



WAR Biannual Newsletter
Jul-Dec'10 - Vol. 2

hurmat

Director's Message

Dear Friends,

Very warm greetings from all of us at WAR!

Many organizations working to ameliorate the human condition around the world dubbed 2010 the worst year for human rights with setbacks due to displacement caused by natural disasters, worsening food and water security, terrorist attacks and governments in almost every part of the world looking to roll back, or at the very least, curtail their commitment to human rights programs in the face of national austerity measures.

As always, women and the underprivileged bore the brunt of discrimination, violence and marginalization brought on by an endemic global crisis. In times like these, it becomes acutely difficult for women's rights defenders like WAR to urge the government to address all forms of gender-based violence against women. As the government of Pakistan struggled in its response to the worst floods in living memory last year, public sector budgets for social development were slashed, with resources being channelized towards rehabilitation needs of the internally displaced people. This placed greater demands on the state to address the health, education, and social security needs of a rising, and increasingly destitute population. Politically-motivated killings and terrorists attacks in Karachi put undue stress on already dilapidated state machinery, and substantially impeded the citizenry's access to basic state services. As the first decade of a new millennium drew to a close, WAR celebrated some landmark legal victories, albeit with a pinch of salt. The conditions for women survivors of sexual and gender-based violence remain precarious.

WAR forged strategic alliances with different government departments, including the Women's Development Department, Sindh, the provincial Health Ministry and the Capital City Police. These

alliances yielded success on the policy development front regarding medico-legal care for survivors of rape, with a policy paper prepared and endorsed by leading experts on a national level. WAR's capacity-building endeavors with service provides brought new insights into the causes of insensitive and damaging response in such cases and identified improvement opportunities for the coming year. Our network was expanded to a national level, with many leaders in the field of women and child rights joining forces with WAR.

In this edition of *Hurmat*, we have tried to encapsulate what we consider major milestones in the struggle for integrated response to sexual violence from the government of Pakistan in the last half of 2010. We have highlighted WAR's role in making these achievements possible and also identified areas where much more needs to be done.

We are thankful for your support and hope to share new and exciting initiatives with you in the months ahead.

Sarah Zaman | Director

Credits

Editor : Sarah Zaman
Photography : Syed Ali Bilgrami, Sajadi Ali, Asif Hingoro
Design & Printed by: Printech Enterprises 0321-2626235

Inside

CSA Prevention & Response-Building Capacities of Secondary Caregivers	02
Rape & the Medico-legal Response	02
Community Outreach Program	03
Highlighting SV Statistics'10	03
Police Response to Rape	04
Highlighting Problems in state response to sexual violence	04
Shattered Innocence- by Shahla Khan	05
Workshop on Rape Litigation-Laws & Practice	07
National Consultations - Sexual Assault Documentation Protocols	07
Services through the Legal Aid Program	08
Cases Won Lost in 2010	09

About Us

War Against Rape (WAR) was founded in Karachi in 1989 and became a registered organization in 1992. It is committed to creating a rape free society and endeavors to work on all social, legal, medical and administrative issues that could help either in the reduction of such acts of violence or support, facilitate and improve human rights and conditions for survivors.

It offers services to survivors of sexual violence including free legal aid, psychotherapeutic counseling, medical assistance and crisis intervention, and recently adopted an aggressive advocacy component through which various activities are undertaken for primary prevention of sexual violence, awareness raising, capacity-building of support institutions and organizations and policy development and implementation for improving the State's role in prevention, detection, prosecution and punishing acts of gender-based violence against women.

Child Sexual Abuse Prevention & Response – Building Capacities of Secondary Caregivers

Child sexual abuse (CSA) in and outside the home is a global pandemic with serious repercussions on the physical and mental well-being of children. Places of abuse for children in Pakistan extend from within the home to schools, madrassahs, places of work and entertainment, jails, and the streets. According to a report by Rozan, 15-20% of girls and boys from all socio-economic groups in Pakistan are exposed to sexual harassment and abuse before they turn 18 years old.

As secondary caregivers, teachers can play a central role in CSA prevention and they can also help promote values of non-violence within schools, families and communities. WAR's Youth Component focuses on 10- to 14-year-old children enrolled in primary and secondary schools in Karachi whom it reaches through trainings for teachers. This age group is of significance because every year, WAR's research on cases reported in Karachi highlight this group's vulnerability to sexual abuse. This Component is built on the assumption that guided interventions at this age can help instill a healthier sense of self in adolescents, and equip them with skills needed to protect themselves from abuse at every level.

The Component is designed for primary and secondary school teachers. Trainings are held on identifying, preventing and responding to CSA with the aim to equip teachers with skills to better identify and respond to abuse cases in their classrooms, schools and communities.

In the last half of 2010, WAR conducted 5 workshops with secondary caregivers, including teachers, principals and support staff of five schools in Karachi. These included Dawood Public School, Zubaida Public School, APWA Aisha Siddiqa School, Liaqatabad, AWPA Ra'ana School, Orangi, and AWPA Ra'ana School, Sadiqabad.

A total of 73 teachers were trained since the program began in 2009 in primary prevention and early detection techniques as well as appropriate response to and timely intervention in cases coming forward. An estimated 3380 youth were reached through these trainings and, as a later impact assessment revealed, an alarming 719 cases of abuse were reported by students to their teachers. The forms of abuse ranged from sexual harassment to teasing and stalking.

Additionally, 109 cases of abuse and sexual assault were directly prevented through guided interventions by teachers that had been trained under the program! A detailed impact assessment report will be shared with our readers at our website soon.



