



Shirkat Gah – Women’s Resource Centre (Sgah)

Women’s Rights in Pakistan- Status and Challenges

Stakeholders Joint Submission for Pakistan’s Review in
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A Joint Submission made by Shirkat Gah – Women’s Resource Centre on behalf of the following civil society organizations of Pakistan: Aurat Foundation, Home Net Pakistan, Bedari, Church of Pakistan-Lahore Diocese, Simorgh, Sudhar Development Organization, Women in Struggle for Empowerment (WISE), Ittehad Foundation and Women’s Organization for Rights and Development (WORD)

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1. Women's Rights in Pakistan - Overview

1.1 Women's rights and empowerment measures in Pakistan continue to fall short of projections and promises despite some positive steps to ameliorate their condition. Pakistan ranks 82 out of 93 countries in the Gender Empowerment Measure¹ and has a Gender Inequality Index value of 0.573, ranking it 115 out of 146 countries in the 2011 index². Reported incidents of violence against women increased from 7,571 in 2008 to 8,539³ by December 2011 and while the adult literacy rate in Pakistan is 56%, female literacy stands at 40%⁴ despite the Government's commitment under the MDGs to 87% women's literacy by 2011 (World Bank Development Report). The Government of Pakistan has acknowledged the need to tackle patriarchal mindsets and for further legislative reform to address the problem of violence against women and ensure the protection of women's rights⁵. It is a matter of concern however, that in its response to comments as the State under Review, Pakistan was mostly silent on the issues of Jirgas and the provisions under Qisas and Diyat with regard to cases of honour killings or, at best, buried said issues under generalized blanket women-centric responses.

2. Women's Political Participation

2.1 The current representation of women in National Parliament and Provincial Legislatures is ensured with 17% seats reserved for women. Women occupy 22.2 % seats in the National Assembly, 17% in the Senate of Pakistan and 126 out of 728 seats (17.6%) in the Provincial Assemblies.

2.2 Reserved seats are a welcome and necessary step. Data indicates that women on reserved seats are among the most active in the Provincial and National Assemblies and in the Senate. Of the 69 private member bills that were introduced in 2008-09, 51 were introduced by women on reserved seats, out of which 9 directly related to women. Similarly, in 2010-11, the majority of the bills were introduced by women on reserved seats. These women challenged social and cultural norms and introduced bills against domestic violence, women trafficking, discriminatory practices against women, and bills pertaining to women's reproductive rights. Women legislators have not restricted themselves to addressing women's issues only; they have also introduced amendments pertaining to a broad range of issues from citizenship to Anti-terrorism.

2.3 Increasing women's reserved seats in Parliament and Provincial Assemblies to 33%, and restoring the local government system with 33% women's reserved seats will ensure women's increased and effective contribution on all matters pertaining to citizenry.

¹ UNDP Human Development Report 2011- Sustainability and Equity: A Better Future for All

² Ibid

³ Aurat Foundation 4th Annual Report, 2011: Policy Data Monitor-Violence Against Women (PDM) organized a press conference on August 16, 2011 at Islamabad to share with media its bi-annual report on violence against women

⁴ World Bank: World Development Report 2012

⁵ Universal Periodic Review-Report of the Working Group on the Universal Periodic Review Pakistan, A/HRC/8/42, 4 June 2008

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/141/27/PDF/G0814127.pdf?OpenElement>

2.4 ***Women's Political Participation- Recommendations***

- a. Increase women's seats in the Parliament and Provincial Assemblies to 33%.
- b. Increase the number of directly elected women in political parties. This is recommended in addition to the reservation of seats under the current affirmative measures for women's political participation.

3. **Local Government**

3.1 The Local Government System, introduced under the Local Government Ordinance 2001, expired on December 31st 2009. Although introduced by a military dictator to create a political constituency, this system clearly emerged as a nursery for potential grass roots politicians who lacked for either money or clout, or both. Under the Local Government System 33% seats were reserved for women and with its end women's representation in decision-making at the grassroots was terminated. Despite shortcomings in the manner in which women were nominated to the reserved seats, the system was a springboard for numerous women to enter provincial level politics. Elected on non-partisan platforms, these women later joined political parties and were elected to Provincial Assemblies. In 2008, 6 local women councilors were elected as Members of Provincial Assemblies.

3.2 ***Local Government: Recommendations***

- a. Restore the Local Government System with 33% reserved seats for women.

