

Chapter 9

Empowering Women: Meeting their Strategic Interests



The word empowerment has been often (mis) used, to express women's improved access to political, social and economic resources,¹¹⁴ without addressing structural inequities and power relations that do not lend themselves to quick fixes as promoted in development literature. Empowerment also implies a process of self-development, or an expansion in the ability to make strategic life choices. These conceptualizations, which privilege the individual and not the collective, differ from the meaning given to commonly used measures of empowerment that are grounded in widely dissimilar contexts, some of which lie in conflict zones. However, there is evidence to suggest that assets, a greater role in decision-making, and freedom from violence, whether at the intra household and community level, or at national level, furthers what is termed as the strategic interests of women, influencing a shift in the imbalance of gendered power relations in favor of women.

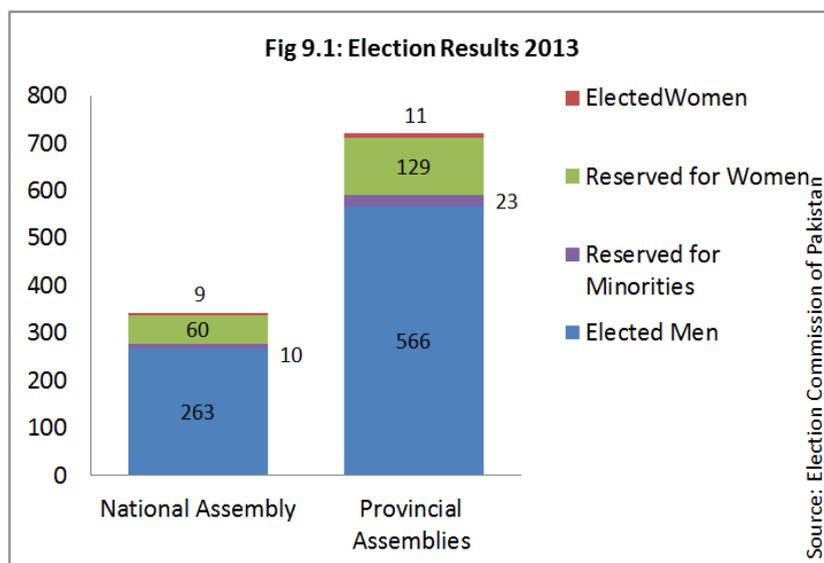
A number of indicators to gauge women's empowerment are included in the MDGs, the SAARC gender database, and other national and international conventions. Three aspects in particular promote women's strategic interests: women's participation in decision-making at all levels, women's access to credit, land or asset ownership, and prevention of violence against women.

Data for each of these aspects is gathered from different sources used in this chapter. A comprehensive gendered analysis is limited by the inadequacy of data in certain areas, such as migration and intra-household power dynamics (other than small-scale qualitative studies that provide useful directions for further research). Not enough data is available on disaggregated asset and landholdings. The excellent, albeit small scale, initiatives in the computerization of land revenue records, disaggregating land ownership records by sex, has provided some interesting data on female ownership of land. More work is of course required to assess whether the ownership translates into effective possession and control of the land.

The most recent data for political participation, from the general elections held on May 11, 2013 became available as this report was being finalized and has been incorporated as far as possible. As has happened in the past, women were discouraged from exercising their constitutional right to participate in the elections, whether as candidates or as voters. Militants in Khyber Pakhtunkhwa and FATA issued warnings to women to stay at home on election day, and mainstream political parties colluded to keep women out of the voting process in a number of locations. No action was taken against these violations. Women were also deterred by the violence that accompanied the elections.

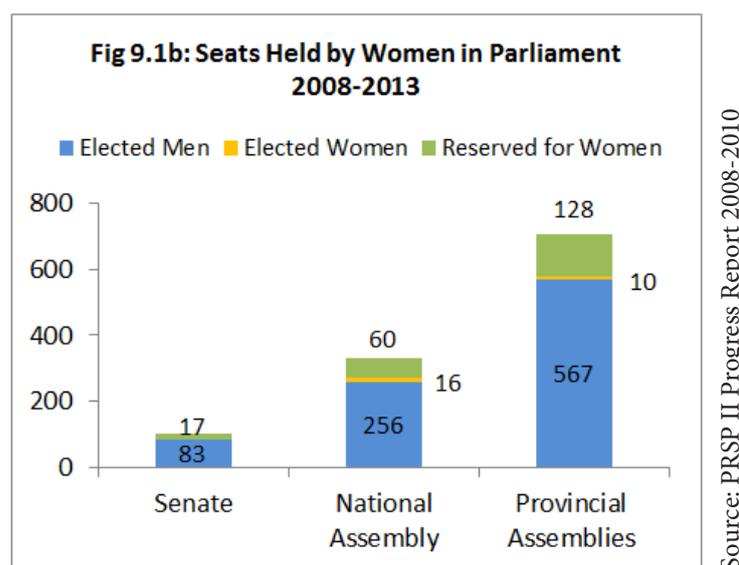
114 For a discussion on the term "empowerment" and the implications for women, see Batliwala, Srilatha. 1994 & 2007, and Kabeer N. 2001 & 2005, and Malhotra, Schuler & Boender 2002

Women in Politics and Decision-making



20 women won seats in the national and provincial legislatures in 2013, compared to 26 in the 2008 general elections.¹¹⁵ Political violence and direct threats to women, as candidates and as voters, limited their participation in the elections.

Reserved seats for women in the Senate and the National and Provincial Assemblies have ensured a 17-22% representation of women, both in the 2008 and the current 2013 legislatures.



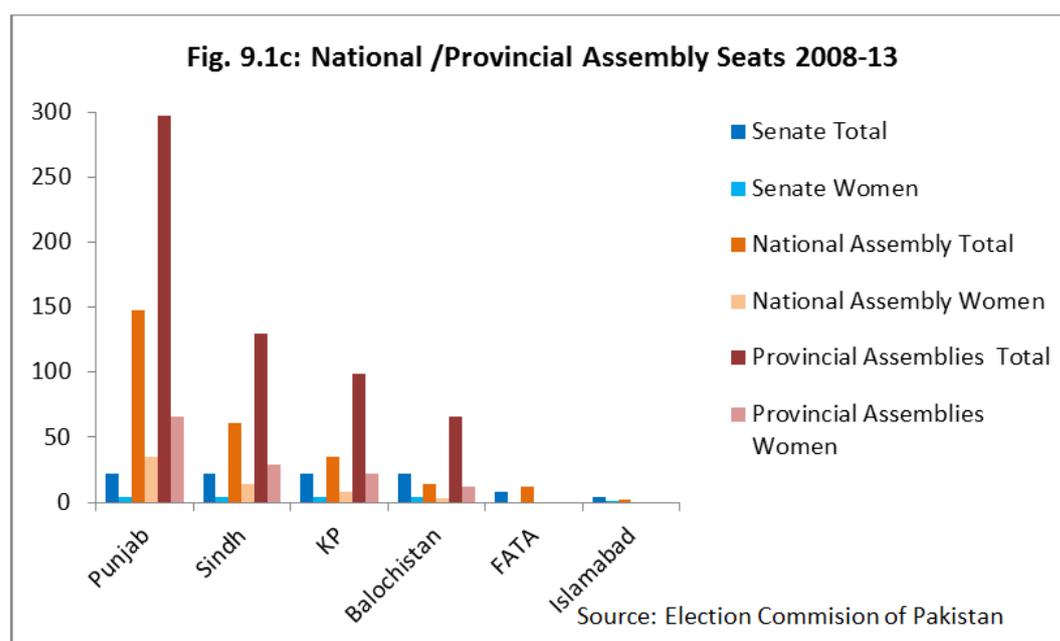
115 Various sources. Fig. 9.1c and d is extracted from Women and Politics in Asia Forum (WPAF) Observation Report of Women Contested Constituencies' 2008-Pakistan. 2008

