



Trailblazers for
**Justice and Ending Violence
Against Women**
in Balochistan



Photo Credit Noman Ahmed

1 Farzana Khilji

A female lawyer's tale of courage: Fighting the odds in Balochistan's male-dominated legal profession

"I came into this profession with a passion to help women raise their voice. I always saw women being robbed of their voices whenever they tried speaking for their rights; I wanted to give them back their voice and rights.

My father, being a teacher himself, wanted me to join teaching as it was considered respectful. He stopped me from joining law as he thought the environment of courts, police offices and prisons didn't favor women. Seeing my passion and devotion in advocating for women's rights, convinced my father that law was the field for me.

I was married off at the age of 21-years. Contrary to my fears of having my

passion for law cut short after marriage, my husband was quite supportive and he didn't stop me from pursuing my law education. My first daughter was 3-years old when I got into LLB and my son was born when I was in the second year of the degree. Later, my husband died in an unfortunate incident, and I was left to raise our children single-handedly. As a single parent, I did everything on my own – picking and dropping children to school, fighting cases in courts, going to the law chamber, sending children to tuition and cooking food. Besides raising my children and earning a living, I am working hard to break into Balochistan's predominantly male profession.

Female lawyers are not considered hardworking and are expected to drop out of this profession early on, due to the pressures of work and unacceptance that females can be lawyers. That's why even in law colleges, out of 100 law students, 15 would be female of which only 5 or 6 would progress and practice law.

There are certain 'taboo' cases where male lawyers feel shy talking about, even to a female lawyer. A similar incident happened to me when I was fighting a case of a minor who was raped. The defense lawyer requested I handover the case to a male lawyer as my colleague felt embarrassed arguing about this case in front of me, a woman.

It is a common perception amongst people that women cannot handle tough cases as they are already drowned in problems of running their households, raising children and so forth. Female lawyers are offered Rs. 5,000 for any such cases while male lawyers are paid Rs. 50,000. There is nothing that can be done - only a change in perception can help dispel these notions that restrict a woman's growth in this profession.

We need more women in services that enhance women's access to justice. There is not a single female Investigation Officer in Balochistan, leaving male police officers to handle cases registered by women. This leaves female victims hesitant to report incidents and crimes against them and they choose to stay silent for the sanctity of their honor. This is the reason why we are unable to control the crime rate and cases of violence against women till now. Similarly, in courts, we have only 8 family judges in Balochistan – many cases are queued up due to lack of family judges who can ensure a quick disposal of cases.

More and more women should join this field – we need to smash all the stereotypes that hold us back, and need to bounce back as warriors, enablers and justice providers.”



2 Shabana Habib

Working fearlessly on the roads, breaking age old social taboos that women are supposed to stay indoors

Shabana Habib Tareen - Deputy Superintendent Police - Traffic for Quetta, Balochistan - is known for bringing discipline on the roads even in worst traffic jams.

"I joined the Police force in 1994 as Assistant Sub Inspector (ASI). Being the only women Police Officer trained in Sihala Police Academy, I had my share of challenges and achievements. I am proud of the fact that I have never worked less than men but have always contributed more than my male colleagues.

Being one of six sisters with a brother, my father always wanted his only son to join the police force; he didn't. I decided I will fulfill my father's dream; now my two daughters are ready to follow my footsteps.

As a female Police Officer, one question that is always in my mind during any operation is ‘would a woman feel safe while passing through this area?’. I believe as a female Police Officer, I need to make public spaces safe for women as many crimes against women are perpetuated in such spaces.

Currently, women officers are not permitted to register a First Incident Report which is a basic indicator for the performance of a Police Officer. We need women reporting centers in all districts as a basic requirement for women victims as well as for women officers. For women victims because they hesitate in reporting crimes to males and for women officers to register and investigate the case.

Usually women refrain from entering this field, but we need more women to tackle cases related to women. This can support us in providing access to justice to victims of all sorts of abuse. I have earned a lot of respect in this field and I am striving hard to rise above the inequalities that persist in our society.”