Rape & the Medico-legal Response (Oct'10)

Standard protocols for medico-legal evidence collection and documentation have long been in use by developed countries, whereas we in Pakistan are still struggling to institutionalize this approach. Most cases of sexual assault result in acquittals due to non-substantive medico-legal and forensic evidence in the form of carefully documented reports. This has serious implications for the criminal justice system in terms of its duty to mete out justice to those whose rights have been violated. According to one study in particular, documented injury extent has a significant positive association with both filing of charges and conviction (of accused). In the absence of such evidence, courts extend 'benefit of doubt' to the accused; with the result that rapists are acquitted to the detriment of other potential victims and the efficacy of the entire criminal justice system is undermined.

Part of WAR's advocacy efforts revolve around strengthening the health sector's response to sexual and gender-based violence (SGBV) and improve survivors' access to justice. For this purpose, WAR has been advocating introduction of standardized sexual assault examination and documentation procedures in the medico-legal sector of Karachi, based on the recommendations of a research study it co-conducted with Aahung and Human Rights Commission of Pakistan (HRCP) in 2005.

In this regard, WAR conducted an advocacy seminar on 07 Oct' 10, to call for action the adoption of best practices in the medico-legal sector in response to cases of sexual violence by identifying areas of improvement and bringing forward specific recommendations from stakeholders.

Representatives of civil society, legal fraternity, health and medico-legal sector, and legislature spoke at the event where various policy/procedural recommendations were shared. At this occasion, WAR also presented its proposed sexual assault documentation protocols (SADPs), and called for their adoption by the provincial health ministry. Legislators present at the occasion disagreed with this call and instead demanded a national adoption. Subsequently, WAR held national consultations on these, details on which can be found ahead in this newsletter.

¹Zaman, S. (2010). *Medico-legal Policy Brief: Medico-legal Services in Karachi- Introducing Best Practices in Medico-legal Care to Survivors of Sexual Violence*. WAR.



Community Outreach Program '10

WAR's community outreach program is a campaign to eradicate sex crimes against women and children and improve local responses to it. Through this component various meetings are held in towns where local leaders are engaged in discussions on violence against women and the girl child and in developing appropriate strategies to combating and preventing it. This component is also designed to explore ways of increasing community participation in challenging widespread acceptance of violence against women. Information on what to do in the event of a sexual assault is disseminated and community leaders are encouraged to spread this information for the purpose of streamlining the reporting process and expediting help within communities.



In 2010, 16 town meetings were arranged in different towns of Karachi. A total of 555 people (108 men and 447 women) were reached through this program.

Participants, who mainly comprised women political workers and local government electorates, were involved in exercises like stakeholders' analysis in context of sexual violence within a community, identification of barriers to community-based programming and building strategies to overcome these barriers.

An interesting observation made during these meetings was that women belonging to the socio-economically underprivileged class were more cognizant and admmissive of the existence of gender-based discrimination and violence in their immediate settings. They were more willing to discuss matters openly and seemingly less in denial of sexual violence rampant throughout the city. They were also forthcoming in sharing stories of actual cases they knew had taken place in their neighborhood. Due to the way these localities are planned (slums of Karachi), it is not difficult to know what happens in homes a few blocks down from yours.



A total of 16 cases of sexual harassment, abuse and assault were recorded in these meetings as narrated by the participants, most of which had not been reported to law enforcement authorities or anywhere else. A more detailed account of discussions can be found in the Community Meetings 2010 report on our website.

Highlighting SV Statistics '10

Two Factsheets highlighting incidence of sexual violence in Karachi and WAR's investigation findings were published and disseminated amongst civil society organizations, government departments, the legal community, educational institutes, health sector, police and the general public in 2010.

These Factsheets serve as a point of reference to the prevalence of sexual violence in the city and highlight the number of reported cases since 2004 according to official figures acquired from different government departments. Although WAR had been collecting this data and tracking trends on the number of reported cases since 2004, it was able to publish these and make informed comparisons over the years for the first time in 2010.

These Factsheets serve as an advocacy tool for those working on the issue of sexual violence and contain baseline information on the nature of cases reported in the city. They also identify the most vulnerable age to sexual assault, towns with the highest reported cases, number of families displaced and the number of cases actually reaching the courts. In addition to this, some issues related to laws and court systems have also been identified to advocate reforms in law and administrative justice. Two press conferences were held to provide coverage to the latest statistics in national media, details of which can be found in the next section.

War Against Rape (WAR) Sexual Violence Factsheet - Dec '10

Violence against women around the world is a worldwide phenomenon, with the prevalence and nature varying. Despite the existence of policies, laws, and other support systems aimed at preventing and responding to violence against women, the prevalence of violence against women remains high. In Pakistan, the prevalence of violence against women is particularly high, with a significant number of cases reported annually. This factsheet provides an overview of the current situation in Pakistan, highlighting the prevalence of violence against women and the need for effective interventions to reduce the incidence of such crimes.

One of WAR's priorities is to highlight statistics on sexual violence in Pakistan and to add urgency to the issue by providing statistics on the prevalence of violence against women. This factsheet provides an overview of the current situation in Pakistan, highlighting the prevalence of violence against women and the need for effective interventions to reduce the incidence of such crimes.

WAR's investigations in 2010 revealed that rape cases are comparable to 60 cases in 2009. However, 80% of cases were reported in 2010 as compared to 12 (40%) in 2009. This shows that 70% of cases were not reported in 2009. This indicates that the reporting process is still a major barrier to justice for many women.

Reasons for failure to report cases to police are:

- 80% cases reported more than 10 days after the incident.
- 70% of cases were reported to police within 10 days of the incident.
- 80% of cases were reported to police within 10 days of the incident.
- 80% of cases were reported to police within 10 days of the incident.

War Against Rape (WAR) Sexual Violence Factsheet J

It is estimated that worldwide, one in five women experience sexual violence in their lifetime. In Pakistan, the prevalence of violence against women is particularly high, with a significant number of cases reported annually. This factsheet provides an overview of the current situation in Pakistan, highlighting the prevalence of violence against women and the need for effective interventions to reduce the incidence of such crimes.