4. **Legislation - Status & Implementation**

4.1 There has been significant progress in legislation on women's issues in Pakistan and more than half a dozen laws have been enacted for the protection and promotion of women's rights in the period between 2010 and March 2012. These laws criminalize forced marriages and other such customary practices discriminating against women, like giving women in marriage to settle civil or criminal liability⁶, domestic violence⁷, acid crimes⁸ and sexual harassment within the workplace⁹. The Women in Distress and Detention Fund Act has also been amended to enable the Ministry of Human Rights¹⁰ to use the fund in order to provide financial and legal assistance to women in jail. Moreover, on International Women's Day in March 2012, the President gave his assent to the bill establishing an autonomous and effective National Commission on the Status of women¹¹. However, the 18th Constitutional Amendment in April 2010 halted the legislative process by Parliament on many issues related to women's rights and several bills lapsed as this amendment brought this

⁶ The Prevention of Anti-Women Practices (Criminal Law Amendment) Act, 2011

⁷ Domestic Violence (Prevention and Protection) Act, 2012. It should be noted however, that this Act is applicable within Islamabad only

⁸ Criminal Law (Second) Amendment Act 2011. Through this amendment, provisions have been added in the Penal Code that carry heavy punishments for the crime of inflicting injuries through acid or such other dangerous substances

⁹ Protection against Harassment of Women at the Workplace Act 2010. Through another amendment the offence of sexual harassment was included in the Penal Code and its sentence was enhanced

¹⁰ This Ministry was established as a separate entity with effect from 2008

¹¹ National Commission on the Status of Women Act, 2012. This Commission has already been working since its establishment in the year 2000 through a Presidential Ordinance. The new law has strengthened the composition and working of the Commission and granted it more autonomy

subject within the domain of Provincial legislation¹². Provinces must now institute legislation in areas such as domestic violence.

4.2 The implementation of rights under the law is also hampered due to the prevalent patriarchal mindset of law enforcement institutions. Gender sensitization training needs to be incorporated as part of the foundational training at the time of induction and must become a pre requisite for promotion within the police, judiciary and the local administration.

4.3 The level of public awareness about the law is very low in Pakistan. The media plays an important role in raising public awareness but it is neither trained nor equipped to understand women's issues or highlight violations of women's rights.

4.4 ***Legislation-Status & Implementation: Recommendations***

- a. Ensure the implementation of existing legislation in letter and spirit and develop the requisite rules under these laws where required. Mechanisms for the effective enforcement of all new legislation that has been introduced for the protection of women should be developed with Standard Operational Procedures (SOPs) for the relevant duty bearers.
- b. All line departments and implementing agencies including the police, subordinate judiciary, medico legal units and burn units of hospitals to be given proper orientation on laws related to the protection of women against various forms of violence including forced marriages, sexual harassment and injuries through all forms of burns including acid and other substances.
- c. Laws that are discriminatory towards women to be abolished. These include the provisions of Qisas and Diyat and the Law of Inheritance¹³.
- d. Legislation to be enacted on issues like domestic violence and a standardized minimum age of marriage for both males and females. The NCSW has drafted proposals regarding legislation for Hindu Family Laws and a review of Christian Family Laws which should be taken up by the concerned legislatures.

5. **Violence Against Women**

5.1 Women have experienced an increase in violence including sexual and domestic violence, acid throwing, killings and rape. According to incidents reported and registered at different forums (police stations, Courts and complaint cells), there has been a 13% increase in crimes against women since 2008¹⁴. More than 2000 women were killed in the name of honor from 2008 to the end of 2010¹⁵. The actual numbers may be more since many cases go unreported.

5.2 Support structures for dealing with victims of violence are limited and under resourced. There are currently only 44 Government run women's shelters in a

¹² Examples include Bills related to amendments in the Muslim family laws, new legislation pertaining to family laws for the Hindu community and the Guardians and Wards Act, 1890 that lapsed