Photo Credit Noman Ahmed

3 Rubina Zehri

Making Women Crisis Centres a place of refuge for women in distress

Despite having limited monetary and human resources and being threatened for challenging the set norms where women are not supposed to leave their homes, seek refuge at a public place and raise their voice, Rubina Zehri, Manager Women Crisis Center (WCC), Quetta, Balochistan, remains composed and focused on her aims of making the center truly a place of refuge for women in distress.

“I assumed the charge of the center in the year 2010. Before that, I was the Manager of Khuzdar’s WCC.

Since its establishment in Quetta in 2005, the WCC has provided relief to 3,018 women. WCC is not a shelter and only provides temporary medical,

psychological and legal help. Majority of the cases received here are linked to domestic violence.

I belong to the Zehri tribe and was lucky to have studied in schools established by my family elders. Being interested in studies, I was sent to my maternal grandmother in Khuzdar to complete my graduation, including a Masters in Social Sciences. I worked extensively with the community under different projects. It was my father's support which enabled me to make progress despite pressure from other family members.

When the WCC was established in Khuzdar, I joined as the Manager. Most of the cases that I resolved were through negotiations. I believe Alternative Dispute Resolution (ADR) mechanisms do not work in favor of women since every decision is taken by the male village elders. When government departments are not sensitive towards women, how can we expect ADR to be gender-sensitive?

I have observed a change in the environment. More and more women are approaching the government departments - by visiting their offices or through helplines - for protection and justice. Now is the time to make these institutions more efficient and resourceful.

Our WCCs do not provide shelter to victims due to lack of resources. Those who arrive here are provided medical services and they are then presented before the court, following which they are shifted to Dar-ul-Amans where they can stay for as long as needed.

Simpler procedures of accessing legal aid and counseling along with additional facilities should be introduced. Women who come here for help get disappointed when they come to know about the procedures. If proper funds are provided for basic facilities such as security, doctor, food etc., women victims could be provided shelter in the Quetta WCC as is the case in Islamabad and Lahore.

It is important to provide women in distress the kind of facility where they can stay as long as they need to and also learn employable skills.

Despite these challenges, I remain hopeful – as we aim to make the Centres a place of refuge for women in distress.”



4 Batool Assadi

Balochistan's first female Assistant Commissioner is fearlessly serving the people

Despite the volatile law and order situation in Balochistan, Batool Assadi – Balochistan's first-ever female assistant commissioner – is fearlessly serving the people.

“Being a woman from the Hazara community, I appeared in the Central Superior Services (CSS) examination in 2012 and stood 1st in Balochistan, and 21st overall in Pakistan. My husband always encouraged me to try my luck in civil services as he thought I had all the ingredients to become a civil servant. After my first posting in Punjab, I chose to serve in Balochistan.

People were initially reluctant to accept my orders as they were not used to a woman controlling things. A common response I would overhear to my

requests was ‘you would not understand.’ I stayed principled and strict and things changed with time. Experience has shown me that change depends on how you deal with things.

I always remained accessible to the general public. I never surrendered before references. For a woman, it takes time to create space but it depends on how you handle matters. I have seen that sometimes women create weaknesses for themselves. They try to run away from hard work and choose easy tasks.

The environment should be made more conducive to women so they can have access to and benefit from law enforcement mechanisms. Better infrastructure facilities such as the provision of daycare centers, separate washrooms, and sensitization of people involved in rule of law are vital to encourage women to access the justice sector. Despite having a few pro-women legislations, women are under-represented because the overall environment is discouraging. For example, there are complaint desks for women at the police stations but the environment there is not welcoming. The women who visit the police stations or courts are considered to be ‘bad’ women.

Presence of women in the law and justice sector can bring about change. Whenever I am in the field, women approach me and discuss their issues. Only recently, a man in a remote area came up to me and said he had put his daughters in school so that they could become like me.”



5 Sabira Islam

Balochistan's first female Additional Advocate General is progressing in a male-dominated profession

Sabira Islam, is a prominent name in Balochistan's legal fraternity. As Balochistan's first female Additional Advocate General despite all the odds against her, she is progressing in a male-dominated profession and raises her voice against taboo issues, taking on some of the most challenging cases.

“Although I had my family's backing when joining the profession, I did face opposition and discrimination outside.