WAR's investigations in 2010 revealed that rape cases are comparable to 60 cases in 2009. However, 80% of cases were reported in 2010 as compared to 12 (40%) in 2009. This shows that 70% of cases were not reported in 2009. This indicates that the reporting process is still a major barrier to justice for many women.

Reasons for failure to report cases to police are:

- 80% cases reported more than 10 days after the incident.
- 70% of cases were reported to police within 10 days of the incident.
- 80% of cases were reported to police within 10 days of the incident.
- 80% of cases were reported to police within 10 days of the incident.

Police Response to Rape – Workshop with Capital City Police Nov-Dec '10



The police in Pakistan have long been criticized for not doing enough to protect vulnerable populations of society, especially women. Survivors are frequently discouraged from lodging complaints and domestic violence cases considered personal matters between spouses. The latter issue is compounded in the absence of legislation on domestic violence.

Different approaches to increasing women's access to justice exist all over the world. Where there are Family Support Units in some parts of the world, capacity-building of the police force is frequently used to institutionalize a supportive approach toward complainants, particularly women

WAR also conducts such trainings with the Karachi police, including women police officers every year. From November to December, two 2-day workshops were held by WAR with 35 police officers of the Capital City Police on 04-05 Nov and 01-02 Dec, '10. The workshops aimed to sensitize participants to the issue of sexual violence and explore myths around the issue. They also aimed to build a deeper understanding of the processes of operation and investigation, with the purpose of improving current systems. The workshop was facilitated by Ms. Kamyla Marvi Tapal, who is the Country Manager for Leadership Development and Management (LDM).

At the end of the workshops, the formation of a liaison committee was recommended by the participants as a step towards improving coordination, enhancing cooperation and building goodwill between civil society and the police force. It was recommended that this Committee also address the training needs of police officers of Karachi with special emphasis on human rights issues and appropriate right-based responses. These recommendations were validated by the Additional Inspector General Police, Establishment and Addl. GP, Finance who also attended the workshop and ensured WAR of their support in the implementation of these recommendations.



Highlighting Problems in state response to Sexual Violence

Press Conference Sept'10

A press conference was held by WAR at Karachi Press Club on 22 September, 2010, to celebrate victory in the rape case of a six years old survivor of rape, highlight the increased incidence of child sexual abuse in Karachi and the disparities between the number of cases registered with the police and the health sector from 2004 to 2010.



Internship Placements

Every year, WAR gets applications from individuals looking for internship placements. Many of them are international; under-graduate or graduate students highly motivated to work on sexual violence. The internship program at WAR offers a wonderful synergistic opportunity where research students can gather quantitative and qualitative data on sexual violence. It is also a great learning experience about the challenges that exist in addressing gender-based violence in Pakistan.

If you, or someone you know, is interested in an internship placement at WAR, please send us an email at waragainstrape.khi@gmail.com.

Shattered Innocence

by Shahla Khan

Incest happens. Incest is cruel and cowardly, shattering the body and mind of the person on whom it is inflicted. Incest is a crime where the criminal is seldom caught and punished. Incest is socially and culturally taboo. In Pakistan, it is a subject that barely anyone is willing to touch upon, let alone accept as a serious problem and discuss. Adult incest is deplorable, but incest involving children is unforgivable. Incest is defined as, "The crime of sexual contact with a blood relative, usually involving a parent, child, or sibling, grandparent or grandchild." Prevalence of incest between parents and their children is difficult to assess due to secrecy and privacy. In Pakistan, due to the extended family frequently residing together, uncles, brothers-in-law, stepfathers, are often perpetrators as well. Child sex abuse is "any sexual activity perpetrated against a child by threat, force, intimidation or manipulation." Incest between adults and children is child sexual abuse, resulting in extreme trauma for the child who suffers from serious and long term psychological damage, especially in the case of parental incest. The most commonly heard and reported form of incest is father-daughter, and stepfather-stepdaughter incest.

In most countries incest is a crime and an indictable offence. There are specific laws dealing with this crime, which is compounded when children are involved. Unfortunately, there is no specific provision on incest in the Pakistan Penal Code. Incest cases are tried under the law for rape. Incest cases in Pakistan are seldom reported. This is due to the immense cultural stigma and the poor response of the family, public, police and courts. Survivors of rape and incest are "advised", and pressurized, often by their mothers and close relatives, to keep silent, to avoid the tremendous "shame" and dishonor of such revelations. The few cases that are reported are hardly ever decided in favor of the survivor. According to the NGO, War Against Rape (WAR), of the 8 incest cases which were taken to court, from over the past ten years, there was only one where the judgment was in favor of the survivor. Most affected are young girls. Boys also suffer, but to a lesser extent.

Incest comes under the umbrella of domestic violence. In Pakistan, there have been no comprehensive studies on the subject. The main method of gauging domestic violence, of which incest is a definite component, is from newspaper reports and interviews with doctors and police; the latter being contacted in extreme cases. The majority of incest cases are not reported. However from the research carried out by NGOs in Pakistan, it is clear that incest is on the rise, especially in the lower socio-economic strata of society. This does not mean that the affluent are not guilty of this crime. The problem is that it is very difficult to assess the prevalence amongst the middle and upper classes, due to secrecy and lack of access. Traditionally, the home is the private sphere of life and whatever happens at home stays within the home. In developed countries this issue is gradually making its way from the private to the public sphere. In Pakistan, people are unwilling to talk about what happens within the four walls of their homes. Sociologists who have tried to research this topic report that people refuse to respond, even to introductory questions on the subject of child sex abuse. The overall attitude is that this does not happen in Pakistan, only people who are sick would sexually abuse a child, and Muslims do not sexually abuse their children. The fact of the matter is, (according to newspapers and reports from NGOs), incest and child sexual abuse are increasing at an alarming rate. Contrary to the commonly held belief that only "sick" people sexually abuse children, studies show that only 10% of parents who abuse their children are mentally ill.

