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1. Police

In a 2011 article on domestic violence against women in Pakistan, published in the international peer-reviewed journal *Asian Social Science*, five academics based in Toronto and Pakistan describe the police system in Pakistan as "inefficient and unresponsive" in cases of violence against women, explaining that "the police often conducts improper investigations or fail[s] to even investigate the crime at all" (Bhatti et al. 2011, 154). Similarly, the Asia Society, a US-based educational institute that promotes understanding and partnership between Asia and the US (n.d.), writes in a report on policing and women's rights in Pakistan that women are "disproportionately exposed to injustice when seeking help from law enforcement agencies, particularly at local police stations, both rural and urban" (Asia Society July 2012, 86). The source goes on to say that law enforcement bodies respond to female complainants with "negligence in responding, delay in action, and outright refusal to recognize the occurrence of violence" (ibid., 88).

According to the Asia Society, "if the case involves a family member, the police will brush it aside as a private matter to be resolved at home" (Asia Society July 2012, 88). Similarly, the US Department of State's Country Reports on Human Rights Practices for 2013 indicates that "[p]olice and judges were sometimes reluctant to take action in domestic violence cases, viewing them as family problems. Instead of filing charges, police typically responded by encouraging the parties to reconcile" (US 27 Feb. 2014, 48). The *Asian Social Science* article also states that domestic violence, including "honour killing," is considered by police to be "a private matter to be

resolved within the family" (Bhatti et al. 2011, 154). In cases of rape, reports state that it is common for police to push the victim to marry her attacker (US 27 Feb. 2014, 47; Zaman and Zia [2013], 6).

The Asia Society describes the police as "intent on denying the existence of violence [against women]" and notes that "bribery, extortion, and coercion are all used to discourage or falsify" complaints submitted by female victims in the form of First Information Reports (FIRs) (Asia Society July 2012, 88). The Asian Social Science article also indicates that police officers sometimes deliberately or accidentally include false information in domestic violence reports, occasionally after being bribed by the accused (Bhatti et al. 2011, 154).

Sources indicate that law enforcement officials themselves inflict violence on women (US 27 Feb. 2014, 47; HRCP March 2014, 176; Asia Society July 2012, 88). According to Country Reports 2013, "NGOs... alleged police sometimes abused or threatened victims, demanding they drop charges, especially when police received bribes from suspected perpetrators" (US 27 Feb. 2014, 47). The Human Rights Commission of Pakistan (HRCP), a Pakistani NGO that publishes reports about human rights abuses in Pakistan (n.d.), similarly states that "the police... [were] involved in causing hurt and psychological trauma to women who visited police stations to register complaints" (HRCP Mar. 2014, 176). According to an article on shelters in Pakistan, written by Filomena Critelli, a professor of social work at the University at Buffalo who researches domestic violence in Pakistan (University at Buffalo n.d.), there is a "high incidence of rape and abuse of women in police custody" (Critelli 16 July 2012, 441). Country Reports 2013 similarly notes that "rape by police... was a problem" and that the government "rarely took action against those responsible" (US 27 Feb. 2014, 9, 47).

1.1 Women's Police Stations

Sources note that women-only police stations exist in Pakistan because tradition prevents women from speaking to male officers (Reuters 20 Oct. 2013; Islamabad Capital Territory n.d.a) or men who are unrelated to them (International Business Times 22 Oct. 2013). The Islamabad Capital Territory Police states that other objectives of its women's police station, located in central Islamabad, are to protect women from "policemen's violence against women in police stations" (n.d.a), and to "inspire confidence and provide free communication" to female victims (n.d.b). According to the website of the Punjab police, there are three women's police stations in the province, including one in Lahore, which provide "prompt help" as well as legal advice and counselling to female victims of crime and domestic violence (Punjab Police n.d.). The website of the Society for the Advancement of Community, Health, Education, and Training (SACHET), a Pakistan-based NGO that promotes "human development of the underprivileged in gender perspectives" (n.d.a), indicates that Lahore, Karachi, and Islamabad each have one women's police station (SACHET n.d.b). The same source lists four "women police cells" in Karachi (ibid.). Further or corroborating information on women's police cells could not be found within the time constraints of this Response.

