure disaggregated data collection on all forms of violence against women, including domestic violence, by the Gender Cell Crime. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

The Committee recommends that, in relation to paragraph 22 of the concluding observations, the State party provide, **in its next periodic report due in February 2017**, information on further actions taken to:

- 1) Ensure the proper implementation of the Prevention of Anti-Women Practices Act of 2011 and other relevant legislation, ensure uniformity in the application of the law and repeal the provisions of the Qisas and Diyat ordinances which discriminate against women;
- 2) Address shortcomings in the Criminal Law (Amendment Act of 2004) and repeal all provisions under which perpetrators of the so-called honour crimes are allowed to negotiate pardon with victims' families;
- 3) Adopt a comprehensive strategy to eliminate all harmful practices and stereotypes, in conformity with articles 2, and specifically 2 (f), and 5 (a) of the Convention, which includes awareness-raising efforts targeting the general public and the media, as well as religious and community leaders, in collaboration with civil society and women's organizations;
- 4) Ensure a robust and effective regulation of the arms trade as well as appropriate control over the circulation of existing and often illicit arms to enhance the security of women and girls; and
- 5) Take appropriate measures to ensure disaggregated data collection on all forms of violence against women, including domestic violence, by the Gender Cell Crime (GCC).

Regarding the recommendation made in **paragraph 28** of the concluding observations that the State party “improve the literacy rate of women and girls, reduce and prevent dropouts among girls, especially at the secondary level, formulate re-entry policies enabling young women to return to school after pregnancy, and organize programmes for girls affected by conflict who leave school/university prematurely”: The State party indicated that the Government's National Commission on Human Development established a country-wide Adult Literacy Program through which two million women have acquired functional literacy skills since it began in 2002. It reported that significant strides have been done in increasing girl's enrolment and retention rates in primary, middle and high schools in recent years, especially by improving schools physical infrastructure and classroom environment and building new educational institutions, including girls' colleges and women's universities, especially in rural areas. It further reported on the various measures taken to enhance the enrolment and retention of women and girls in schools, including the large-scale 'Education Sector Reforms' and 'Education for All' programs (both of them having gender-specific targets), the Waseela e Taleem (WET) Programme (which links the unconditional cash transfer to beneficiary families to the enrolment of children in school), schemes to support students from less developed areas, awareness-raising campaigns, distance education for University students, as well as provincial programs providing scholarships, school uniforms, stipends, free textbooks and nutritional support to girls' schools. The Committee notes the positive impact of the ongoing Adult Literacy Program on women and girls' literacy rate. It also notes the various measures taken by the State party to increase the enrolment and retention of women and girls in schools. However, the Committee considers that the State party did not provide information on specific measures taken to reduce and prevent dropouts among girls, especially at the secondary level, formulate re-entry policies enabling young women to return to school after pregnancy, and organize programmes for girls affected by conflict who leave school/university prematurely. The Committee considers that the State party took significant steps to implement the recommendation. It considers that the recommendation **has been implemented**.

Regarding the recommendation that the State party “improve the quality of education by providing systematic and gender sensitive training to all teachers and by conducting a revision of the curriculum and textbooks to remove gender stereotypes”: The State party mentioned the Learning Innovation Division of Higher Education Commission, which is the hub for the In-Service Continuous Professional Development of Higher Education Institutions Teaching Faculty

and Management. It further indicated that Higher Education Departments in provinces have started a short-term in-service training programme for their employees in 2014 and are planning to include a gender component in the training modules soon. It added that the establishment of the National Curriculum Commission is under consideration with the objective to maintain uniform educational standards all over the country and to include human rights education in the curriculum. Finally, it reported that Government of Punjab has added specific topics, stories and information in curriculum of all grades from 1 to 12 regarding women's rights. The Committee notes the plan to include a gender component in the training modules of the short-term in-service training programme for employees of Higher Education Departments in provinces, as well as the proposal to include human rights education in the national education curriculum. However, the Committee considers that the State party did not take specific measures to provide systematic and gender sensitive training to all teachers and to conduct a revision of the curriculum and textbooks to remove gender stereotypes. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party "take the necessary measures to prevent the occurrence of attacks and threats against educational institutions which undermine women and girls' fundamental rights, in particular, the right to education, and to ensure that perpetrators of such acts of violence are promptly investigated, prosecuted and punished": The State party mentioned the adoption of the National Action Plan on counter-terrorism in 2014 and the further empowerment of the National Counter Terrorism Authority. It also reported on the launch of a 15-point plan for a Pakistan Safe Schools Initiative, which was endorsed by the Prime Minister of Pakistan and the United Nations Special Envoy for Education through a multimillion-dollar campaign for girls' and boys' education, and comprised measures such as armed guards, police patrols, emergency communication systems, metal detectors and security fences to improve security of 1,000 schools in Pakistan. Moreover, it indicated that a large number of private and public schools and institutions have been given guidelines by the Government for enhancing school security. It further listed a number of security measures taken at the provincial level, including emergency drills in public schools, security training sessions with students and teaching staff, as well as training of bomb disposal squads. The Committee notes the various security and training/awareness-raising measures taken by the State party to prevent the occurrence of attacks and threats against educational institutions which undermine women and girls' fundamental rights, in particular, the right to education. It notes, however, that the State party did not indicate what measures have been taken to ensure that perpetrators of such acts of violence are promptly investigated, prosecuted and punished. The Committee considers that the State party took significant steps to implement the recommendation. It considers that the recommendation **has been implemented**.

Regarding the recommendation that the State party "consider the establishment of a rapid response system whenever there are attacks on educational institutions to promptly repair and rebuild them and replace educational materials so that women and girls can be reintegrated into schools/universities as soon as possible": The State party indicated that repair and rebuilding of schools which have been attacked or which have been temporarily closed due to law enforcement operations against terrorists is being done on a regular basis with the view to reopen them. The Committee notes the statement of the State party that repair and rebuilding of schools which have been attacked is being done on a regular basis with the view to reopen them. However, it notes that the State party did not take concrete measures to establish a rapid response system whenever there are attacks on educational institutions to promptly repair and rebuild them and replace educational materials so that women and girls can be reintegrated into schools/universities as soon as possible. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

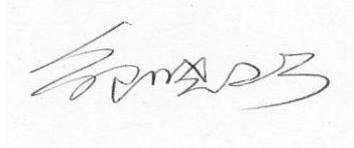
The Committee recommends that, in relation to paragraph 28 of the concluding observations, the State party provide, **in its next periodic report due in February 2017**, information on further actions taken to:

- 1) Improve the literacy rate of women and girls, reduce and prevent dropouts among girls, especially at the secondary level, formulate re-entry policies enabling young women to return to school after pregnancy, and organize programmes for girls affected by conflict who leave school/university prematurely;
- 2) Improve the quality of education by providing systematic and gender sensitive training to all teachers and by conducting a revision of the curriculum and textbooks to remove gender stereotypes;
- 3) Ensure that perpetrators of attacks and threats against educational institutions which undermine women and girls' fundamental rights, in particular the right to education, are promptly investigated, prosecuted and punished; and
- 4) Promptly repair and rebuild educational institutions and replace educational materials so that women and girls can be reintegrated into schools/universities as soon as possible.

The Committee looks forward to pursuing its constructive dialogue with the authorities of Pakistan on the implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Xiaoqiao Zou  
Rapporteur on follow-up  
Committee on the Elimination of Discrimination against Women