According to Mr.S.Burney of the NGO, Ansar Burney Welfare Trust, "poverty, illiteracy and easy access to things related to sex are the main causes of incest". Spiraling prices of daily commodities, lack of clean water and electricity, along with the rapidly deteriorating law and order situation, have increased the frustration levels in the population. Natural disasters (Earthquake of 2008, floods 2010), have created a new class of poor people. The easiest place to vent their frustration and play out their sexual fantasies is at home, a place where control may be exerted according to will. Fewer children are going to school as people cannot afford the cost of education. Those in the lower socioeconomic group, and in rural areas, men are often at home while the women are working. In such situations it is easy to target children who are at home unsupervised. Multiple television channels are a window into different lifestyles, and displays of intimacy. Pornography is easily available from video stores. In 2008 a man from the Punjab, who owned a video store and was given to watching pornography, was charged for making his 14 year old daughter pregnant.

Religion is used to justify negative behavior. Obedience and respect towards parents and elders is continuously stressed. This excuses all kind of atrocities committed by parents towards children. Abuse of young boys in schools

and madrassahs is often reported. The Quran gives specific rules regarding incest, which prohibit a man from marrying or having sexual relationships with his daughter, stepdaughter (if the marriage to her mother has been consummated), daughter-in-law, his mother, stepmother, mother-in-law, his sister, sister-in-law (while still married to her sister), his half sister, niece and either parent's sister. The Quran also lays out modes of behavior towards spouses and children. This code of conduct is seldom observed and women and children are abused with careless abandon.

Incest is a component of domestic violence. According to Human Rights Watch domestic violence is a structural rather than a causal problem. It is the structure of the family that leads to or legitimizes the acts, emotions, or phenomenon, that are identified as causes of domestic violence. The family is a microcosm of society. It is a structure that is "mirrored and confirmed in the structure of society". In our society oppression of the weakest members of society-- women and children, is condoned, accepted and encouraged by the apathetic response of those in power. Thus the perpetrators of violence (and incest) mostly go unpunished, and the survivors, convinced that they cannot change what is happening silently bear whatever is meted out to them. Police and courts are sympathetic towards the perpetrators, who are almost never punished. Survivors find it hard to bring molesters/abusers to book, because of the tremendous social stigma and lack of evidence. Those suffering this abuse are marginalized and the abuse (unless extreme), is ignored by their families. Since the abuser is often the primary wage earner, offending him would stop the cash flow. The threat of being tossed out by the perpetrator and having to manage on a meager income is another reason why women do not speak out against abuse of their children. The women and children are threatened and coerced by the males and keep silent to avoid financial difficulties, threat to life and social stigma. The child survivors cannot explain the abuse/ event, to family, police, doctors, or NGO workers, due to guilt, shame and fear. For the most part, survivors have to deal with the physical and psychological trauma without recourse to professional assistance.

Adults who were subjected to incest as children suffered from feelings of low self-esteem and various disorders. For women, psychological problems include difficulty with interpersonal relationships, contempt for other women, depression, anxiety, and phobic avoidance reactions. For both male and females who have borne abuse as children, there is a high risk of mental disorders, sexual dysfunction, and post-traumatic stress disorder. In Pakistan, since incest is shrouded in a cloak of complete secrecy and privacy there can be no dialogue on the subject. Even educated people feign innocence about incest, claiming never to have heard the word, what it means, and the extent of this terrible evil in our society.

It is imperative that the silence on incest is broken and awareness created by means of print and electronic media. Mainstream newspapers and magazines must shed their reluctance to cast light on the problem. Electronic media has the most extensive reach. Television is a powerful means of communicating and educating the masses about child abuse and incest. Though child abuse has been touched upon, incest has yet to be tackled. Theatre can also contribute by conveying the message through stories and enactment of plays, particularly in rural areas.

Sincere efforts must be made to implement existing laws and push for new legislation. The National Child Protection Bill was tabled in Parliament in 2008. This remains unimplemented. The Domestic Violence (Prevention and Protection) Bill 2009 was allowed to lapse in December 2010. At the heart of this crisis is the failure on the part of successive governments to uphold the fundamental rights of the people guaranteed under the Constitution. Members of the judiciary, and police officers who deal with matters of domestic abuse should be trained and sensitized. Providing free legal aid, establishing more women police stations and children response centres would be helpful. Swift justice for survivors of rape and incest would encourage more reporting of this hidden crime. Rape crisis centres must be set up providing comprehensive medico legal aid. Virtually all the work towards identifying, assisting and counseling those suffering from domestic abuse has been carried out by NGO's. Government institutions should work together with the private sector and NGOs such as WAR, SPARC, LHRC and similar groups, to find ways to tackle this fast growing crime.

Pedophilia, child abuse, incest are increasing at a dramatic pace. It is only by moving the crime of incest from the private to the public sphere can we create awareness within all strata of society. The Government, Public and Private sectors and NGOs must work together to combat this evil. The cultural taboos and social stigma will have to be chipped away to reveal the horrendous face of the monster within the home.

The author is a homemaker and women's rights activist.