¹³ Details below in sections on Sharia Laws and Inheritance Laws

¹⁴ http://epaper.dawn.com/~epaper/DetailImage.php?StoryImage=15_01_2012_004_005

¹⁵ HRCP (Human Rights Commission of Pakistan) Reports 2008-09-10

population of 177.10 million (of which women are estimated to be 48-50%)¹⁶. Till 2010, 23 women's emergency crisis support centers augmented services to survivors of violence. Following the devolution of the crisis centers for women established by the Federal Government to the Provincial Governments under the 18th Constitutional Amendment, the Punjab Government has refused to adopt twelve such functional centers, replacing them instead with crisis support desks that only serve as referral mechanisms. Other Provinces have adopted Women's Crisis Centers but have failed to provide adequate and timely budgetary allocations to these centers thereby sending a message that women's issues occupy low priority in Government budgets. There are currently only 3 recognized Government Burn Units in civil hospitals in Pakistan and 3 Burn Units in military hospitals. While some District hospitals provide burn treatment, they are poorly equipped to handle serious cases, especially those arising from acid violence. Many patients are denied treatment because of a lack of burn units in major public hospitals.

5.3 *Violence Against Women- Recommendations*

- a. Establish new and strengthen existing support structures for victims of violence (Women's Shelters, Crisis Centers and Burn Units for treatment of women victims at District level in all Provinces).
- b. The definition of rape to be amended to include sexual intercourse with a woman in custody or in care of state functionaries or in abuse of authority with or without her consent. This should be classified as statutory rape.
- c. Ensure that guidelines developed for *Darul amans* (Government run shelters) in the Province of Punjab be fully implemented. Balochistan has formulated similar guidelines and the Provinces of Sindh and KPK should develop similar guidelines and operational procedures for *Darul amans* along with establishing at least one such shelter in each District.
- d. Address gaps & gender biases in educational/professional textbooks and training curricula for the advancement of a gender-sensitive & rights-based approach towards public service.

6. Home Based Workers

6.1 As part of the Pakistan's 2008 Review, it was recommended that Pakistan adapt labour legislation and align it with the provisions of the ILO Conventions. Pakistan was also asked about its plans to harmonize national legislation with international obligations in the field of labour laws (Slovenia)¹⁷.

6.2 It has been estimated that there are 8.52 million home based workers in Pakistan and within this sector the proportion of women comes to about 65%¹⁸. Currently, workers within this sector are not covered by any legislation. Therefore neither the terms of their employment nor their working conditions are regulated under any legislative framework. In the year 2007 an initiative was undertaken to

¹⁶ Pakistan Economic Survey- 2010-11 Highlights

¹⁷ Universal Periodic Review-Report of the Working Group on the Universal Periodic Review Pakistan, A/HRC/8/42, 4 June 2008

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/141/27/PDF/G0814127.pdf?OpenElement>

¹⁸HRCP Report 2011

develop a National policy on home based workers which resulted in a draft National Framework that is yet to be adopted by the Government.

6.3 Moreover, post the 18th Amendment devolution, the four Provinces have to devise their own policy and legislation with regard to home based workers. To that end, Punjab has finalized a policy draft which is to be presented and a task force has been announced in Sindh headed by the Department of Labour which is responsible for reviewing the draft policy for Sindh.

6.4 *Home Based Workers-Recommendations*

- a. Home based workers to be recognized and the Department of Labour to make arrangements for their registration along with registering their category of work.
- b. The Government to ensure the inclusion of home based workers in social safety nets.
- c. The Government to pass legislation in order to provide adequate safety and compensation to such workers.
- d. There is a need to improve the role and contribution of women in the labour force and to provide them equal opportunities for employment by introducing the principle of equal pay for work of equal value adopted with the ratification of ILO Convention 100.

7. Minority Women's Rights

7.1 Pakistan, during the 2008 Review, stated that it considered minorities to be an integral part of Pakistani society and that they enjoyed equal civil and political rights. In response to various comments on religious minorities, the Delegation of Pakistan defended its position against what it termed was 'a very wrong perception of the treatment of minorities'. It was stated that minorities represent only 3 percent of the total population, that many members of the Christian and Hindu minorities hold important positions, and that the migration of minorities was not caused by discrimination, but by better opportunities elsewhere¹⁹

7.2 Hindus and Christians confront increasing social discrimination and stigma based on stereotypes. In cases of violence and discrimination, women of these religious minorities face double jeopardy – both on account of their gender and religion. This is a matter of serious concern resulting in multiple social problems including abduction, forced conversion and marriages of non-Muslim women from the Hindu and Christian communities with Muslim men. Conversions of non Muslim women to Islam are often accompanied by violence and coercion.²⁰ Forced conversion of Hindu women to Islam is on the rise; HRCP reported an average of 25 forced conversions per month in Pakistan despite the guarantee of freedom of belief and equal protection before the law under the Constitution. Law enforcement officers fail to cooperate with the families of abducted and forcibly converted women. These

¹⁹ Universal Periodic Review-Report of the Working Group on the Universal Periodic Review Pakistan, A/HRC/8/42, 4 June 2008

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/141/27/PDF/G0814127.pdf?OpenElement>

²⁰ Life on the Margins- National Commission for Justice and Peace Report, 2012

conversions are mostly reported only in the case of women who are kept from meeting their families. A collusion of local landlords and influential persons with religious zealots is being seen to operate in Sindh to keep women under the control of their abductors. These problems are further compounded as legislation pertaining to their personal laws is not available.

