

LAS

LEGAL AID SOCIETY

Reshaping challenges
in Accessing Justice in

PAKISTAN



NEWSLETTER
JULY - DECEMBER 2021

Bi-Annual Edition

FEATURED STORY

SINDH'S FIRST PILOT PROJECT ON ONE STOP PROTECTION CENTRE for Survivors of GBV

Sexual and gender-based violence (SGBV) offences are one of the gravest violations of human rights. Victims and survivors of SGBV are not only hurt physically but also psychologically and emotionally. Therefore, they require special care and a survivor-centric approach towards justice. In the past few months, there has been a relentless rise in SGBV offences across Pakistan. In 2019 three hospitals in Karachi reported 407 rape cases and 138 sodomy cases. In 2020, the COVID-19 crisis further intensified gender inequality and gender discrimination, data indicated that cases of domestic violence increased 200 percent from January-March 2020. However, many cases remain underreported due to the inaccessibility to the Criminal Justice System (CJS), which also arises due to a lack of coordination among the CJS stakeholders. Research has indicated that only 0.4% of women in Pakistan take their cases to courts. To add insult to injury, the conviction rate in SGBV offences remains less than 3%.

To increase access to justice, LAS worked with the Government of Sindh to develop a five-year plan titled the "Sexual Violence Response Framework" (SVRF). The SVRF is a compendium of recommended actions identified by various stakeholders, including civil society, lawyers, police, and other relevant government departments and institutions.

Free legal aid and advice will be provided at the OSPC by LAS Advocates. The LAS will also be providing free legal representation in the Courts (SGBV cases predominately take place in the Gender-based violence Courts).

Currently, LAS provides free legal aid and representation in 30 SGBV cases across Karachi, Hyderabad, and Sukkur under the SVRF Project. Medico-legal examinations and psycho-social care help will be provided by the Medico-legal Officers (MLOs) at the Jinnah Postgraduate Medical Centre (JPMC), which is approximately 1.5 kilometers from the OSPC.

The establishment of Sindh's first One-Stop Protection Centre (OSPC) Pilot Project in district South was one of the key objectives of the SVRF. The OSPC was notified on August 16, 2021 by the Sindh Police (notification no. 20743-49/AI4p/q5/2021) with the efforts of LAS. It will operate as a one-location center providing immediate support and assistance to victims of SGBV by placing medical, psychological, legal, and police services within proximity to one another. At the OSPC, female police officers will provide assistance and support through expedited lodging of the FIR and sensitive investigation. Survivors can also find shelter in the Garden and Malir safe houses, provided by the Sindh Police.

victims/survivors and complainants in the CJS. It also reduces delays and potential attrition through fast track movement in response to an incident of SGBV.

Recently, the establishment of Specialized Investigation Officers in SGBV offences, notified on June 4, 2021, by the Sindh Police, will further the objective of OSPC through survivor-centric and specialized investigation in SGBV offences.

SGBV not only has negative consequences for the victims/survivor but also their families and society. The OSPC pilot project will aid in gathering data on cases of SGBV, challenges faced by survivors/victims, understanding best operational practices to better address SGBV.

Written by:

Barrister Rida Tahir
(Research Associate, LAS)

The OSPC will fulfill its objective by providing multi-sectoral coordinated services to the victims/survivors and complainants by eliminating the need for them to travel to different locations to access different services. It also results in better sectoral coordination and response, by improving the experience of



EDITORIAL SECTION: from the desk of Justice Arif Hussain Khilji (Chief Legal Advisor, SLACC)

Integration of Chief Secretary’s Complaint Cell and SLACC: A Landmark in Resolving Public Queries



The Office of the Chief Secretary, Sindh is pioneering a province-wide complaint resolution mechanism since 2019. Housed in the Sindh Secretariat and formally inaugurated in July 2019 by the Chief Secretary **Mr. Syed Mumtaz Ali Shah**; the complaint cell has the mandate of resolving complaints from the public as well as government officials. Citizens and the bureaucracy alike were given the means to directly lodge complaints against various line departments of the Government of Sindh in the hope of expedited resolution. At present this mechanism is fully automated and once implemented will provide the complainants a unique tracking code via SMS messages.