Workshop on Rape Litigation- Laws & Practice (Dec'10)

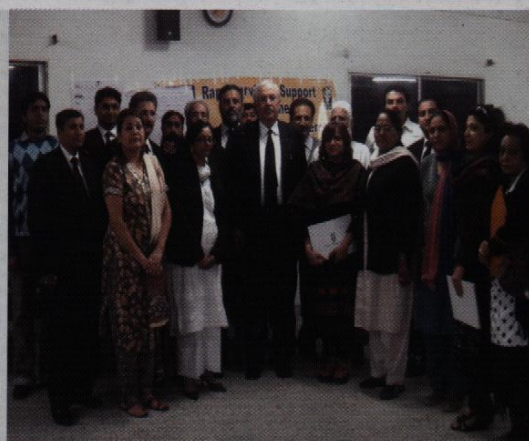
Access to justice is attained when that legislation is comprehensive, multidisciplinary and encompasses issues of prevention, protection and survivor empowerment and support at every level of the legal process.

The role of public prosecutors is of utmost importance in a rape case. A public prosecutor who is unaware of the dynamics of gender and gender-based violence is likely to not only poorly argue the case but also cause more damage case and trauma to the survivor. To address these needs in the local legal community, WAR conducted one-day training for public prosecutors practicing criminal law in Karachi's lower and high courts, at the Sindh High Court on 30 Dec'10.

The workshop aimed to address the inherent challenges in the criminal justice system of Pakistan, including but not limited to, biased attitudes towards women survivors of sexual violence and to enhance skills around case preparation. Moot courts were also conducted to identify areas in which prosecution faces most challenges and of procedural improvements.

The workshop explored several areas in law and the criminal procedure code that effectively deprive women of their basic rights. A dire need was felt for further interventions beyond capacity-building workshops to address some of the problems faced by survivors and members of the legal fraternity.

Assistant Advocate General (Sindh), Mr. Farid-ul-Hassan and Rtd. and Ex-Attorney General of Pakistan, Mr. Anwar Mansoor Khan were also present at the occasion and spoke words of encouragement to the participants.



National Consultations - Sexual Assault Documentation Protocols (SADP) - (Oct-Nov'10)

Earlier in 2010, WAR developed a policy paper containing comprehensive set of documentation and testing protocols for medico-legal examinations in Karachi. The document, called Sexual Assault Documentation Protocols (SADP), covers all aspects of medical examinations and is expected to supplant the existing Medico-legal Certificates being used in Karachi's government hospitals to document medical findings.

After a very successful advocacy seminar on this issue, a civil society referral network meeting was held in Karachi on 15 Oct'10, to review the SADPs in light of experts' opinion on its content, practicality and implementation strategy. This focus-group meeting was called on the request of some of the participants in the seminar who wished to know more about the protocols and contribute towards their finalization.



Meetings in Lahore and Islamabad were later conducted on 28 Oct'10 and 30 Nov'10, after an overwhelming demand by all stakeholders to take the protocols national. In these meetings, WAR consulted various civil society organizations, women's groups, legislators, paediatricians, gynaecologists, medico-legal officers and legal experts on the same pattern as the Karachi consultation. From the three cities, a total of 50 professionals from the medical, legal, media & civil society field as well as government officials were consulted.

After extensive discussions and inputs, the protocols have now been finalized which WAR expects to take to the Sindh Health Ministry early 2011. It is assumed that improved documentation of medical findings in sexual assault

Services through the Legal Aid Program '10

In 2010, WAR investigated 96 rape cases as compared to 92 cases in 2009. Twenty-nine (30%) cases were taken to court in 2010 as compared to 13 (14%) in year 2009. Sixty-seven (70%) cases were not taken to court for various reasons including external pressure on families to pardon the accused and threats. A total of five cases were won in 2010 from different courts, including the City Court, High Court, Sindh, the Anti-terrorism Court and the Shariat Court.

The number of cases taken to the court by WAR has increased exponentially; almost a 100% increase was witnessed this year compared to the previous year. As compared to 2009, where WAR was able to take 13 cases to court, this year it succeeded in bringing charges in 29 cases, with around the same number of cases investigated. In addition to this, WAR has also set another record: the highest ever legal victories in a year, winning 5 cases of sexual assault (details in the following section). This can be directly and indirectly attributed to increased outreach in communities and better coordination with the legal community, courts, police & medico-legal departments. It is also symptomatic of any increased desire of women to come forward and report sexual violence.

The National Judicial Policy (NJP), 2009 has also accelerated the disposal time of rape cases and reduced pendency. Many cases that were taken in 2009 reached a verdict within a year where it would normally take anywhere between 3-5 years.

However, an approximate 70% cases are still not going to court and the percentage of cases resulting in convictions still lies under just 4%. Cases of rape are being disposed quickly but there are still concerns over the quality of court proceedings, police investigations and documentation of medico-legal examination findings. Behavior and attitude of service providers is still mostly discouraging, suspicious and more effort is required to check irregularities in systems.

WAR's support team paid 146 (in 96 cases) home visits to survivors and their families, offering basic counseling and imparting rights information. An estimated 675 affected individuals (mainly family members) were reached through these visits, including 96 survivors. Traditionally, because

survivors do not approach WAR for assistance and in the past 20 years only a handful of women have approached WAR directly, the organization is dedicated to find cases as and where they happen and reach out to survivors and their families by the help of the Police and Town offices. In-house counseling sessions were held to offer psychotherapeutic support to survivors and their family members. One-hundred and twenty-nine (129) sessions were held in the entire year for this purpose. Referrals for psychiatric intervention were also made to Pakistan Association for Mental Health (PAMH), Hilal-e-Ahmer, and PNS Shifa.

For data collection on sexual violence cases, various visits were paid to different Police Stations in Karachi, including Women Police Stations. The total number of visits to Police Stations paid by the WAR team was 75, whereas 17 visits to the Capital City Police Office (CCPO) were also made. Sixty-five visits were paid to the three major Government hospitals, Jinnah Postgraduate Medical Center (29), Civil Hospital (28) and Abbasi Shaheed Hospital (8), where medico-legal examinations for sexual assault cases are conducted.