Table 9.1 Provincial Elections 2013

Province	General Seats			Reserved Seats		
	Male	Female	Total	Females	Minorities	Female
KP	99	0	99	22	3	0
Sindh	128	2	130	29	9	0
Balochistan	50	1	51	11	3	0
Punjab	289	8	297	67	7	1
Federal capital	2	0	2	0	0	0
Total	568	11	579	129	22	1

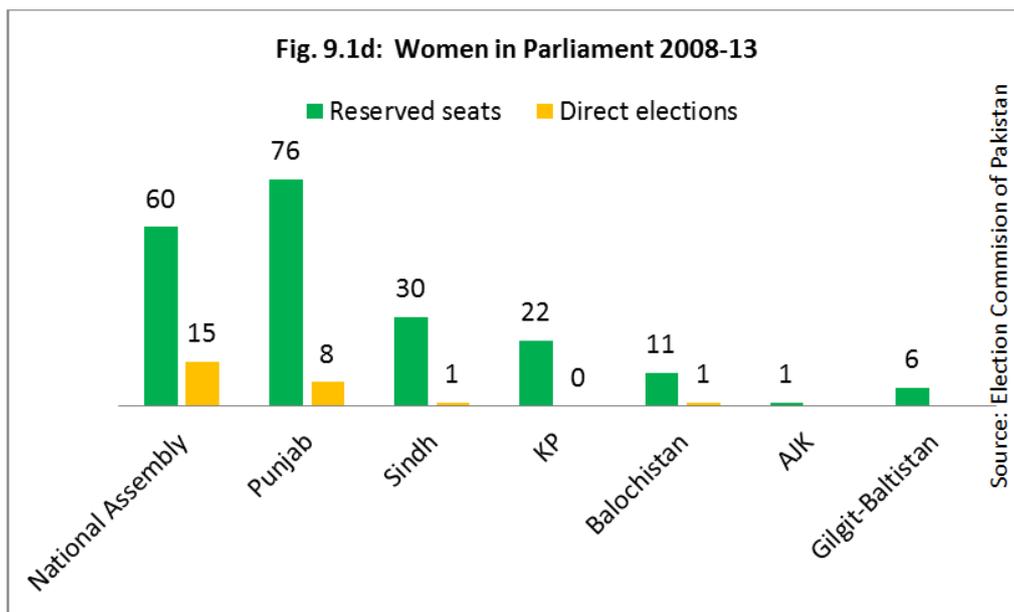
Source: Election Commission of Pakistan

FATA does not have any reserved seats for women though 8 seats are allocated to members from FATA in the National Assembly.



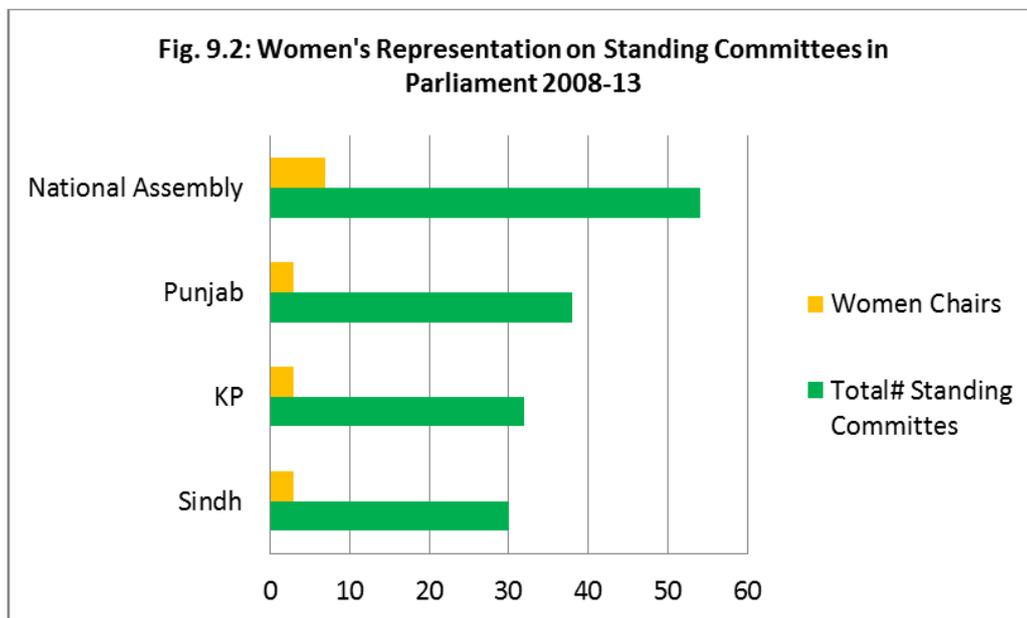
In the 2008 general elections women also contested for the general seats and won a few: 16 for the NA and 10 for the PA. 17% seats reserved for women in the Senate in 2008¹¹⁶

¹¹⁶ The convention on the Political Rights of Women, 1952, adopted by Pakistan resulted in a National Plan of Action (NPA) that incorporated the demand for 33% seats as a strategic objective. Yet only 17% seats in national parliament were reserved for women (in 2002).

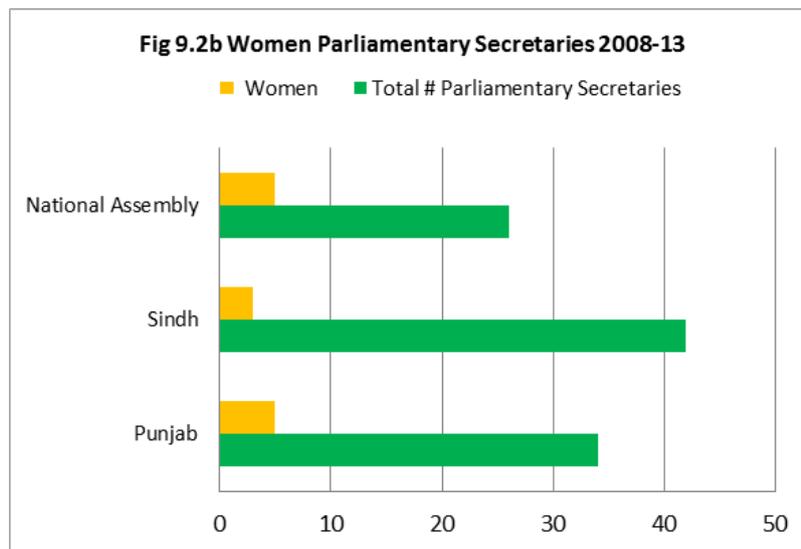


The National Parliament Speaker and the Sindh Provincial Assembly Deputy Speaker during 2008-2013 were women. Women were underrepresented in the cabinets: Only 1 woman minister in the Khyber Pakhtunkhwa (out of 44 members) but 5 in Balochistan (out of 44 ministers).¹¹⁷

Standing Committees in Parliament: 54 Chaired by Women: 7



117 NCSW Gender Review of the Framework for Women's Political Participation (no date given)



Of the 26 Parliamentary Secretaries, only 5 were women.