I am working as the President of Pakistan Women Bar Association and a Member of the Human Rights Commission of Pakistan. I am also the Law Secretary for the National Party. I usually deal with civil and criminal cases and have also filed constitutional petitions for public interest cases.

I was blamed for dividing the lawyer community when I tried to launch a group of women lawyers after realizing the need for unity. The banners that I put up near the court to condemn harassment of women lawyers were torn apart by some male lawyers the same evening.

This resistance only made me stronger. It was quite discouraging in the beginning but I kept changing my strategy and started competing strongly in the mainstream. This helped me identify my support mechanisms and motivated me to fight harder so that I could contribute to creating a conducive environment for the generations to come.

When I started practicing law in 2009, I was one of 4 female lawyers. This number has increased with around 40 women lawyers in different courts today, and adolescent girls from under-developed and conservative areas are joining this field too.

Throughout my years, I have taken up thousands of cases for women – free of charge. Everywhere women go, especially victims and survivors of violence, they are time and time again told to compromise and go back home.

Women need to make themselves professionally strong to have a real voice in the society. I would request that more and more girls study law. Even if they do not join the profession, at least they will get to know about their rights. We are still fighting with this mindset. More women lawyers would mean more women getting their legal rights.”



6 Amina Hashmi

Operating under threat and handling pressure at work; a prosecutor narrates her will to never give up

For District Public Prosecutor, Amna Hashmi, the prosecution calls for strong nerves, especially when working in a volatile region like Balochistan. It means pressure from all sides including the law enforcement agencies, victim's family, the accused, and the investigation department.

"We are under threat almost all the time. Sometimes, we face direct threats from the accused. They do not understand that it is our duty to protect the State's interest. I belong to a family of lawyers where girls are encouraged to study and adopt the careers they want. I have been a practicing lawyer for 14

years and joined the Prosecution Department in 2014 on the recommendation of the Public Service Commission.

Making your place in a male-dominated set-up is never easy. A woman has to work harder to prove her ability and professionalism. But I think women are better workers; they concentrate more on their work and waste less time in politics. My recipe for success is punctuality, regularity, and interest in your work.

A lack of facilities for many prosecutors greatly affects their performance. In case of Balochistan, they have no offices, furniture, computers, official vehicles, stationery and no forensic lab. Without proper investigation, prosecution remains weak which leads to a low conviction rate.

Moreover, building trust with male colleagues and clients takes time. When they see that women prosecutors are equally good at their work as male prosecutors, then they start treating us as professionals. Things are however changing, in the right direction. Only recently, my office received 2 girl's murder cases from Balochistan's "B" area that is controlled by the Levies force. Such cases never reached the courts before.

Balochistan has the highest rate of conviction which stands at 35% in anti-terrorism courts and 47% in the district courts. For even better results, we need better facilities and a better environment.

We should never give up - it is our responsibility to bring positive change wherever we can, and create a better environment for generations to come."



7 Amjad Rasheed

Interview with an advocate for women's fundamental rights

Amjad Rasheed, Chief Executive Officer, Taraqee Foundation talks to UN Women, Pakistan on women's experiences and concerns within the Rule of Law (RoL) and the role of civil society in the implementation of the RoL.

Q 1: What is the role of civil society in implementing a RoL roadmap?

A: Balochistan is half of Pakistan but other than Quetta and some other cities, it has mainly rural and tribal setting. With time and education, society is opening up but there is a lot to do in case of gender. Majority of violence against women cases are not even reported and are considered as family cases. But overall, whether it is access to water, health or education, women are largely restricted due to conservative social setup.

Up until the 1990's, local development programmes were designed without actually involving women.

In 1990's, some activists developed a network titled Women Development Network and decided to gender sensitize masses and also the civil society organizations working in the development sector. At that time, civil society organizations even Taraqee Foundation did not have a gender policy.

Our focus was having a strong human resource and finance policy. Under that initiative, we made gender policies for civil society organizations. Now after 20 years, we have local Baloch women working in the development sector and playing their role at the policy level. Though the desired target is a long way to go but we are moving in the right direction. We also have EVAW network with 25 civil society organizations as its member including media representatives, lawyers, activists, and academicians. We are in the phase of strategic planning and we plan to engage all stakeholders including parliamentarians, politicians, government, and donors.