Total Number of Cases Investigated	96
Total Cases Taken to Court	29
Percentage Case Uptake	30.2%
Total Home Visits	146
Total Number of Cases Won (older and new)	5

In addition to this support and as part of its crisis intervention program, WAR also liaised with vocational training institutes, offering skills trainings to survivors and/or members of their families. Visits in the past year were made to the Karigar Institute, the Gul-e-Rana Vocational Training Center, Technical Training Center and the APWA Vocational Training Center. However, services of non of the institute could be availed due to costs attached with the procurement of training material as well as logistical issues of commuting by potential trainees.

In 2010, WAR also provided support to survivor and their families through the Survivor Support and Crisis Aid Funds, disbursing nearly PKR 104,440 for the provision of food, medicines, clothing, house rent and education (survivors only).

Cases Won/Lost in 2010

State V Afzal Ahmed - WON

Overview

The complainant N received a telephone call from her husband on 16 January, 2009, to send his mobile and Rs 800 to his second wife. At about 1800 hours, the complainant sent her daughter T, aged about 6 years along with money and the phone. In the meantime, there was a power failure in the neighborhood and as soon as T went out, the accused, who was a resident of the upper floor of the building and was standing in the corridor, caught hold of T and dragged her to a secluded area where he attempted to rape her. T soon lost consciousness and the accused escaped.

Judgment

The accused was convicted U/S 265-H (ii) Cr.P.C. and was sentenced to undergo rigorous imprisonment for ten years and to pay a fine of Rs 50,000. In default of payment of fine, the accused shall suffer three months of additional simple imprisonment. The judgment was passed on the 16 September, 2010.

State V Hussain Akbar Shah – WON; LOST IN APPEAL

Overview

On 2 July, 2005, at 1500 hours, the complainant along with her husband had gone to the market to purchase some household commodities. When they returned home, their daughter, I aged 14, told them that after their departure a boy who lived next door came and took her to his house on the pretext that her mother was calling her there. The boy bolted the door of his house from inside and took her into a room where he raped her.

Judgment of the Sessions Court

The accused was convicted under section 10(2) of offences of Zina (Enforcement of Hudood) Ordinance, 1979, read with section 376(i) PPC and Criminal Laws (Protection of Women) Amendment Act, 2006, and sentenced to 10 years rigorous imprisonment and a fine of Rs. 50,000. In case of default he shall suffer further simple imprisonment for 1 year and if the fine is recovered, it shall be paid to the prosecutrix as compensation under section 544-A Cr.P.C. The judgment was announced in open court on 30 December, 2009.

Judgment of the Federal Shariat Court (Appellate Jurisdiction)

A criminal appeal was directed against the judgment passed by the Sessions Court in this case. After hearing the advocate for the appellant and after going through the evidence available on record, the judge noted the following:

- There was inordinate delay in lodging the FIR as the offence had taken place 2 days before, i.e., with a delay of more than 48 hours.
- The complainant admitted that she did not make any complaint to any authority against the police for not registering her FIR. The explanation given by the complainant that the police had not lodged the FIR on the very first day was not convincing.
- The sole evidence of the survivor is not enough for the conviction of the accused in absence of any independent corroborative evidence. Even the medical evidence does not support prosecution.
- The doctor who had examined the survivor had not given her opinion with regard to recent intercourse and commission of rape. She had clearly stated that there were no marks of violation over the body of the victim, her hymen was absent and that she was non-virgo intacta. The conviction for the offence of rape would not be sustainable when according to medical evidence there was no injury near or around the vagina. The original chemical examiners report was also not produced in the trial court and only a photocopy was submitted. There is no explanation whatsoever regarding the production of photocopy of the said report.

In view of these factors, the judge gave the accused the benefit of the doubt, and he was accordingly acquitted from the charge. The judgment was passed on 04 August, 2010.

State V Asif Ali - WON**Overview**

On 27 July, 2007, complainant R lodged an FIR stating therein that on 23 July, 2007, he went to work leaving his wife, S, aged 18, and his maternal nephew Asif at home. At about 2100 hours, when he came back home his wife told to him that at about 1300 hours, the accused put a dagger to her throat and directed her to remain silent otherwise he would kill her. She slapped him due to which he pushed her and she fell on the floor. Thereafter, Asif raped her.

Judgment

The accused was convicted U/S 376 P.P.C. and sentenced to suffer rigorous Imprisonment for 10 years and to pay fine of Rs. 50,000, in default thereof he shall further undergo simple imprisonment for 6 months. The judgment was passed on the 03 December, 2010.

State V Bashir Ahmed & Noor Muhammad - WON**Overview**

Abdul Hashim lodged an F.I.R. on 5 July, 2009, stating therein that on 3 July 2009, his niece namely, S, aged around 4 years, was found missing. She could not be traced even after many announcements were made from a local mosque. It was further alleged that the accused, which were police officers and were residing in that locality since the last 15 to 20 days, had been seen by a girl in the neighborhood offering Rs.5 to S, picking her up and taking her somewhere. Both the accused were therefore arrested, who allegedly confessed to having murdered S by strangulation and throwing her body in a gutter near Goora Kabristan (Christian Cemetery). Based on this information, the police recovered the dead body which was brought to the Jinnah Post-graduate Medical Center for a postmortem. The results confirmed strangulation and also revealed that S had been subjected to rape.

Judgment of the Anti-terrorism Court

Basher Ahmed and Noor Muhammad were convicted with the death penalty and rigorous imprisonment for 10 years, and instructed to pay Rs. 100,000 each as compensation to the parents of the victim. In case of non-payment, the accused shall undergo rigorous imprisonment for an additional 3 years. The judgment was passed on 31 August, 2009.