Women representatives moved 20 out of the 53 private members' bills presented in the National Assembly during 2008-2013.¹¹⁸

The Secretary of the Cabinet Division, a powerful position in the bureaucracy, is a woman.

However, the 10% quota set aside for women at all tiers of government service remains unmet.

All the 17 judges of the Supreme Court are men. No woman has ever been appointed to the apex court. There are only three women judges out of 103 in the five high courts.

Punjab has raised the 10% quota for women in government service to 15%, but recruitment levels continue to be well below 5%.

There are just over 3700 policewomen in the entire country, approximately 0.89% of the police force of 429635, far below the government set quota of 10% women in each department. The majority of the women police are constables, the lowest tier in the police hierarchy and only one woman has ever been a DIG (the second highest tier).¹¹⁹ There are 19 women-only police stations, the last one opened in Malakand division recently to deal with cases of violence against women.

Of the 203 Pakistan police personnel in the UN Peacekeeping Operations, only 29 are women.¹²⁰

118 The State of Human Rights in 2012. HRCP Pakistan

119 Ms. Helena Iqbal Saeed

120 UN DPKO presentation at the 2nd Islamic Women Police Conference Nov 2011, Islamabad

Only 2% of women in the labor force are in the occupational category of Legislators/Senior officials & Managers.

Women are under-represented, if not altogether missing in camp management of IDPs and refugees, and on peace committees. The National and Provincial disaster management authorities¹²¹ each have a Gender and Child Cell, staffed with one or two women, tasked to “mainstream gender and child issues and vulnerabilities in humanitarian response, crises management and disaster risk reduction initiatives.”

Provincial local governments remained suspended during 2008-2013. The new Provincial Local Government Acts retain 33% women’s representation at all tiers, except in Khyber Pakhtunkhwa with 10% reserved seats for women. FATA, which received adult franchise in 1997, does not specify any reserved seats, but allows for additional seats to represent women, traders and other special groups to be added at the discretion of the governor as long as these do not exceed 25% of the total membership.

121 Respectively known as NDMA and PDMA; Gender and Child Cells: <http://www.ndma.gov.pk/gcc.php>

Women Voters

In 2002 there were 72 million registered voters, approximately 54% men and 46% were women.¹²² In 2008, the percentage of registered women voters fell to 44%, with the biggest decline in Khyber Pakhtunkhwa (by 45%) and in FATA (by 96%). In both these areas the militancy and the subsequent military action, as well as the natural disasters, led to displacement of families. Unfortunately, the ECP data for voter turnout that would have shed light on the actual voting behavior of women is not sex disaggregated.

The July 2012 electoral rolls for FATA, prepared by ECP show 1.7 m voters, approximately 35% women.¹²³ Militants have already made known their stance and asked tribal chiefs and households to discourage women from voting or face the consequences. The stock response of the government apparatus to such threats and intimidation that deprive women of their constitutional right to vote has been, and continues to be indifference.

IDPs - almost 48% of the IDPS are over 18 years of age, but lack of CNIC and the requirement to vote at place of origin¹²⁴ hampers their participation in the polls.

The ECP has limited female staff to cater to the segregation requirements of the IDPs from FATA and other conservative constituencies. In FATA the ECP set up combined female and male polling stations in several agencies for the 2013 polls, despite prevailing tribal customs that do not allow women to enter non-segregated premises.¹²⁵

Socio-cultural norms, household responsibilities, restricted mobility (and inadequate transport facilities), coercion and fear of reprisals keep women away from the election process, both as candidates and as voters. Observers monitoring past and the current 2013 elections have repeatedly pointed to the obstruction of women exercising their Constitutional right to vote. . This includes agreements, even by candidates from mainstream political parties, with rival candidates to keep women out of the voting process. Yet little action is taken to invoke proceedings against those disenfranchising women against the law of the state.

122 General Election, 2002 Report. Election Commission of Pakistan

123 Electoral Conditions in FATA Democracy Reporting International April 2013

124 Many areas are perceived as unsafe, and the IDPs are reluctant to move back

125 Aurat Foundation, Peshawar

Representation of Women in Top Positions in the Private Sector

The Federation of Pakistan of Pakistan Chambers of Commerce and Industry (FPCCI) created a reserved slot of vice president for women entrepreneurs in its executive body in 2011.¹²⁶

A review of the publicly available data of the 97 largest corporations of Pakistan listed on the Karachi Stock Exchange-100 Index shows that only 5% of the total 838 members of the boards of directors are women and only three of the 97 had female CEOs. The majority of companies with women on their boards are family owned businesses, and women are not encouraged to participate actively.¹²⁷

In a survey of board practices in Pakistan,¹²⁸ a mere 22% of the 59 companies responding “feel that (the) presence of women on the board of directors adds value to the board.” No bank has women on the Board, except for the National Bank of Pakistan that has one female Board member.

Women entrepreneurs received a boost with the passing of the 2006 Trade Ordinance into law, as it mandated all the regional chambers to induct at least two women members onto their boards and promoted setting up of women’s chambers of commerce. As a result, by 2011, there were 60 women members on the Boards of different Chambers of Commerce, and eight women’s chambers were registered, some in conservative areas like Mardan, Peshawar, and Quetta.¹²⁹

Women continue to be under-represented in trade union; only 2% registered women members in the 7000 plus trade unions in the country.¹³⁰

126 <http://www.fpcci.org>

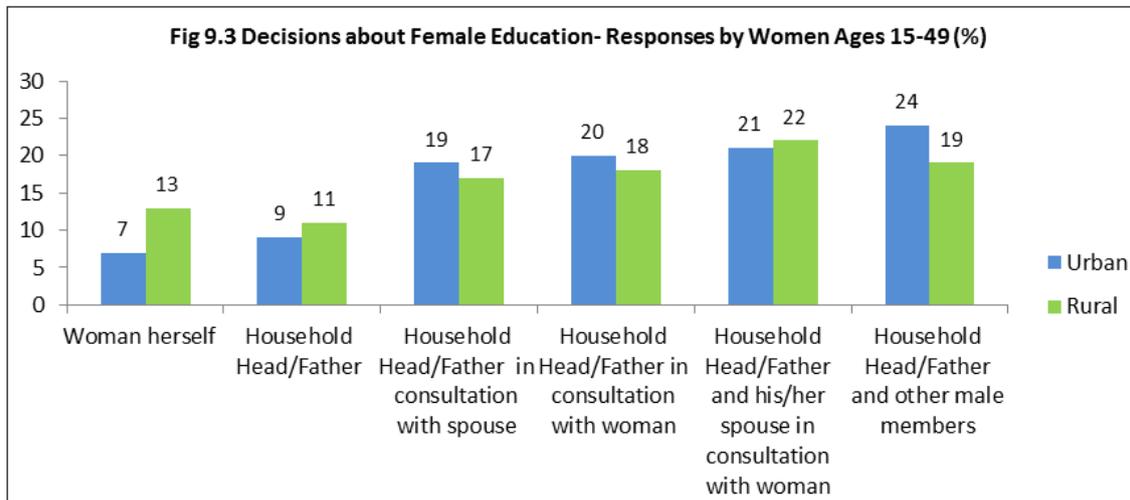
127 <http://www.cipe.org/blog/2011/05/26/silent-seats-the-debate-on-women-board-members-in-pakistan/#.UWaeScqSmkk>