Sources indicate that women's police stations in Pakistan are lacking in personnel and resources (US 27 Feb. 2014, 48; Reuters 20 Oct. 2014). According to the HRCP, there were 9 female superintendents of police out of a total of 146 superintendents (HRCP Mar. 2013, 176). The same source states that "[f]emale police officers numbered but a few all over Pakistan and were often not given important positions. They were rarely seen on the streets supposedly because they had higher chances of being harassed" (ibid.). An October 2013 article published by the International Business Times, an American digital news publication that reports on business, the economy, and politics (n.d.), states that "too few members of the public take female cops seriously, and the all-women stations are far less busy than their all-male counter-parts. Making things worse, many male colleagues do not regard women policemen as equal or even necessary" (22 October 2013).

In correspondence with the Research Directorate, a representative of War Against Rape (WAR), a Karachi-based NGO that gathers data on rape in Pakistan through a network of survivors (n.d.), stated that "in actual fact the female police officers are not really empowered or effective or involved in investigations" (WAR 11 Dec. 2014). The Asian Social Science article notes that despite the presence of female personnel in women's police stations, "gender bias remains rampant... because of the fact that they do not receive any gender sensitization training to assist female victims of violence" (Bhatti et al. 2011, 154).

According to a report presented at the 54th session of the UN Committee on the Elimination of Discrimination Against Women (CEDAW) by representatives of two Pakistani NGOs [1], a woman must file an application if she wants her case to be transferred to a women's police station (Zaman and Zia [2013], 2). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2. Women's Shelters

According to US Country Reports for 2013,

A total of 26 government-funded Shaheed Benazir Bhutto centers for women across the country provided women with temporary shelter, legal aid, medical treatment, and psychological counseling. ... Victims later were referred to a "darul aman" or a shelter house (approximately 200 centers for women and children who were victims were established with funds from the Provincial Women Development Department). These centers provided shelter, access to medical treatment, limited legal representation, and some vocational training). (US 27 Feb. 2014, 48)

Cause of Death: Woman, an investigative report on violence against women between 2010 and 2012 in Pakistan, produced by the Swedish Association of Women's Shelters and Young Women's Empowerment Centres (SKR) and funded by the Swedish International Development Cooperation Agency (n.d.), notes that "in the state of Punjab alone there are 34 state-run women's shelters, Dar-ul Amans, at least one in each district" (n.d.a). Sources indicate that there are women's shelters in Lahore (WAR 11 Dec. 2014; SKR n.d.a). Among these is a single private shelter, Dastak, which can accommodate 25 women and 45 children, most of whom stay for at least 3 months (ibid.). A Globe and Mail article published 5 December 2014 reports that "there are shelters in Karachi where ... abused women can learn skills in order to earn a livelihood." PANAHA, a shelter home in Karachi, reports that 300 women and 101 children were accommodated "for varying periods" in 2012 (PANAHA [2012], 1). It also indicates that residents were also able to access rehabilitation services and skills training (ibid.). The Pulitzer Center on Crisis Reporting, an American non-profit journalism organization that reports on international issues (n.d.), indicates that the shelter houses up to 45 women and their children for up to 3 months, providing access to clean water and bathroom facilities (13 Aug. 2011). According to the Express Tribune, a Pakistan-based international news source partnered with the International New York Times (n.d.), a shelter home for women in distress which aims to "ensure secure and healthy family environment[s]" was established in Islamabad by the NGO Bint-e-Fatima Old Home Trust in April 2014 (The Express Tribune 20 Apr. 2014).

Country Reports 2013 states that many government-funded shelters "lacked sufficient space, staff, and resources" (US 27 Feb. 2014, 48). Critelli likewise notes that state-funded shelters are "of poor quality" and "lack trained staff" (Critelli 16 July 2012, 441). The NGO paper presented at the 54th CEDAW session also reports that "there are very few shelter homes against the number of women seeking refuge" (Zaman and Zia [2013]). According to SKR, "the demand has risen as more women have become aware of their rights" (SKR n.d.a.).