Judgment of the Sindh High Court

Being aggrieved and dissatisfied with the judgment, the accused appealed in the Sindh High Court to set the conviction aside. The High Court, however, on 30 July, 2010, upheld the sentence passed by the lower court against Basheer Ahmed but dismissed the case against Noor Mohammed for want of evidence.

State V Ali Ahsan & Others - WON**Overview**

Survivor N, 18, was gang-rape by 11 men on 27 January, 2007, in her village of Habib Lubano near Gotki Ubavro, Sindh. The case which was registered from district Ubaro had been under trial since February 2007. After a series of transfers, the case was eventually sent to the High Court, Karachi.

Judgment:

The court awarded a life sentence to one accused in the case and a fine of Rs 50,000, while six other accused² were acquitted for lack of evidence on 23 January, 2010.

² Three of the 11 accused in this case were never apprehended by the Police.

Your Right to Know

Women police stations ought to be activated in K

KARACHI: There is urgent need to activate women police stations in the city to help women report crimes committed against them.

The fact was highlighted on Thursday during a two-day workshop organised by the War Against Rape (WAR) for Karachi city police under its rape survivors support programme (RSSP).

More than 20 women cops and 15 policemen, from the rank of constables to inspectors, participated in the workshop.

Though many of us have more than 20 years of service in the police yet we have not been provided an opportunity to directly serve the masses, said one lady inspector.

The participants were unanimous that the police in general needed to undergo capacity building sessions at regular interval to handle crimes and criminals who were getting sophisticated equipment.

avail themselves of the services required in the case.

Constable Rozina dispelled the impression that female cops indulged in bad language or rude behaviour.

Inspector Syed Haider Ali Zaidi said the police must not be isolated and must be provided an opportunity to interact with other sections of the society.

Hasib Baig said the workshop on an extremely sensitive issue depicted changes taking place in the society.

He said induction of a series of new laws, especially those granting empowerment of women and guaranteeing their protection against women specific crimes demanded mutual confidence.

family members to register complaints within 24 hours of the incident.

He said the police should be sensitised on the issue of women's rights.

Police refuse to register rape case against SHO: NGO

Family arrested without any charges, woman raped at police station

KARACHI

A rape case, in which a woman was illegally detained on August 2 at the Sharae Noor Jahan police station by SHO Ameer Muhammad

reported against law enforcement agencies, it was stated in a press release issued by the War Against Rape (WAR) on Monday.

Despite court orders, the police refused to register a rape case against the SHO due to pressure allegedly from the "higher police officials", stated WAR director Sarah Zaman.

In a statement recorded by duty officer SI Javed, the survivor claimed that she

her husband and two-year-old son when SHO Ameer Muhammad Lashari stopped their motorcycle and searched her husband.

After seizing Rs86,000 from her husband, SHO Lashari allegedly took the family to the Sharae Noor Jahan police station, where the family was detained.

No charges were filed against the family, the survivor, who is a SHO Lashari's wife.

The next morning, the family allegedly ordered her to pay more money if she wanted her husband to be released. He also threatened to disclose details of the case to anyone who would not pay.

WAR urges independent inquiry into nurse rape

By our correspondent Karachi

The War Against Rape (WAR) is outraged at the gang-rape incident of a Jinnah Post-Graduate Medical Centre's nursing student on July 13, 2010, on the hospital premises.

WAR sees this incident as an act of sheer barbarism by the accused, in order to cover their tracks, attempted to take the life of the survivor by pushing her off the building, due to which she suffered serious injuries.

The fact that the main accused is an ex-medico-legal officer is a matter of deep concern, the group said. The audacity

pressed that they would file a case against the nurse and the doctor.

WAR has demanded an independent inquiry into the incident and the arrest of the nurse and the doctor.

WAR has also demanded that the police should be held accountable for the incident.

WAR has also demanded that the police should be held accountable for the incident.

WAR has also demanded that the police should be held accountable for the incident.

WAR has also demanded that the police should be held accountable for the incident.

WAR against Rape — at a press conference at the Karachi Press Club. The event was held to celebrate the NGO's victory in a 2009 rape case of a six-year-old girl. Presenting some statistics on cases of sexual violence in Karachi from July 2009 to June 2010, Sarah Zaman, who heads the NGO, said 125 cases of sexual violence were reported in the city. Of them, 39 cases (31 per cent) were of those children below the age of 16 while 65 cases (52 per cent) were of those children below the age of 18.

A comparative analysis, she said, of the official record of the medico-legal examination conducted in the six months of this year in Karachi showed serious discrepancies. Karachi showed more than 136 medico-legal examinations were conducted at three major government hospitals whereas the number of FIRs registered was only 37.

This means that no FIR was registered in 73 per cent cases. This is a recurring trend that needs close government scrutiny as to why police officials are not registering cases of sexual assault in the city.

Giving her opinion on the matter, she said that the police should be held accountable for the incident. She also said that the police should be held accountable for the incident.

By Faiza Ilyas
ter, she said that a relatively high number of sexual abuse cases involved relatives. The cases in which there was no piece of legislation on the matter. The relevant rules should be enacted, she remarked. A bad reputation, she added, of the department, complicated criminal justice system, discouraging attitude among victim families for reasons behind the low number of FIRs registered in sexual abuse cases.

"Poverty, unfortunately, has a deep connection with sexual abuse in our society where culpability are usually with major crime," she said. Referring to a statement of a top city police official, Ms Zaman said that 100 rape cases occurred daily in the city, most of them so unreported. While some estimates showed that about 60 to 70 per cent of sexual violence cases were unreported.

She said that the police should be held accountable for the incident. She also said that the police should be held accountable for the incident.

She also said that the police should be held accountable for the incident. She also said that the police should be held accountable for the incident.