128 Pakistan Institute of Corporate Governance Survey on Board Practices in Pakistan 2011

129 Anna Nadgrodkiewicz Empowering Women Entrepreneurs: The Impact of the 2006 Trade Organizations Ordinance in Pakistan April 2011. Downloaded from <http://www.cipe.org/publications/detail/empowering-women-entrepreneurs-impact-2006-trade-organizations-ordinance>

130 HRCF Report 2012

Decision-making in the Home¹³¹

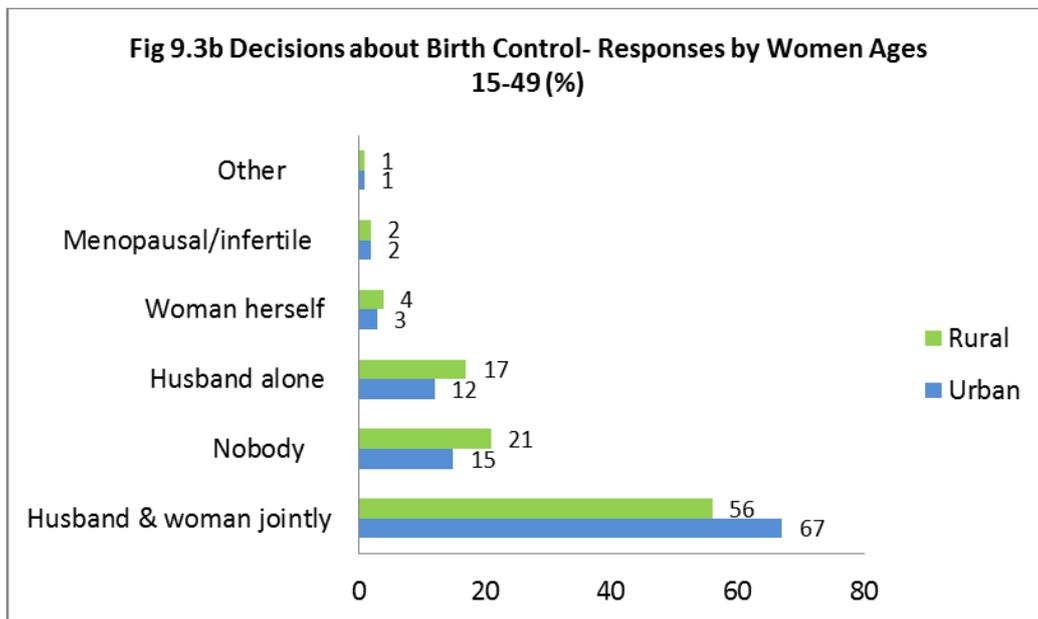


Education, and control over own bodies, are important steps in empowering women. As shown in Fig.9.3, the decision about daughter's education rests primarily with the men of the family, with only a few percentage points difference between urban and rural families. Sometimes this decision is taken in consultation with the mother or the daughter herself.

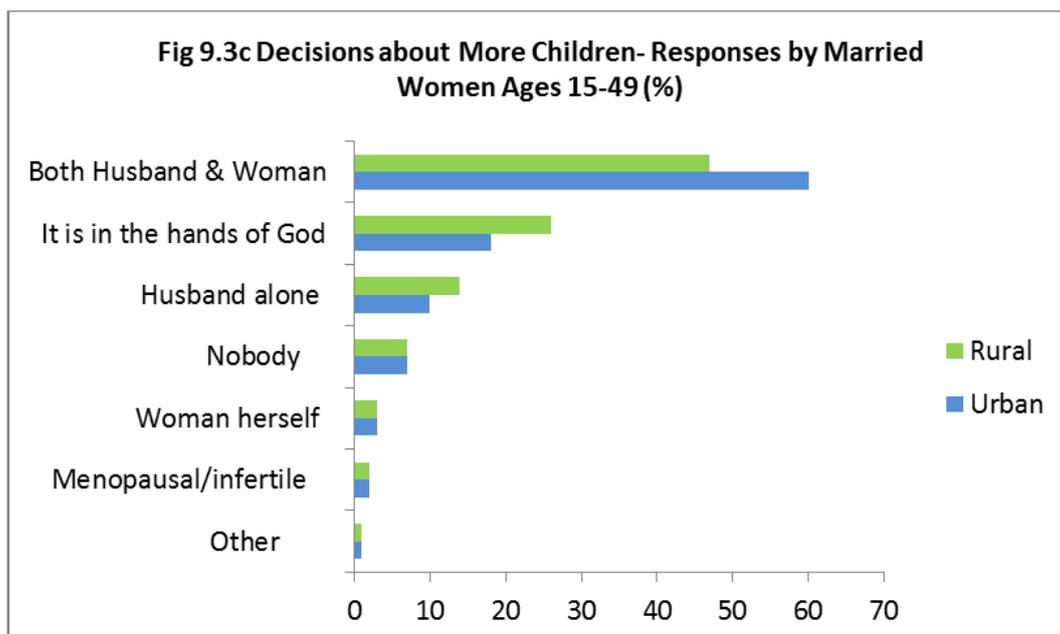
Intra household decision making is a complex, multilayered process, and no simple survey can capture all the related dimensions. For example, women in conservative parts of FATA can tend their fields and walk about their villages and surrounding ones without any hindrance—because all the residents belong to one extended clan or tribe. Thus it is not the public-private divide that determines segregation in these conservative regions, but the presence of strangers. Similar evidence is noted in qualitative studies of the Baluch tribes of Balochistan. Schools within the village perimeters can enroll girls without a problem.¹³²

131 Source- PSLM 2007 that contained a specific module asking these questions

132 In one focus group, conducted by the author, with women IDPs from Bajaur and Mohmand, they lamented that their girls could not go to school now that they were in camps- in the village they had attended primary school regularly.



The decision to use contraceptives or take some measures to plan pregnancies or to have more children is reported as a joint decision with husbands by 56% of rural and 67% of urban women. This number is comparatively higher than previous estimates and can be read as an improvement and increase in spousal communication on the issue.



Women's Access to Microcredit and Microfinance

Pakistan has one of the most conducive policy environments for microfinance institutions and banks (MFIs and MFBs) to lend to the poor. Nine large MFIs¹³³ have a specific lending focus on women.

58% of active borrowers are women, 42% are men ¹³⁴

Male relatives use 50-70% of microloans to women. ¹³⁵

Less than 25% of Pakistan's businesswomen are microfinance borrowers.

Nearly 68% of women borrowers required a male relative's permission in order to qualify for any kind of loan.

40% of active savers are women but the value of their savings is only 21% of the total savings with MFIs.

The average loan size is Rs. 19691 for female and male borrowers of MFBs and only Rs. 10600 for borrowers of MFIs,¹³⁶ hardly enough to catapult the households out of poverty.

Inadequate access to finance, socially restricted mobility and decision making, family responsibilities and markets that favor men have been enumerated in a number of studies as factors limiting women's access to credit.¹³⁷

Discriminatory lending practices require women to have two male guarantors, one of whom is not a relative; lenders also exclude young single women and do not extend credit to them.

Most female entrepreneurs seek business capital from non-MFI/MFB sources. The majority has traditional, micro level businesses in the clothing, education and food sectors.