Civil society has a prominent role in the implementation of ROL roadmap. Government approach is top-down which focuses more on basic infrastructure development. Civil society has a vital role in reaching out to masses and sensitizing law enforcement agencies, families, politicians and parliamentarians. Balochistan is ahead in formulation and approval of women-friendly legislation but the implementation is still a challenge and for that collective efforts are required.

Without involving civil society in this effort, desired results could not be achieved. The world is changing. We live in a global village and digital time where communication is very fast and no incident can remain hidden from the public. We are glad that this realization is at every level. In coming years, civil society role will be very prominent in ROL roadmap implementation.

Q2: What issues do women face when they approach ROL mechanisms?

A: It is indeed very difficult for them. First of all, these issues are not reported and secondly, the response of people in court is not welcoming. They try their level best to convince the woman to go back to their home and try resolving the issue at the family level.

After extensive mobilization and advocacy, women have started approaching the RoL mechanism. For example, in the marriage contract, there is Column 18 which guarantees divorce right for the woman. It was always crossed by the families. Now the families and the girls insist to fill the Column 18.

In rural areas, if rights of women are violated, there is no option but to take the matter to Jirga. Jirgas are run by men who are mostly gender insensitive. In a majority of cases, women victims are not consulted before announcing a decision. We claim that we respect and protect women but to get a real picture, we have to look at the way women are treated. If providing food and shelter define respect and protection, it is also provided to livestock. True respect is when they are provided with education, equal access to opportunities and facilities and above all, they are made part of decision making.

Q3: How important is to involve men in these initiatives?

A: I believe that without engaging men, we cannot guarantee rights for women. If the male head of the family is sensitized on women's rights and its benefit to the household and community, more women will be supported in their education and become empowered. With men on board, acceptability for women's empowerment initiatives increases.

And things are improving very fast with the advent of information flow through electronic and social media. Recently, a male parliamentarian announced to his party office bearers that if anyone does not give property rights to the women in his family, his party membership will be canceled and he would not be given a party ticket for elections. It might not be implemented in letter and spirit but it was a strong message given by a male leader. We need to engage men at every level, otherwise, things would not change.

Q4: What difference can women's engagement in RoL mechanisms make?

A: It makes a huge difference. Educating woman means educating the nation and similar is the impact of involving women in all sectors. It is vital for development, accountability, and democracy. Only inculcating these values in the education system can bring this change. We stress on educating women but I was surprised to hear gender insensitive comments from women in RoL mechanism. Court decisions are also discriminatory. I believe that rights awareness is missing among the general public at all levels, including

knowledge of our Constitution. Even the law graduates are more expert in civil and criminal laws but not aware of fundamental rights guaranteed by the law.

Violence against women issues is considered a family issues both by the general public and law enforcers despite the fact that it is against fundamental rights. Level of VAW is very high in Pakistan. The first step to access to justice is to go to police station. Women might be ready to go to the police station but there are family and social restrictions. They make it a matter of respect.

Due to the social and cultural setup of Balochistan, women feel more comfortable to share their issues with women and this makes a strong basis for having more and more women. In past, we have seen that quota has brought some really good leadership of women at the forefront at domestic, provincial and national level. These women have capacity issues but overall, they are successfully highlighting women issues. Take the example of Speaker, Balochistan Assembly, Raheela Durrani-she was part of civil society once and she still consults us in laws and policy making.

It is indeed a positive sign that we have women bureaucrats, police officers, registrars, lawyers etc. but effort shall not stop here. These women are not enough. We need to create a conducive environment to encourage those who plan to join.

Q 5: Do you think the ROL and governance situation in Balochistan is improving?

A: Things are changing with time but for substantial and sustainable change, we need good governance and rule of law. With rule of law, all sections of the society start exercising their basic rights. In a recent visit to Dubai, I saw women Muslim taxi drivers on roads at midnight. They were able to do that because of the situation of rule of law. Rule of law becomes strong through the political process and social movement.