7.3 Hindu married couples face numerous problems when travelling and lodging outside their place of residence. Moreover, Hindu women are deprived of their right to property and other rights conferred upon a divorced or widowed woman, have difficulty in accessing health facilities and are unable to contribute to social, economic and political processes. Hindus have been demanding legislation to register Hindu marriages for years and in 2011 a Bill was presented in the National Assembly to pass a law to register Hindu marriages but so far there has been no progress. A 5% quota in all Federal Government jobs for minorities was also allocated by a notification on 26th May 2009 but its application is not visible.

7.4 In November 2009, when the National Database and Registration Authority (NADRA) rejected a Hindu woman's request for a marriage certificate on the grounds that 'no such mechanism or legislation was in place', the Chief Justice of Pakistan took *Suo Moto* action and directed the Government to legislate on the issue of Hindu marriage registration. The Supreme Court of Pakistan has ordered the National Database and Registration Authority (NADRA) to address problems faced by Hindu women in obtaining Computerized National Identity Cards (CNICs), as it has affected three million Hindus in the country. NADRA has been asked to amend its rules and regulations for the issuance of Computerized National Identity Cards (CNICs) to Hindu women.

7.5 In another positive development, efforts have been made to recognize the rights of sexual minorities (albeit with limitations). In the year 2009 the Supreme Court in its judgment recognized the basic human rights of transgender citizens. The National Database and Registration Authority (NADRA) has been directed to issue Computerized National Identity Cards to the transgendered community and in November 2011 the Supreme Court directed the Election Commission of Pakistan to enroll them as voters. The Supreme Court has also ordered all the District administrations in the country to help transgender people get property due to them as part of their inheritance.

7.6 ***Minority Women's Rights- Recommendations***

- a. All types of legal discrimination against non-Muslims with respect to their status as equal citizens to be removed. This includes discrimination against their political participation and discrimination as regards their evidence under certain laws e.g. Hudood Ordinances, 1979.
- b. The existing personal status laws of religious minorities to be reviewed and amended. Required legislation to be enacted specifically for those minorities (Hindus and Sikhs) that are primarily governed under their custom rather than any statutory provisions.
- c. Legislative and administrative efforts to be made to end forced conversions to Islam of vulnerable women belonging to religious minorities. The victims of this practice should be provided with effective redress and protection.

- d. The representation of women belonging to religious minorities against reserved seats to be ensured.
- e. The issuance of National Identity Cards for Hindu women to be ensured.
- f. The Government to ensure implementation of the Supreme Court's orders regarding the issuance of National Identity Cards for the transgender community along with securing their share in inheritance.

8. 'Islamization' of Criminal Laws: The Qisas and Diyat Provisions and their impact on cases of 'Honour' Killing

8.1 One of the recommendations made by the Czech Republic in the 2008 Review was to prohibit in all circumstances the use of the provisions of the Qisas and Diyat law in cases of 'honour' killings. It is important to note that Pakistan considered this recommendation as neither a universally recognized human right nor in conformity with its existing laws, pledges and commitments, and therefore did not accept it²¹.

8.2 'Honour' killing is a term used to denote the murder of women (and men) under the pretext of restoring the family's honour. These murders are also perpetrated within the context of property disputes and the inheritance rights of women.

8.3 According to the HRCP Report for the year 2011, "at least 943 women were killed in the name of honour, of which 93 were minors. The purported reasons for killing the women were illicit relations in 595 cases and the demand or decision to marry of someone of their own choice in 219 cases. The murderers were mostly brothers and husbands, in 180 cases the murderer being a brother and in 226 cases being the husband of the victim. The majority of cases (557) were of married women"²².