Evidence on social impact and "empowerment" of women is unclear at best, with marginal improvements in income and asset ownership and no significant increase in female mobility, and male or female employment. ¹³⁸

133 Khushali Bank, Kashf Bank, NRSP, The First Micro Finance Bank Ltd, Rozgar MFB, Tameer MFB, Pak Oman MFB, Network MFB

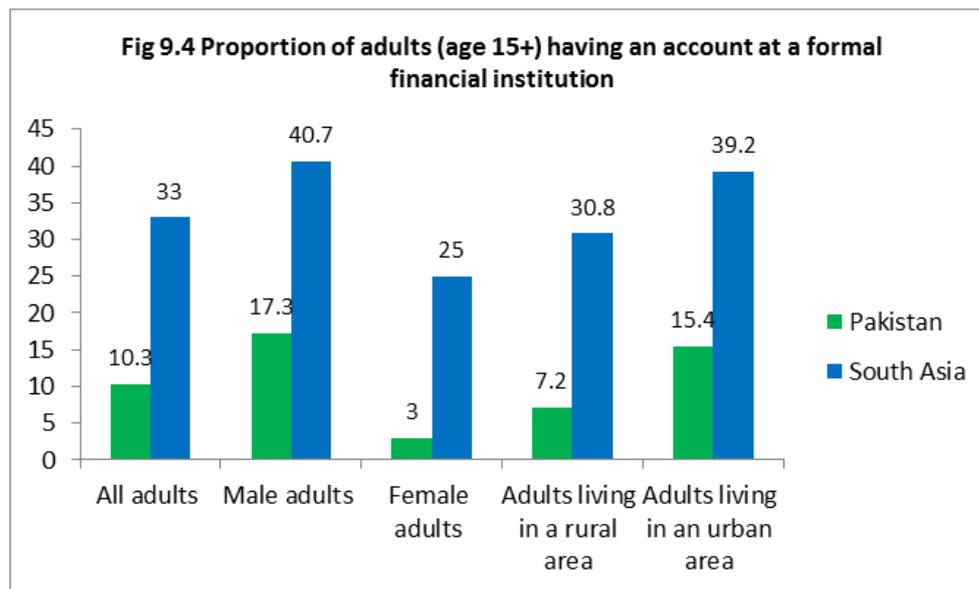
134 MicroWatch issue 25, Pakistan Microfinance Network 2013

135 <http://www.worldbank.org/en/news/feature/2012/10/17/are-pakistans-women-entrepreneurs-being-served-by-the-microfinance-sector>

136 State bank of Pakistan cited in Pakistan Economic Survey 2011

137 MicroWatch issue 12; World Bank. 2012. Are Pakistan's Women Entrepreneurs Being Served by the Microfinance Sector? Conference Edition. Washington, DC.

138 *ibid*



Source: The Little Data Book on Financial Inclusion, World Bank 2012

As compared to South Asia and Sub-Saharan Africa, Pakistan has the lowest proportion of adults that holding an account with a financial institution (Figure 9.4)¹³⁹. Only 3% adult Pakistani women have such accounts compared to the South Asian average of 25%, evidence that formal banking mechanisms bypass women. It indicates the need to go beyond formal banking mechanisms and financial instruments to increase women's access to financial resources, given the 13 million women in the labor force.¹⁴⁰

23% of the adult population (ages 15 and above) depends on loans from families and friends.

Less than 2% use a formal financial institution for credit.

17% had outstanding loans for health and emergencies, evidence that health shocks drive households into debt. A further 6% reported outstanding credit for funerals and weddings.

139 Access to Finance Survey (A2FS) 2008 Pakistan Microfinance Network

140 Microfinance Information Exchange.

Asset Ownership

Asset ownership, particularly land has been shown to improve women's social status. There is no hard data available on asset ownership by women in Pakistan whether it pertains to housing or land— only 3% of women own land in Pakistan, is the oft-cited but not verified figure. Even where records show women as owners, it is usually to take advantage of loopholes in the property and tax laws, and does not imply control over the asset.¹⁴¹ Women face customary, legal and procedural barriers to obtaining their inheritance.¹⁴² Women's right to inherit property while widely acknowledged is rarely practiced, justified on the grounds that women lack experience in dealing with property matters, landholdings are small, dowry or maintenance has been given in lieu of share in property, or that women prefer to give up their share in favor of male relatives or brothers. This last ignores the social pressure on women to give up those rights in favor of brothers or husbands. Women however would prefer to receive their property and inheritance rights, but recognize that their restricted mobility, inexperience with dealing with the various offices involved in transferring rights, and long expensive litigation processes work against demanding their share of property.

67% rural households are landless¹⁴³

89% of men believe that women should have land¹⁴⁴

40% of the land is owned by only 2.5% of households

Water rights linked to land ownership, makes sharecroppers and those without land more dependent on the already powerful landowners. It also deprives women from any participation in water use decisions and water-users associations— despite the fact that they are responsible for household water use, including potable water, even when not directly involved in agricultural water use.¹⁴⁵ The local administration—revenue officials, patwaris, law enforcement and politicians— all favor the large landowners depriving the poor and landless, particularly women from taking recourse in law.

Land ownership by women appears to be correlated positively with women's participation in voting and mobility of women.¹⁴⁶

141 Rubya Mehdi, *Gender and Property Law in Pakistan, Resources and Discourses*. 2002

142 NCSW Women's Right to Inheritance 2006

143 Anwar, Qureshi, and Ali 2004

144 *Women's Land Rights in Pakistan: Consolidated Research Findings* SDPI 2008

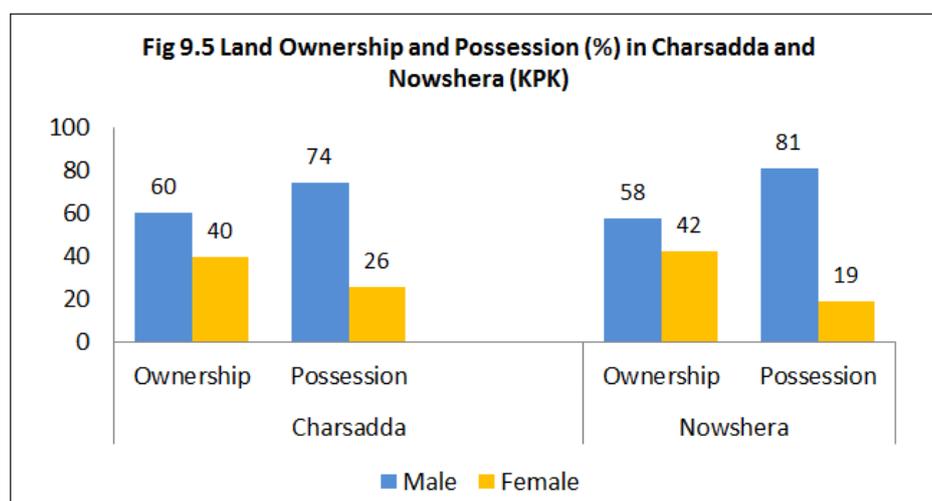
145 Khawar Mumtaz and Meher M. Noshirwani Scoping Study Women's Access And Rights To Land And Property In Pakistan. Shirkatgah

146 Ibid. The study found that in in seven sites of rural Chakwal, 4% of women owned land, and this correlated positively with women's mobility and political participation. Male outmigration, leaving women as household decision-makers and remittances (reducing dependence on landlords) may also be a contributory factor.

Usufructuary rights (the right to use land and to take the fruits of the land for life only), common in rural areas give women access to the land, but leave her without any security—as demonstrated in the recent floods and the earthquake, when only male owners received compensation and reconstruction aid.