After operating the Sindh Legal

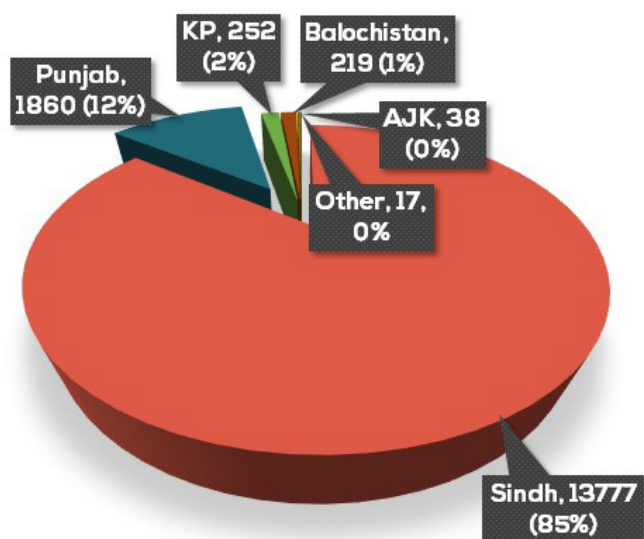
Advisory Call Centre for over 8 years; registering and advising over 250,000 callers from across Pakistan; the next step for advancing in service delivery was to find a modicum of true integration with a government initiative aimed at expediting dispute and complaint resolutions. SLACC is in the process of integrating with the Chief Secretary’s Office through the CS’s Complaints Cell as directed by the Chief Secretary on April 15, 2021, during a meeting with SLACC’s leadership. Given that SLACC receives multiple complaints pertaining to the functioning of various line departments of the Government of Sindh, this landmark integration will now allow SLACC to effectively route and expedite the resolution of complaints of

the citizens. The ultimate aim to introduce this mechanism is to provide an expeditious and expedient remedy to citizens across Sindh and to improve the functioning of various Government of Sindh Departments. The integration mechanism was formally presented to the Chief Secretary on November 30, 2021, and will officially be launched in early 2022.

LAS is confident that with this additional integration it can continue to promote service delivery in line with a participatory and citizen-centric model of governance, as LAS continues to focus on the vulnerable such as the elderly, women, children, and transgender persons in terms of cases that it prioritizes.

SINDH LEGAL ADVISORY CALL CENTRE

Provincial Breakdown of SLACC Callers



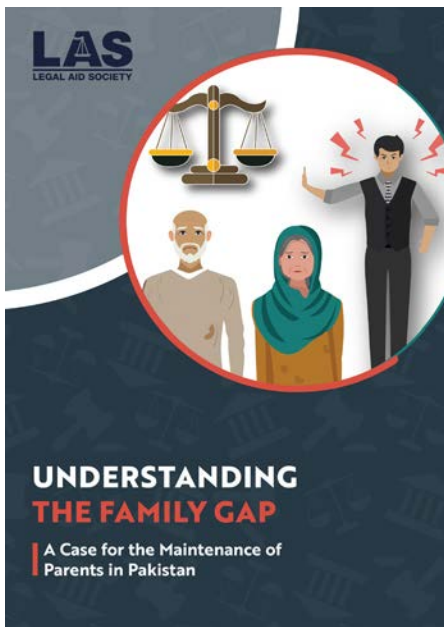
Legal Empowerment at the Fingertips of Citizens (0800-70806)

The Sindh Legal Advisory Call Center (SLACC) is an initiative undertaken by the LAS and the Government of Sindh through its Law Department as a public-private partnership to provide free of cost and immediate access to legal advice and information; especially to the members of the marginalized segments of society.

The SLACC is staffed by High Court enrolled advocates. Its service is Live from 9 a.m. to 5 p.m. six days a week and has a recording service that is available after these hours.



Law Department
Government of Sindh



UNDERSTANDING THE FAMILY GAP

A Case for the Maintenance of Parents in Pakistan

SLACC RESEARCH: UNDERSTANDING THE FAMILY GAP: A CASE FOR THE MAINTENANCE OF PARENTS IN PAKISTAN

Authored by **Justice Arif Hussain Khilji** and relying on data collected through SLACC, the paper sheds light on the gap in the family law system for parents. There is no specific legislation in Pakistan currently that provides for rights of maintenance to Muslim parents, however, there are existing laws that could be invoked to support the claims to such rights. This paper looks at the rights of maintenance to parents under the perspective of both; Shariah law and Pakistani law.

It also looks into the factors that have contributed to children neglecting their filial duty to their parents and how the current legal framework can be amended to sufficiently safeguard the rights of Muslim parents and to provide them with maintenance.

EXPOSURE VISITS AT SLACC

NATIONAL COMMISSION ON THE STATUS OF WOMEN

Ms. Nilofar Bakhtiar (Chairperson, NCSW) & **Mr. Arif Anwar Baloch** (Secretary, NCSW) visited the Sindh Legal Advisory Call Centre (SLACC) on October 6, 2021. The purpose of the visit was to familiarize the National Commission on the Status of Women with the operations of the SLACC, introduce them to state-of-the-art IVR calling systems, and explore potential options to promote the work being done by SLACC and offer legal remedies to vulnerable women across Pakistan.

The visit by the NCSW team was a fruitful one, as the Chairperson NCSW recognized the efforts made by SLACC, and discussed ways to promote our services.