It is a very slow process to transform a society. There is no quick-fix solution. We could not expect civil society or any international organization to change things in Pakistan. It requires social movement and collaborative effort of main stakeholders including political parties, judiciary, parliament, bureaucracy, civil society, and media. We need to work with common vision and commitment.



8 Rahima Mengal

Interview with a woman who is standing up against the harmful traditions in Balochistan

Rahima Mengal is a women's rights activists from Balochistan. She is married to a tribal Jirga leader and actively challenges harmful traditions against women including Karo Kari (honor killing). She also ensures that cases of violence against women put before her husband for 'tribal resolution' were dealt with in a fair, equal and gender-sensitive manner. Rahima has also turned her home into a safe haven for women escaping honor-related attacks.

Parallel systems of justice often act as an instrument of further suppression and exclusion of women. There are reported cases of serious gender crimes where women had to pay for their lives in the name of honor or settling disputes. Calls to make matters involving women public are considered a violation of tribal

and familial honor. In such circumstances, becoming a voice of change from within the tribal system is indeed heroic.

Q 1: What inspired you to challenge centuries-old traditions against women?

A: I was always inclined towards helping people in distress. I inherited it from my mother who goes out of the way to help those in need without letting anyone know. She encouraged me to study in an environment where girls were not allowed to go to school. Though I was forced to drop out in Class 6 under family pressure, my mother helped me to do matriculation privately. I still remember that when I used to appear in exams, my mother was always sitting outside the examination room. We are three sisters and my mother has always been there to fulfill our dreams.

Moving to a traditional tribal setup of Kot Mengal from Quetta after marriage was not an easy task but slowly I realized that there was so much to do in this area. Women were extremely suppressed. Honor killing was an acceptable social norm. Women were considered no more than an object. They used to work all day, taking care of their house, livestock, children, and in-laws etc. and all the money they used to earn was taken away by their husbands. That injustice inspired me to help them in every way possible.

When I told my husband that I want to work for women in that area, he said it was very difficult and I would not be able to do much. But I convinced him that small drops make a river. I started off by establishing a primary school and now we have a high school as well as a college in our village.

Q 2: How can we ensure women's rights are respected and supported in a tribal setup?

A: There is no quick fix solution. Transformation occurs slowly. There is a whole mindset that was developed in centuries. We cannot say that all values and perspectives are wrong. There are certain values which need to be preserved and there are some that need to change. The first step is to start a discussion on the negative impact of traditions on women.

In my view, the best way is to engage men. In my case, I was able to do all this because my husband stood by me. He is a gentleman and it never took me much time to convince him to help women and go against the set norms while settling the disputes. He used to talk to women victims separately to get their

side of the story before taking any decision. Because of lawlessness in under developed areas of Balochistan, honor killing or Karo Kari became a business. There was a price for everything. Even divorce or taking back a wife had a price. My husband always tried to strike a deal that favored women. He used his tribal influence positively.

Slowly, people started considering my house as a safe haven for the victims. Even the *tehsildar* (local revenue officer) used to bring women in trouble to my residence for shelter. I am so proud that we were able to save lives of several women. In many cases, we even managed to get those girls married off or safely return them to their parents.

Q 3: Why do you think women avoid going to a police station as a first point to register a crime and seek protection?

A: Women avoid approaching police stations mainly due to cultural restraints and also because they feel that law enforcement officials would not provide protection to them due to the influence of the tribal system. Also, people are under the impression that women are not respected when they visit police stations and that they are more respected in *Jirgas*.

These are the main reasons why the majority of the cases of violence against women are not registered in the police stations which actually are the first point of contact for the formal justice system. These cases are solved outside the court.

Tribes have their own traditional practices which are followed by everyone. For example, there is this tradition that is still practiced in certain parts that when a girl approaches a tribal leader for refuge, she becomes the property of that tribal leader for the rest of her life. They have the authority to take decisions on her behalf.

We can say that things are changing now. More cases are registered with police as compared to the past but still, the number is very low. When women would be assured protection in police stations, they would start approaching the formal justice system.

Q 4: What kind of challenges did you face when you challenged the age-old system?

A: I suffered a lot for working on women issues. I was not allowed to fight

for councilors' elections and received threats on giving statements in favor of women even in the most controversial cases.