The government of Khyber Pakhtunkhwa passed the Enforcement of Women Ownership Rights Act 2012 that provides legal protection to women's right to own property. Violators of the law are liable to punishment of at least five years imprisonment along with a fine up to Rs.50000.¹⁴⁷

Yet women are not land deprived all over Pakistan, as the recently digitized and mapped land revenue records in two districts of Khyber Pakhtunkhwa reveal.¹⁴⁸



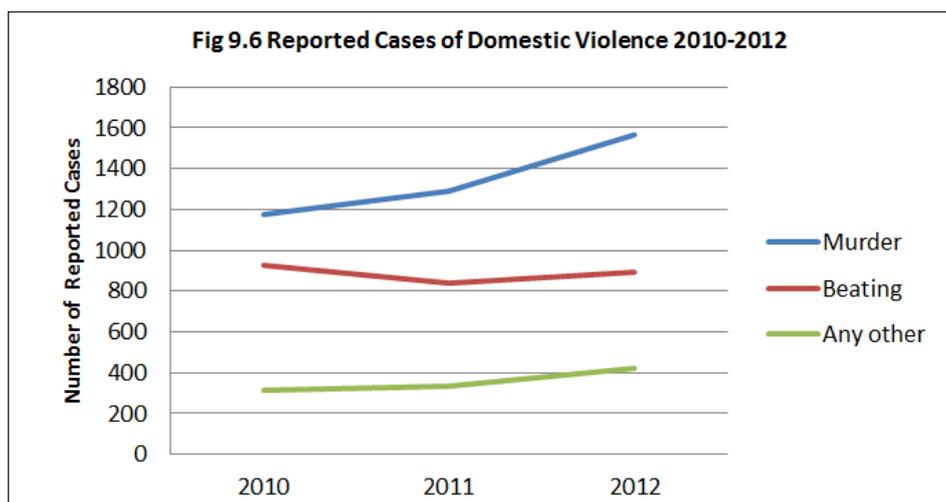
In Charsadda and Nowshera, two well-populated and rather conservative districts of Khyber Pakhtunkhwa province, women *own* 40% and 42% of the land respectively i.e. the title deeds record women as owners.

In contrast to ownership, however women's *possession* of land—i.e. the records indicate the exact size of the land in the women's name—drops sharply to 26% in Charsadda and 19% in Nowshera. This difference could be attributed to the custom of bride price that may include transfer of land to the woman on paper, but actually she does not own it. Nevertheless, availability of digitized records does add to the scant data available so far and opens the door for in-depth qualitative research on how this “ownership” functions and how it affects the lives of the women themselves.

147 HRCF Pakistan State of Human Rights in 2012

148 Data from the project “Land Digitization of Land Revenue Records 2012” - a collaboration of Board of Revenue and Estate Department, Government of Khyber Pakhtunkhwa and UN Habitat. The MIS and GIS mapping of two Khyber Pakhtunkhwa districts has provided a view of women owned/ possessed land, paving the way for future research as to what extent women exercise control of this valuable asset.

Violence against Women



4585 cases of Domestic violence were reported in just the first half of 2012¹⁴⁹

The majority of victims of violence are married women, closely followed by single women; less than 2% of the women are widowed or divorced.¹⁵⁰

The highest domestic violence and acid throwing (VAW) cases are reported in Punjab, honor killing cases in Sindh, and murders in Khyber Pakhtunkhwa. The low figures of Balochistan indicate the difficulty in reporting cases due to terrain, scattered population and few services that reach women.

As many as 1109 women and girls were murdered. Between July to December 2012, more than 100 women and girls were reported killed each month.

There were 1976 reported suicides and attempted suicides during 2012—slightly less than half of these were by women.¹⁵¹

60% of working women face some kind of harassment. The Protection against Harassment of Women at Workplace Act (2010), introduced strict penalties for harassment of women in public or in the workplace.

Women often see domestic violence as justified — wife beating in particular is accepted as a consequence of neglecting the husband' needs.¹⁵²

149 Aurat Foundation Data cited in HRCP 2012 Report

150 Aurat Foundation 2011 Report on VAW

151 Madadgar helpline LHRLA

152 MICS 2010, Participatory Poverty Assessment 2001, Qualitative studies

Discriminatory cultural practices—forced child marriages, settlement of feuds by exchanging women or girls, bride price—have been documented in all parts of Pakistan, though some are more specific to particular parts of the country. The Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011, strengthened women’s right to inheritance and property, and mandates heavy penalties for forced marriages.

Fig 9.7 Number of Darul Amans/ Province

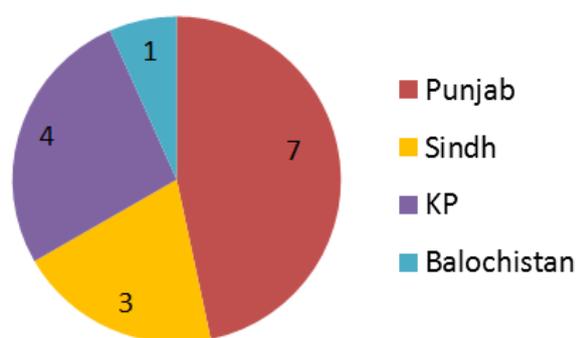
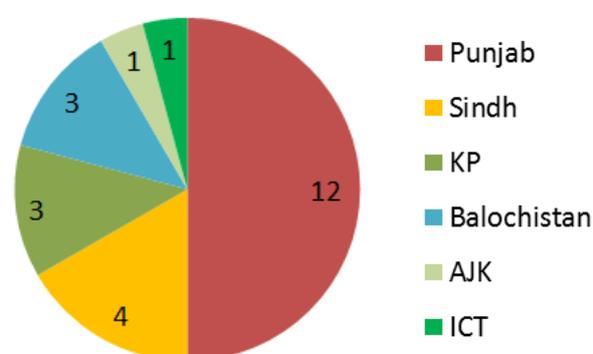


Fig. 9.7b: Number of Crisis Centers for Women



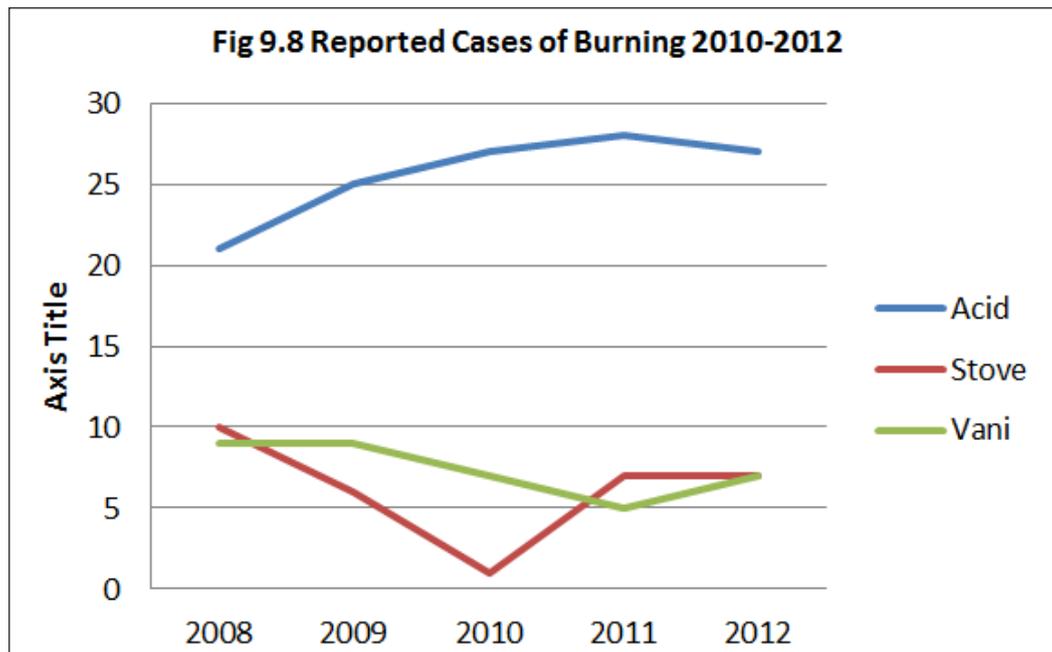
There are a handful of government women’s shelters—Darul Aman’s— and crisis centers for women in the country.¹⁵³