Sources state that women have their movements restricted at some shelters (SKR n.d.a.; Pulitzer Center on Crisis Reporting 31 Aug. 2011; US 27 Feb. 2014, 48). According to SKR, "[shelters]

become a mixture of protection and prison. The women cannot move around freely" (SKR n.d.a.). Critelli similarly states that, "the state-run shelters (Darul amans)...function like jails where women are locked in and offered no services to assist them in rebuilding their lives" (Critelli 16 July 2012, 441). The Pulitzer Center for Crisis Reporting states that at the PANAHA shelter for abused women and children in Karachi, the main doors are locked at night and "the women are shut out from the outside world by two fortified gates and walls topped by barbed wire" (Pulitzer Center on Crisis Reporting 31 Aug. 2011). The same source adds that approximately 60 percent of the residents stay at the shelter because of a court order and are therefore not permitted to leave the premises without permission from the court (*ibid.*).

Various reports state that women's shelters in Pakistan suffer from a negative image in the public eye (SKR n.d.a; Zaman and Zia [2013], 3). The NGO paper presented at the 54th CEDAW session states that "going to a shelter home is still considered taboo and perceived as the last resort of women who have been turned away by respectable society" (*ibid.*). SKR also reports that "the state shelters often have a bad reputation, as a place 'where bad women go'" (SKR n.d.a.).

3. Judiciary

Various sources mention legislative developments taken by the government to strengthen women's rights (Freedom House Jan. 2014; US 27 Feb. 2014, 51; JURIST 31 Dec. 2011). With the passing of the Prevention of Anti-Women Practices Bill in 2011, the following practices were criminalized: giving a woman in marriage to settle a criminal or civil dispute; compelling a woman into marriage with the Qu'ran; and depriving a woman of her lawful inheritance through deceit or illegal means (*ibid.*; US 27 Feb. 2014, 51). Another bill rendered the use of corrosive substances or acids to cause bodily harm illegal (*ibid.*; JURIST 31 Dec. 2011).

Reports note that despite the legislative developments, enforcement of the laws is a problem (*ibid.*; US 27 Feb. 2014, 45; Freedom House Jan 2014). Sources indicate that members of the judiciary, like the police, perceive domestic violence to be a "private" or family matter (The Globe and Mail 10 Dec. 2014; US 27 Feb. 2014, 48). A Karachi-based lawyer interviewed by the Pakistani newspaper Dawn commented on "a genuine belief among the legal fraternity, including the judges, that the woman is a liar and makes up stories" (26 Oct. 2014a). Citing information from the Karachi NGO WAR, Country Reports 2013 states that police and the judiciary "were seen to actively pressure survivors" of rape to accept out-of-court settlements brokered by police, prosecutors and judges (US 27 Feb. 2014, 9). The same report cites a women's rights activist as saying that perpetrators of crimes against women who have "strong connections in society" and are "more powerful and resourceful than the victims" are able to pressure victims and their families to accept a settlement (*ibid.*, 47). The NGO paper presented to the 54th CEDAW session also describes out-of-court "compromises" as a "very normal" practice that ends with the dismissal of the case and the release of the accused, including when the accused is the victim's father (Zaman and Zia [2013], 3).

According to the NGO paper presented at the 54th CEDAW session,

[t]he judiciary has a very small percentage of women [j]udges and hardly any female public prosecutors. ... The defence is free to probe the victim's sexual history and often cite lack of medical evidence to indicate consent. Bails are granted casually when the crux of evidence is based on medical findings, particular visible marks of violence in the women's body. (*ibid.*)

The Asian Social Science article states that "in general, courts are reluctant to render rape convictions without supporting physical evidence and in cases where there are no 'marks of violence' on the victim's body and the evidence consists solely of the victim's word against the defendant's" (Bhatti et al. 2011, 152). Sources describe the conviction rate for rape in Pakistan as

"critically low" (HRCP Mar. 2014, 177), "near-zero" (Dawn 26 Oct. 2014a), and "close to zero" (ibid. 26 Oct. 2014b).

Various sources describe challenges faced by women seeking judicial support (WAR 11 Dec. 2014; Zaman and Zia [2013], 3; US 27 Feb. 2014, 46). Country Reports 2013 states that "the law requires a complaint [regarding a rape offence] to be made directly to a sessions court, a trial court for heinous offences" and that this procedure reportedly created "barriers for rape victims who could not afford to travel to the courts or access the courts" (ibid.). Corroborating information could not be found amongst sources consulted by the Research Directorate within the time constraints of this Response.