On this occasion, Ms. Nilofar communicated her plans of collaborating with the SLACC team, including trainings to be conducted by SLACC for various NCSW projects, specifically for the operationalization of the UN Women supported National Gender Data Portal.



KHYBER PAKHTUNKHWA COMMISSION ON THE STATUS OF WOMEN

Dr. Riffat Sardar (Chairperson, KPCSW), accompanied by **Ms. Fazeelat Jehan** (Chief, Social Protection & Gender Mainstreaming), **Mr. Abid Dadakhel** (Additional Secretary, Social Welfare Special Education & Women Empowerment Department), and **Ms. Shabeena Gulzar** (Lead of Women's Empowerment and Political Participation) visited SLACC, with the purpose to familiarize the KPCSW team with the operations of the SLACC, and to discuss the way forward on ways to promote

the work being done by SLACC.

The visit by the KPCSW was a rewarding one, as the delegation appreciated the efforts been put in by SLACC, and further discussed the possibility of a collaboration between the two organizations. The delegation also shared the idea of working together to cater to the legal queries from KP –to provide free and efficient legal advice to the masses, especially the female population.



CAPACITY BUILDING SESSIONS for SLACC Lawyers

To serve the callers better and to ensure that the SLACC advisors are giving accurate and effective advice to our beneficiaries, capacity-building sessions were held to improve the lawyer’s legal skillset.



PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORK PLACE

The SLACC team was honored to receive training by the **Provincial Ombudsman** for Protection Against Harassment Of Women at the Workplace Justice **Shahnawaz Tariq** on November 22, 2021.

The Work Place Act and how all the institutions including the companies, individuals, and Ombudsman play their part in facilitating and providing justice to the aggrieved parties.

The training was held to give the SLACC advisors an in-depth understanding of the Protection Against Harassment of Women at

The Ombudsperson also appreciated the services of SLACC and its advisors, commending our role in providing legal assistance to the masses.



TAX LAW

A training was held by Justice Athar Saeed’s Team of **Saiduddin & Co.** on September 18, 2021 to improve the capacity of SLACC lawyers on the Income Tax Ordinance 2001 and the latest amendments made in the tax regime.

The training proved to be useful to the SLACC lawyers, as they are now able to accurately update the beneficiaries regarding tax-related information.

Areas covered included the new IRIS system introduced by FBR which facilitates the tax filers in filing their taxes. They also guided the lawyers on income tax on property, business, and capital gains and how the recent amendments have clubbed the multiple income streams together.



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DEPLOYMENT OF SPECIAL PROTECTION MEASURES in Gender Based Violence Courts across Sindh and ICT

In 2021, Pakistan ranked 153rd out of 156 countries on the Gender Parity Index, a primary reason for our ranking could be a misapplication of criminal laws in cases of gender-based violence (GBV) along with a retraumatizing experience of GBV survivors in courts.

LAS has successfully installed a specialized partition at the GBV Court in ICT in November 2021 for the protection of victims and witnesses during trial. This measure will ensure that the victim is shielded from the eyes of the perpetrator during court trials which can otherwise cause irreparable trauma and psychological damage to the state of mind of the victim.



In this regard, continuing its efforts of evidence-based policy and legal reform, LAS has expanded its Special Protection Measures (SPM) intervention into Islamabad Capital

Territory (ICT) after successfully demonstrating a direct positive impact of SPMs in two districts of Sindh province. These interventions include a combination of direct

implementation of SPMs in Gender-Based Violence (GBV) courts, sensitivity training of GBV judges, and continued monitoring and evaluation of the reform process.

ASSESSING THE PERFORMANCE OF GBV COURTS in Islamabad & Karachi through User Satisfaction Surveys

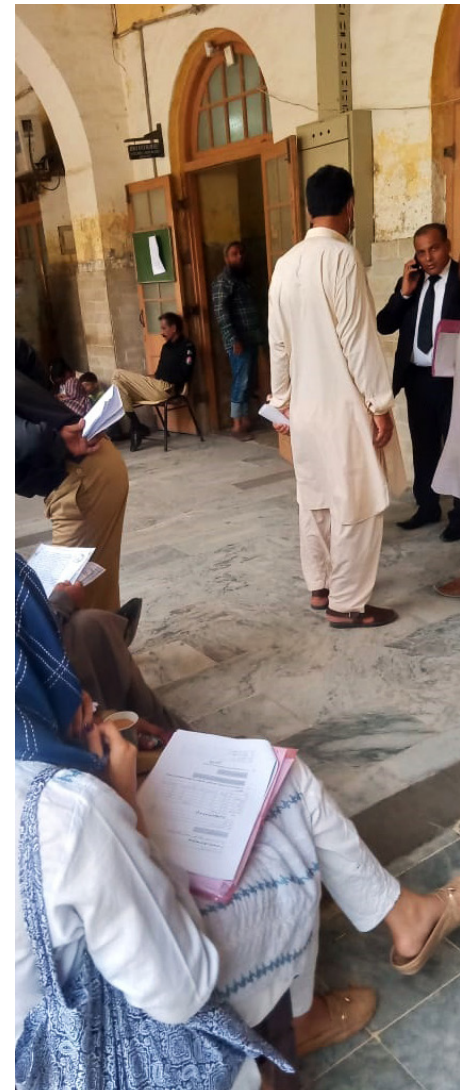
There is a large consensus that citizen expectations regarding public services especially regarding Gender-Based Violence have increased in recent decades. National and international guidelines have been defined to support, guide, and lay down effective principles to protect GBV victims.