26 crisis Centers were set up by the now defunct Ministry of Women’s Development. After the 18th Amendment the centers were devolved to the provinces, but the provincial governments are reluctant to fund them. Four centers have been closed in Khyber Pakhtunkhwa, whilst the fate of 12 centers in Punjab remains undecided. For now these and the other Crisis centers, 24 in total, are functional,¹⁵⁴ funded by the Federal government (Ministry of Human rights).

There is no Darul Aman or a crisis center in FATA and in Gilgit-Baltistan.

153 Women are referred to the Darul Aman by courts hearing VAW/divorce etc cases of women. They do not offer any counseling or legal services and function more as sub-jails. The crisis centers offer a range of psycho-social and legal services, and are open to women in distress, not just court remanded ones.

154 Ministry of Human Rights- List of Operational Centers 2012. Reportedly, each of the 36 districts of Punjab has a Darul Aman, but the Punjab Government website reports only 7.



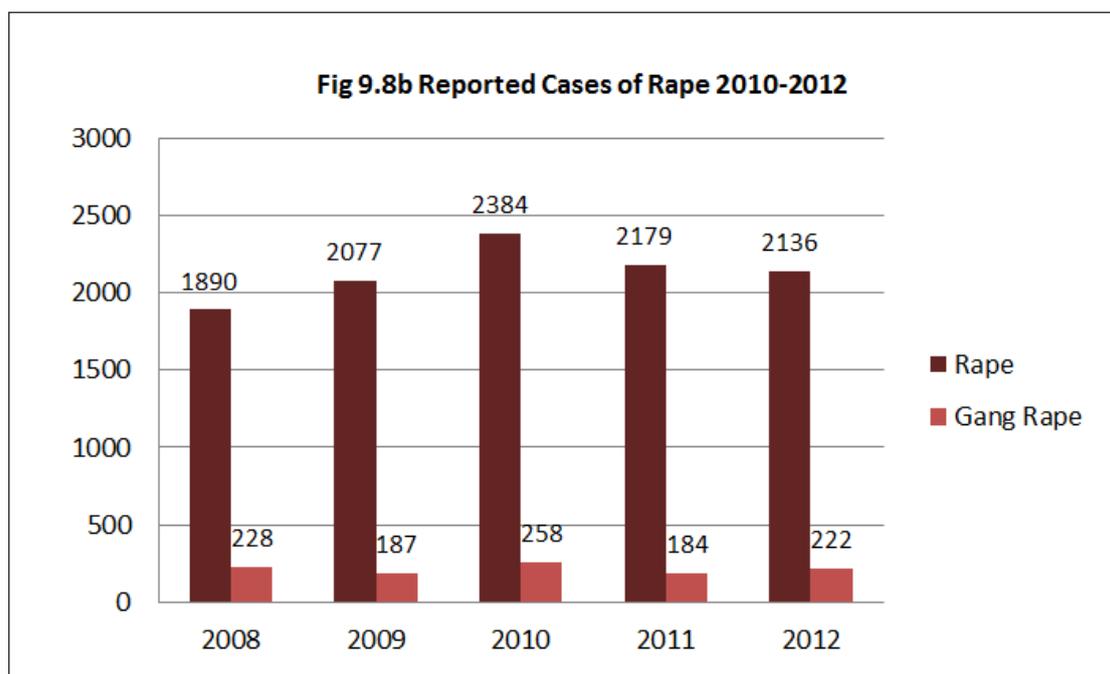
27 Acid burn attacks reported by the Acid Survivors Foundation (ASF); HRCP records 41 acid attacks on girls and women in 2012.

The ASF notes that acid attack convictions have tripled from 6% in 2011 to 18% in 2012.¹⁵⁵

One third of acid attacks are because of domestic violence, another 23% due to refusal of proposal of marriage (decent/indecent) and suspicion of infidelity, including unintended victims who happened to be in the vicinity of the attack. Punjab seems to have the highest number of reported acid attacks

The Acid Control and Acid Crimes Prevention Act 2010 passed by Parliament aims to prevent the practice of acid attacks, mostly affecting women who exercise autonomy. The Act mandates a minimum fine of Rs. 1 million, and at least 14 years imprisonment for the perpetrators. It is too soon to assess the implementation of these laws, and whether they have effectively curtailed the impunity currently enjoyed by the perpetrators of violence.

155 Acid Survivors Foundation Pakistan *Situation Analysis Report*



7 cases of Vani, 8 cases of custodial rape, and 15 cases of incest and 116 cases of workplace harassment (physical) were also reported in 2012 ¹⁵⁶

514 honor killings were reported in 2012. ¹⁵⁷ The HRCP reports a higher figure of 913 (based on media reports), of which 99 were minor girls.

¹⁵⁶ Gender Crime Cell Violence Against Women, Reported Cases 2008-2012

¹⁵⁷ Official data from the Gender Crime Cell, Islamabad, based on cases reported to the police stations nation-wide.

Trafficking

Pakistan is a signatory to the SAARC Regional Convention on Combating the Crime of Trafficking in Women and Children for Prostitution in January 2002. Women, men and children are trafficked out of Pakistan, mainly to the Middle-East. Men are also trafficked to European countries. Traffickers isolate, coerce and use violence to force women and girls into prostitution. Debt bondage has been linked to trafficking of children for labor, prostitution and sexual exploitation and as camel jockeys in the Gulf States.¹⁵⁸

Persons are also trafficked into Pakistan, from Afghanistan, and Bangladesh and subjected to forced labor and prostitution. Internal trafficking, including bonded labour, continues as convictions are low and there is no protection for victims. In 2011 only 55 traffickers were prosecuted, one for sex trafficking and 19 for labor trafficking. The government agencies and officials responsible often confuse human smuggling with trafficking and do not necessarily differentiate between sex and labor trafficking.

No definite figures are available on trafficking of women and children. Figures have been cited repeatedly without

checking the validity of the sources, and the evidence is often anecdotal. Official estimates put the figure of illegal immigrants at 3.35 million in Pakistan, the majority from Afghanistan (2.2 m) and Bangladesh (1m), but there are no credible sex disaggregated numbers on how many were trafficked.