The NGO report presented to the 54th CEDAW session notes that "[t]rials are lengthy, arduous and have high direct and indirect costs, including opportunity costs of lost wages from days spent in court" (Zaman and Zia [2013], 3). Similarly, a representative of WAR stated, without providing details, that "[r]ape cases in court take years and years for [a] final verdict" to be delivered (WAR 11 Dec. 2014). A Pakistani lawyer and rights activist interviewed by the Dawn asserted that the functioning of courts is hampered by "inefficiency, negligence, bias and a high number of cases" and that rape cases "remain pending for years" (26 Oct. 2014b).

According to a December 2014 article in the Express Tribune, there are "free legal aid resources" that Pakistani women are able to utilize (The Express Tribune 17 Dec. 2014). Women Aid Trust, an NGO "dedicated to alleviating the suffering of women in prison in Pakistan" (Women Aid Trust n.d.), claims to have a team of

25 lawyers operating in Rawalpindi, Islamabad, Peshawar, Lahore, Multan and Karachi. The organization maintains legal aid cells in these cities, which provide assistance to women and juveniles in prison, as well as other needy women who approach them from the community. (Women Aid Trust n.d.a.)

Another Pakistani NGO, Lawyers for Human Rights and Legal Aid (LHRLA), claims that it has helped to release "5,000 innocent persons from jail, mostly women and children" and has also "provided free legal assistance and counseling to 20,000 victims" (LHRLA n.d.a.). A September 2014 article published by the Express Tribune states that Sindh province has a Legal Advisory Call Centre (The Express Tribune 15 Sept. 2014). The center has a staff of 23 criminal lawyers and a telephone number at which it can be reached (ibid.). LHRLA notes that "legal aid has received negligible attention in Pakistan. There are very few private organizations offering these services on a limited basis" (LHRLA n.d.). According to the Express Tribune, while there are organizations that "empower women," not everyone can "take advantage of these resources. They fear about bringing dishonor to their families, or are not even aware that help exists" (The Express Tribune 26 Nov. 2014).

4. Helplines

The WAR representative stated that there is a hotline for women experiencing violence, called Madadgaar, run by an NGO in Karachi (WAR 11 Dec. 2014). According to its website, Madadgaar is Pakistan's "first helpline for children and women suffering from violence, abuse and exploitation" and was started with the assistance of UNICEF (Madadgaar n.d.a). The same source states that Madadgaar offers "provision of information, referral, guidance, counselling, and crisis intervention services" (ibid. n.d.b). Corroborating information could not be found amongst sources consulted by the Research Directorate within the time constraints of this Response.

Pakistani media sources reported in 2014 that Punjab Province had introduced a telephone helpline that can be used by female victims of violence (Dawn 7 Dec. 2014; The Express Tribune

29 Nov. 2014). The Express Tribune indicates that the helpline is toll-free and that, as of November 2014, over 300 complaints made by women had been investigated (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Note

[1] The working paper entitled "Women's Access to Justice in Pakistan" was written by delegates on behalf of the Aurat Publication and Information Service Foundation, a Pakistani NGO which campaigns for gender equality (Aurat Foundation n.d.), and War Against Rape, a Karachi-based NGO that gathers data on rape in Pakistan through a network of survivors (WAR n.d.). The report was submitted to the Committee on Women's Access to Justice at the 54th United Nations CEDAW session (Zaman and Zia [2013], 6). The CEDAW session was held from February 11 to March 1, 2013 (UN n.d.).

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Additional Sources Consulted

Oral sources: Attempts to contact the following sources were unsuccessful within the time constraints of this Response: Aurat Foundation; Human Rights Commission of Pakistan; Independent Gender Consultant; Madadgaar Helpline; Pakistan: National Commission on the Status of Women; PANAHA Shelter Home; Professor of Law at University College Cork; Professor of Law at University of Warwick; Rozan; Shirkat Gah.

Internet Sites, including: Al Jazeera; Agence France Presse; Amnesty International; British Broadcasting Corporation; Brookings Institution; Carnegie Endowment for International Peace; ecoi.net; Factiva; Human Rights Watch; Pakistan: National Commission on the Status of Women; Punjab Province: Women's Development Department; Radio Free Europe; Sindh Province: Women's Development Department; United Nations: Entity for Gender Equality and Empowerment of Women, Integrated Regional Information Networks; United Kingdom - Border Agency, Home Office; United States Institute of Peace; Woodrow Wilson International Center for Scholars.

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