Fight to Finish

زیادہ تر زیادتی کم عمر کی بچیوں کے ساتھ ہوتی ہے، ہمارے زمانہ 2009ء سے جون 2010ء تک 125 زیادتی کے مقدمات سامنے آئے ہیں

کراچی (ایف جی) ایک ایسی ہیڈ لائن زیادہ تر زیادتی کم عمر کی بچیوں کے ساتھ ہوتی ہے۔ 2009ء سے جون 2010ء تک 125 زیادتی کے مقدمات سامنے آئے اور 70 فیصد مقدمات رپورٹ نہیں ہوئے۔

ان خیالات کا اظہار ڈاکٹر اکیٹ ریٹھ (ڈاکٹر) کی ڈائریکٹر سارہ زمان نے بدھ کو کراچی پریس کلب میں پریس کانفرنس سے خطاب کرتے ہوئے کیا۔ اس موقع پر ڈیڑھ سال قبل (بقیہ نمبر 22 صفحہ 3)

زیادتی کا نثر بننے والی عربی اور اردو ناول، حضرت، خاندان، اور ان کے مقدمات میں مل کر بہت کم کامیابی ملی ہے۔ پریس کانفرنس سے خطاب کرتے ہوئے ڈاکٹر سارہ زمان نے بدھ کو کراچی پریس کلب میں پریس کانفرنس سے خطاب کرتے ہوئے کہا۔ اس موقع پر ڈیڑھ سال قبل (بقیہ نمبر 22 صفحہ 3)

The road to justice and recovery with the help of...

By Farieha A

The Women's Day Special was, under the direction of... separate... an offense... Pakistan Penal Code Ordinance. Further cases of rape... those of fornication... the Act solved... that lie in the way... tice, many remain... Newsline... rape survivors... that had it not... (WAR), a Karachi... fighting against... legal, monetary... would have given up. What was common to...

خواتین پر مظالم کیخلاف ملکر جدوجہد کرنی پڑے گی، شرمیلا فاروقی

کراچی (ایف جی) ایف جی ایڈیٹر اور شرمیلا فاروقی نے کہا ہے کہ معاشرے کے مظالم اور زیادتی کی خٹک خواتین، بچے اور ان کے اہل خانہ قابل مبارکباد ہیں جو ہمت (بقیہ نمبر 7 صفحہ 3)

7 ایڈیشن

زوجوں سردی کے ساتھ حالات کا مقابلہ کرے جس کا ہم ہمارا بھی یہ فرض بنتا ہے کہ معاشرے کے ساتھ بے رحمی اور انفرادی بھرپور ساتھ دیں۔ ان خیالات کا اظہار انہوں نے "ادارہ گیسٹ ریپ" کے تحت بدھ کو ایک تقریب سے خطاب کرتے ہوئے کیا۔ شرمیلا فاروقی نے مزید کہا کہ خواتین سے زیادتی اور دیگر مظالم کے خلاف ہمیں مل کر جدوجہد کرنی پڑے گی۔ حکومت ہر ممکن تعاون کرنے کو تیار ہے۔ انہوں نے کہا کہ ضرورت اس امر کی ہے کہ ہماری پارلیمنٹ ایسی قانون سازی کرے جس میں بچیوں اور خواتین سے زیادتی کرنے والے ملزمان قانون کی گرفت سے نجات پائیں جبکہ حائرہ افراد اور ان کے اہل خانہ کی دادرسی اور ان کی حوصلہ افزائی اور شرمیلا فاروقی نے زیادتی کی نشاندہی کرنے والوں کے مقدمات میں کامیابی پر "ادارہ گیسٹ ریپ" کے ہمراہ ایران کو مبارکبادیں کی۔ تقریب میں زیادتی کا شکار نرسہ لہانوا، سات سالہ مہک کے اہل خانہ، خالدہ، فیصل صدیقی ایڈووکیٹ، اور مگرگھی سومر تھے۔

all of hurdles, but there are some brave souls who, ... gle through.

Found unconscious... department complex by her... the parents were devastated. The remaining part of the day was spent dealing with what had happened, and attending to the child. The next day, the father went to...

Six-year-old rape victim still in trauma

By Rabia Ali Karachi

A six-year-old girl, who was brutally raped in Kotri last week, is physically stable now, but still in a traumatised state. The girl A* is currently undergoing treatment at the National Institute of Child Health (NICH) in Karachi.

Deputy Director of NICH, Dr Arshad Hussain Domki said that the minor was physically stable but has yet to recover psychologically. "The atrocious incident may leave a lasting and damaging impact on the girl if she is not counselled properly."

Wrapped in bandages, A, the youngest of her six siblings, winced in pain as she tried to get up from her bed. Seeing A, her mother broke into tears.

Regarding rising incidents of rape cases, especially against minor girls, Suhail Ahmed Abro of the Society for Protection Against Rights of Child (Sparc) said that now young girls were being victimised due to societal frustrations amongst the public.

"From the start of the year till today, around 54 cases of rape have been reported in the province of Sindh only. Another recent incident was that of a three-year-old in Sanghar who was raped."

Unemployment, rampant inflation, illiteracy and poverty is causing people, especially the youngsters, to indulge in such heinous crimes," he said.

Khalida Ahmed Quadri, socio-legal officer of the War Against Rape (WAR), said that in some 30 rape cases of Karachi she has been received by them since January 2010. "The girls are not only being raped but are...



DAILY NAWA-I-WAQT KARACHI روزنامہ نواز

WAR programs are funded by:



WAR AGAINST RAPE

102, Pearl Crest, 18-C, 4th Commercial Lane, Zamzama Boulevard,

Defence Housing Society, Phase V, Karachi - 75500

Tel: +9221 35373008; Fax: +9221 35830903

Email: waragainstrape.khi@gmail.com, info@war.org.pk | Website: www.war.org.pk