Small qualitative studies have found that poor households, especially in militancy affected areas are particularly vulnerable to the machinations of traffickers. In Khyber Pakhtunkhwa families have “married” daughters as young as 15 under the customary practice of *wulvar* i.e. for a bride-price. These marriages are mostly unregistered. The “married” women are then trafficked to different parts of the country. Some male family members are also known to be complicit in the practice.¹⁵⁹

While trafficking related prosecutions have been on the rise, the conviction rates are lower and the penalties quite nominal- an average fine of Rs. 20,000 and imprisonment for less than six months.¹⁶⁰

158 SPARC- Society for the Protection of the Rights of the Child. <http://www.sparcpk.org>

159 Azam, Farooq (2009). Human Trafficking, Human Smuggling and Illegal Migration to and from Pakistan. BEFARe

160 *ibid*

Migration

The net migration rate for Pakistan is estimated at -0.9 per 1000 migrants i.e. more people are leaving the country than are coming in. Immigrants form only 2.3% of the population and of these 44.7% are women.¹⁶¹

Pakistani migrants overseas are estimated to be over 7 million, the majority in Saudi Arabia and the UAE, with remittances of approximately Rs.14. billion annually.¹⁶² Sex disaggregated figures are not available, although almost all the migrants registered with the concerned government bureau are male. The government of Pakistan has discouraged female worker migrant labor.

There is large-scale internal migration, with almost equal numbers of men and women- however while men are mostly economic migrants, women move with their family members or due to marriage.¹⁶³ Families and men migrate in search of livelihood to urban centers, or the larger cities, mostly from Khyber Pakhtunkhwa, FATA and Balochistan. Women also form a substantial proportion of the migrants- almost 40% for Balochistan higher for FATA¹⁶⁴ - but they move with families rather than for work. This does not preclude their participation in the labor market and there is some evidence to suggest that the proportion of wage earning migrant women is higher than that for non-migrant women.¹⁶⁵

Migration has been found to have a positive effect on girls nutrition and growth, and such households record lower infant mortality rates and higher birth weights.¹⁶⁶

161 The difference between the number of persons entering and leaving a country during the year per 1,000 persons (based on midyear population). An excess of persons entering the country is referred to as net immigration; an excess of persons leaving the country as net emigration, as in the case of Pakistan. Source: UNHCR Trafficking in Persons Report 2012 Pakistan. Figures are US Dept. of State.

162 ABDI-ILO-OECD Roundtable on Labour Migration in Asia: Assessing Labour Market :Requirements for Foreign workers. Presentation on Pakistan Dr. M. S. Zahid Joint Secretary Ministry of Overseas Pakistanis. Jan. 2013

163 A Review of Migration Issues in Pakistan. Haris Gazdar. Collective for Social Science Research, Karachi, Pakistan. 2003

164 Gender Profiles for Balochistan and for FATA 2013- UN Women document.

165 Memon Rashid. Pakistan: Internal Migration and Poverty Reduction. Collective for Social Science Research. Pakistan. Undated.

166 Ghazala Mansuri Migration, Sex Bias, and Child Growth in Rural Pakistan World Bank Policy Research Working Paper 3946, June 2006

Temporary Migration — Internally Displaced Persons (IDPs)

The multiple crises befalling Pakistan since 2001 have led to large-scale displacement of households. Women have been the hardest hit, since many households have lost male family members to the earthquake in 2005 and the militancy in FATA (and a few districts of Khyber Pakhtunkhwa) since 2003. Of the estimated 163766 families displaced in FATA, 90% are living with host families and 10% are in camps (16382). The current statistics record 15754 women, 22147 children, and 10288 men in camps. A quarter of FATA's 4 million population is estimated to have registered as IDPs.

Earthquakes, floods, drought, militancy and conflict across the border in Afghanistan have swelled the IDP population in Balochistan too. An estimated 0.3 million people are thought to have left their homes for safer havens over the past several years.¹⁶⁷

One report suggests that of the estimated 2.5 million people displaced in Khyber Pakhtunkhwa, 60% are women, and that 80% of these displaced women are illiterate. Maternal mortality is very high in this population. Often the family has lost its male providers, and women are left to fend for the family, with few skills that translate into paid work in their host communities. Bereft of the community support structures, older women and widows may resort to begging.¹⁶⁸

Qualitative data and reports by CSOs working with IDPs and in camps indicate the vulnerability of women, girls and boys. Exploitation, trafficking, sexual harassment and forced marriages are reported by the IDPs. Young boys, often forced to drop out of school to work, are thereby vulnerable to sexual exploitation and forced into prostitution.

Camp management systems unwittingly exacerbate the deprivation and vulnerabilities faced by women. Food and non-food items distributed through the "head of household" (assumed to be male) may aggravate the malnourished status of women and girl children; water and fuel collection by women and girls may result in harassment. Families may be compelled to marry off young girls to avoid losing honor if a girl is sexually harassed or compromised. Some of these young girls and women end up being trafficked within the country or overseas.

The enforced idleness of camps for young men, posttraumatic stress disorders, perceived loss of status and change in roles results in tensions that are ignited by the slightest perceived or real provocation, leading to violence within the family and outside as well.

Recognizing and addressing the material basis of relationships within the constrained camp settings can alleviate the sexual and gender based violence experienced by female IDPs.

167 Internal Displacement Monitoring Centre

168 Reporting On The Gender Equality Interventions MDG Fund, 2010 – An Over-View Note For The HLC, Jan 2011

The Gendered Effects of Conflict

Militancy and conflict-affected areas have been a constant background theme for this analysis of the status of women and men in Pakistan. Other than the massive displacement of households, that continues to date, the militancy has aggravated the already limited space available to women. Militants have destroyed schools, particularly those catering to girl's education. Teachers have been targeted and killed- 22 in Balochistan alone- intimidated and harassed into staying at home, worsening an already depleted education resource. Female health workers have suffered as well, murdered, harassed and threatened into staying away from their duties. These incidents occur predominantly in underserved communities with dismal indicators of education and mother and child health.

However, women from within these communities are finding ways to continue their work, sometimes surreptitiously, sometimes with the support of tribal elders. FATA for instance has female Social Welfare Officers posted to each of the seven agencies who try to continue with their work as far as possible. The FDMA has a gender adviser, who works with community women to form women's groups.

The conflict however is not just in these areas. It has moved to Karachi, Punjab and rural Sindh. The adverse effect on education, health and mobility cannot be underestimated.

There is a need to escalate all efforts to bring peace to the affected areas, and to contain the conflict- sectarian or ethnic. Women and children suffer disproportionately, as direct victims and as collateral damage. Yet, there are no women on any of the forums, national or provincial, that are dealing with these issues. The National Commission of Women, and its provincial counterpart in Khyber Pakhtunkhwa, the Provincial Commission on the Status of Women (PCSW), does bring conflict related gender issues to the notice of the government, but absent reserved seats at the table for women to participate in dialogues to achieve a peaceful future, they will remain invisible and voiceless victims.

ANNEXES TO CHAPTER 9

Annex 1

Women-friendly Legislation 2008-2013

- The Protection of Women (Criminal Law (Amendment) Act, 2010- the amendments diluted some of the discriminatory aspects of the Hudood Ordinances. Earlier amendments had recognized honour killings as a culpable offence murder and liable to prosecution
- Protection against Harassment of Women at Workplace Act, 2010— introduced strict penalties for harassment of women in public or in the workplace.
- The Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011— strengthened women's right to inheritance and property, and mandates heavy penalties for forced marriages.
- The Acid Control and Acid Crimes Prevention Act 2010 —aims to prevent the practice of acid attacks - mostly affecting women who exercise autonomy. The Act mandates a minimum fine of Rs. 1 million and at least 14 years imprisonment for the perpetrators.
- National Commission on the Status of Women- granted an autonomous status in 2012.
- Provincial Commission on the Status of Women Khyber Pakhtunkhwa- 2010