8.4 Currently, as per the law, murder is primarily a crime against the person rather than a crime against the State and is governed by the provisions of Qisas and Diyat introduced in the criminal law in the year 1990 as part of the effort to 'Islamize' laws in Pakistan. These changes redefined the offences of murder and manslaughter along with their punishments in 'Islamic' terms and the provision for retribution or blood money was made available. The introduction of the Qisas and Diyat provisions have provided a statutory right to the heirs of the deceased to pardon the killer/s, ask for compensation or demand retribution. These provisions have also exempted some relations from any mandatory imprisonment sentences. A parent can kill a child or a grandchild and the only sentence under the law is blood money, though the Court has the discretion to sentence the accused to imprisonment for twenty five years depending upon the facts and circumstances of the case. There is no minimum sentence mentioned in the law. In practice however, it is rare for a parent to be sentenced with imprisonment for killing his own child. There is a similar provision for a spouse killing the other spouse provided there is a living child at the time of the killing. These provisions prove handy in cases of 'honour' killings as the majority of

²¹ Universal Periodic Review-Report of the Working Group on the Universal Periodic Review Pakistan, A/HRC/8/42, 4 June 2008

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/141/27/PDF/G0814127.pdf?OpenElement>

²²<http://www.hrcp-web.org/arhrcp.html>

such murders of women in Pakistan are committed by family members who either benefit from these provisions or are ‘forgiven’ by the heirs of the deceased.

8.5 The Government of Pakistan has introduced some measures to combat ‘honour’ killings and gender discriminatory legal practices, however, the core legal problems in relation to ‘honour’ killings have not been addressed. The amendments introduced in the criminal law in January 2005²³ did not prove effective as the key loopholes within the law were not plugged. Until the provisions of Qisas and Diyat are revoked the perpetrators of ‘honor killings’ (943 reported cases in 2011²⁴) will not fear retribution and Pakistan would be unable to comply with its international obligation of discouraging discrimination against women.

8.6 ***‘Islamization’ of Criminal Laws: The Qisas and Diyat Provisions and their impact on cases of ‘Honour’ Killing -Recommendations***

- a. The provisions allowing for a compromise or a pardoning of the killer by the heirs of the deceased should be removed immediately for prevention of ‘honour’ killings.
- b. The availability of legal ‘concessions’ to some family members (discussed above) should be repealed immediately and effective sentences should be introduced irrespective of the relationship between the perpetrator and the deceased.

9. Inheritance

9.1 During the 2008 Review, Luxembourg recommended ending gender inequality, particularly with regards to property²⁵.

9.2 The legislative framework regulating the law of inheritance for Muslims in Pakistan results in inequalities between the shares received by men and women²⁶. Moreover with regard to the share that is prescribed by the law, most women feel that they are manipulated out of it or are under social pressure to forfeit it in favour of the male members of the family. The Constitution of Pakistan gives women the legal right to own property, and when cases of denial or usurping women’s inheritance are brought to Court, the Courts have consistently upheld this right even if women have technically given their share to their brothers. However, in reality customary practices dictate what women are allowed to own, and their right to inheritance is easily evaded under family and social pressures. Generally in all four Provinces of Pakistan, according to customary practice, women do not inherit property and widows customarily lose their right to inheritance if they remarry outside the family of the

²³ Criminal Law (Amendment) Act, 2004, Act I of 2005

²⁴ State of Human Rights in 2011: HRC Report, 2012

²⁵ Universal Periodic Review-Report of the Working Group on the Universal Periodic Review Pakistan, A/HRC/8/42, 4 June 2008

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/141/27/PDF/G0814127.pdf?OpenElement>

²⁶ There is no corresponding law for Hindus and Sikhs and matters pertaining to inheritance are governed under customary practices

deceased husband even though the law prescribes a prompt division of the deceased's assets and the widow's right to her share²⁷.

9.3 Another practice is that of *haq bakhshwana* (giving up rights, literally) whereby girls are either never married, or married to the Quran in order to prevent property going out of the family. Similarly cousin marriages and *watta satta* (exchange marriage whereby one set of brother and sister are married to another) marriages are designed to prevent break up of property as the size of land and property is associated with power and status²⁸. Even though the legislative provisions dealing with a woman's share in the property remain unchanged, the recent amendments in criminal law related to prevention of anti women practices have criminalized the practice of depriving women of their right to inheritance. The relevant Penal Provisions stipulate that the offence of depriving a woman of her inheritance by deceitful or illegal means would be punishable with imprisonment which may extend to from five to ten years or with a fine of one million rupees or both. The practice of marrying women to the Quran in order to deprive them of their right to inheritance carries a sentence of three to seven years. An oath by the woman to remain unmarried or not to claim inheritance is also covered by this provision. The effective application of this law remains to be seen.