The most challenging time was when I started working on women issues. Once I planned a seminar at the District Assembly hall and contacted the District Authorities for permission. The Deputy Commissioner plainly refused. He said he could not risk allowing an open discussion on such a sensitive issue and that it might even result in an armed conflict. When I spoke to my husband, he said that I organize the seminar at our house so that I do not have to worry about guns or violence. The seminar was a success. I invited many community members; the Commissioner and the Deputy Commissioner were the chief guests. After that many seminars and discussions were organized.

Q 5: How can Alternative Dispute Resolution (ADR) mechanisms be made more gender responsive?

A: The ADR is very well penetrated in the tribal Baloch society. Things are changing with education and access to information through the internet and media but the change is very slow. I think slow change is a good change and I am glad that we can see it happening around us.

The only solution the government has is to strengthen the local bodies so that elected representatives are there to help the vulnerable. Within ADR, it would help if the government makes it obligatory for tribal elders to keep a record of all cases and submit them to the Deputy Commissioner's office. The government-made *Jirgas* can never help. They will be politicized and can invite resistance. Reviving *Masalihati Anjuman* (ADR) and involving local councilors in that system can also help but the best way is to strengthen the formal justice system so that people start having trust in government institutions. The first step could be to stop political interference in the police department.

Another important thing to do is to engage the tribal Sardars or leaders. Most Sardars are Ministers or occupy important positions in the provincial government. They should be called together to evolve a system that is acceptable to all.

About the Project

Strengthening the Rule of Law and Improving Access to Justice in Federally Administered Tribal Areas (FATA) and Balochistan

January 2017-March 2018

Background & Project Scope:

Pakistan is host to diverse formal and informal justice systems. Recent data shows that a large population in Pakistan is often not in a position to access the formal legal system for various cultural, linguistic, financial and logistical reasons. Inadequate access to formal institutions and existence of parallel justice systems with fragile linkages between both formal and informal justice systems in FATA and Balochistan have perpetuated discriminatory practices, often resulting in serious violation of women's human rights.

UN Women is working with national and provincial counterparts to strengthen rule of law institutions for enhancing women's access to justice. Under the inception phase project *"Strengthening the Rule of Law and Improving Access to Justice, FATA and Balochistan"*, UN Women aims to analyse Rule of Law institutions and justice mechanisms from gender perspective, enhance institutional capacities and advocate for policy/legal reforms in Balochistan and FATA.

Key Results:

Balochistan

- "Gender Analysis of Rule of Law Institutions in Balochistan" conducted to enable UN Women and other partners to examine the participation and representation of women in the province's rule of law sector. The study gives a critical overview of challenges faced by women as both clients and service providers.
- Gender integration in Rule of Law Roadmap (2018-2022) prepared by Government of Balochistan with technical support from UNODC, UNDP

and UN Women. The Roadmap includes clearly defined gender targets and indicators, in addition to a separate chapter on Gender Equality and Women's Empowerment.

- Technical Working Group (TWG) on Women's Empowerment and Gender Equality established by Women Development Department, Balochistan with technical support from UN Women. The TWG will function under Home Department's Rule of Law Delivery Unit, to facilitate implementation of Rule of Law Roadmap, Balochistan.
- Profiles of 'Trailblazers for Justice & Ending Violence Against Women in Balochistan' developed to capture stories of service providers in justice/ social sector and women's rights activists who are breaking stereotypes and transforming lives of women in Balochistan.
- High-profile policy advocacy events and community sensitization initiatives on women's access to justice and violence against women, including radio/ TV talk shows, newspaper supplements, youth dialogues etc.

FATA

- Study on "Gender Integration in FATA Reforms" to provide evidence base for legal reforms and policy action for FATA from gender perspective. The findings of the report were disseminated at an event organized in collaboration with National Commission on Status of Women and Ministry of Human Rights in December 2017 at Islamabad.
- First-ever mapping of "Women's Experiences of Jirgas in Balochistan and FATA", documenting women's interaction with informal justice system in various capacities (litigants, observers, representatives, respondents or victims).
- Policy advocacy through stakeholder consultations and dialogues; documentary on 'Voices of Women from FATA'.

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