9.4 ***Inheritance: Recommendations***

- a. Amend inheritance laws to equalize inheritance for sons and daughters and change the procedures of succession to facilitate succession and control over inheritance.

10. **Alternate Dispute Resolution Mechanisms**

10.1 In its 2008 Review, Pakistan accepted the Czech Republic's recommendation to "ensure punishment for perpetrators of violence against women, thoroughly investigate and punish members and leaders of illegal jirgas for their calls to violence against women"²⁹.

10.2 The local *Jirga*³⁰ system in Pakistan undermines women's rights by continuing to perpetuate their voicelessness and their vulnerability to physical, social and sexual exploitation, especially in the tribal areas.

10.3 In April 2004, the Sindh High Court declared the pronouncing of verdicts upon people by *Jirgas* as illegal. The Court ordered the District administration and police to take actions against such *Jirgas*; however in practice this judgment of the High Court is being continuously defied. There are still reported incidents of decisions given by the *Jirga* being enforced³¹. At present the Supreme Court is

²⁷Khawar Mumtaz and Meher Noshervani, Scoping Paper, Women's Access and Rights to Land and Property in Pakistan, commissioned by the International Development Research Centre (IDRC), 2006

²⁸ Ibid

²⁹ Universal Periodic Review-Report of the Working Group on the Universal Periodic Review Pakistan, A/HRC/8/42, 4 June 2008

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/141/27/PDF/G0814127.pdf?OpenElement>

³⁰ An assembly of male elders

³¹ State of Human Rights in 2010: HRCP Report, April 2011

hearing Constitutional Petitions against the holding of *Jirgas* and *Panchayats*. In March 2012 the Supreme Court of Pakistan ordered the Chief Secretaries and the Inspector General of Police (IGP) of all Provinces and Islamabad to submit a report on the holding of illegal *Jirgas/Panchayats*. The Court also ordered the officials concerned to take action against those people who hold *Jirgas* in their jurisdiction.

10.4 In the past there have been some cases in which the higher Courts took action against specific incidents. In December 2010, the Peshawar High Court ordered action against *Jirga* members who had taken the decision to hand over two teenage sisters to a rival family as a means of settling a dispute between the two families. The Bench observed that neither Islam nor the laws of Pakistan allowed such inhuman and brutal customary practices and ordered a First Information Report to be registered against the *Jirga* members. On the directives of the Peshawar High Court (PHC), the police arrested three members of the *Jirga* that had ordered the marriage of the two girls in their rival family against their will while a prayer leader and another accused managed to escape. Cases had been registered against the arrested *Jirga* members but outcomes are still awaited.

10.5 *Alternate Dispute Resolution Mechanisms-Recommendations*

- a. The Government should take effective measures against all informal dispute resolution mechanisms that perpetrate and perpetuate violence against women.

11. Early Age Marriage

11.1 Although the prevention of early marriages was recommended in the 2008 Review (Switzerland)³², young age marriage continues to be a challenge for female empowerment in Pakistan. 40% girls are married by age 18 and 13% are married by age 15. In Pakistan, one woman dies every 20 minutes during childbirth and the major cause is child marriage. The Child Marriage Restraint Act establishes a minimum age of marriage at 16 for girls and 18 for boys despite overwhelming evidence of its negative impact on their physical, emotional and mental well being. Legislative amendments are needed to establish 18 years as the minimum age of marriage and to criminalize young age marriage with heavy fines and punishment. Inconsistency in the law on minimum age of marriage also needs to be removed.

11.2 *Early Age Marriage: Recommendations*

- a. Standardization of age of marriage at 18 years for females and males.
- b. Ensure universal access to reproductive health services including comprehensive emergency obstetric care and post abortion care to women backed by necessary information on contraceptives, birth spacing and abortion as applicable under the law.
- c. Ensure universal primary education as mandated in the Constitution of Pakistan (Article 25 A) and incentivize secondary education for girls.

³² Universal Periodic Review-Report of the Working Group on the Universal Periodic Review Pakistan, A/HRC/8/42, 4 June 2008
<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/141/27/PDF/G0814127.pdf?OpenElement>