To understand the level of satisfaction particularly of women regarding Court facilities, delivery of timely, affordable, and accessible justice for all people, LAS conducted a baseline assessment of user satisfaction of court users at GBV Courts and Criminal Courts in ICT and Karachi West District. The LAS team went through training on sensitization and empathy mapping to better understand the viewpoint of victims before undertaking their surveys.

Results of the baseline indicated that the most predominant concern among all the attendees was a lack of sense of security in terms of physical and emotional

safety. Most of the victims felt at risk around their accused in the court and stated that seeing their accused reminded them of their traumatic assault.

To address these concerns, LAS will incorporate special measures such as separate waiting areas for victims at Karachi West and Session Court Hyderabad similar to the Waiting Room designed by LAS in Karachi East where-as a special protection measure in the form of a specially designed partition has been installed in GBV Court Islamabad. Furthermore, LAS will assess the impact of these interventions through an end-line survey that will be conducted in the early part of 2022.





TRAINING AND CAPACITY BUILDING of Specialized Gender Based Violence Investigation Officers in Sindh

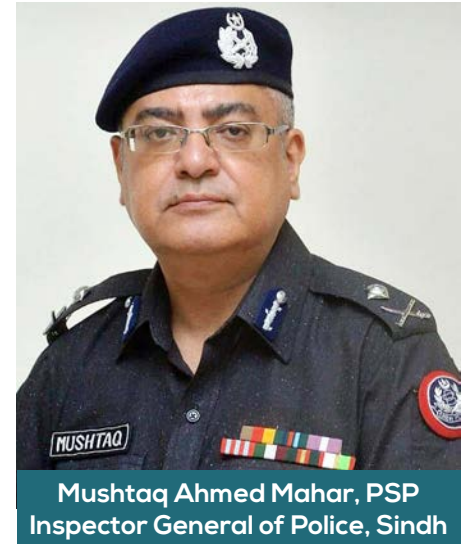
Recognising the need for improvement in the sensitisation levels and capacity of Investigation Officers that look after SGBV cases, the IG Police Mr. Mushtaq Mahar nominated 288 Specialized Investigation Officers for Gender Based Violence on June 4, 2021. This critically required initiative was taken in accordance with the recommendations of the Sexual Violence Response Framework 2020-24.

From September to October 2021, LAS organized 3 capacity-building workshops which aimed at enhancing respective competencies and skillsets of Investigation Officers and Law Instructors of Sindh police, with the ultimate objective of filling identified gaps in the dealing of rape and sodomy cases.

Empirical evidence and gap analysis conducted by LAS in the past indicates that there are substantial gaps with regards to existing practices conducted by Police Personnel that leads to investigation

delays in rape and sodomy cases as well as handling of DNA and forensic evidence during such incidents. Therefore these workshops were uniquely designed to cater to core competencies and values; as defined in the competency frameworks developed earlier; of the Police.

The curriculum was designed such that trainings for each group were divided into five days with a natural progression from general discussions on rape and sodomy, its psychological impact, and societal perception to more specific,



Mushtaq Ahmed Mahar, PSP
Inspector General of Police, Sindh

competency-based instructions catering to the role the group must play in its investigation, prosecution, or judgment.

LAS carried out in-dept capacity building sessions for 58 GBV IOs, along with 24 Law Instructors across Sindh, with the focus on enhancing key competencies as follows:

- ▶ **Technical awareness & knowledge**
- ▶ **Taking action to effectively protect the survivor of violence**

SPECIALIZED TRAINING OF ADDITIONAL DISTRICT AND SESSION JUDGES with regards to GBV



27 Gender-Based Violence (GBV) Courts have been established across Sindh as per the direction of the National Judicial Policy Making Committee under the Chairpersonship of the Chief Justice of Pakistan. These courts are operating and are hearing cases of rape and sodomy, but with different processes and procedures being adopted in each courtroom due to a lack of guidelines or SoPs.

To improve the capacity of Judges, LAS in collaboration with Sindh Judicial Academy conducted a 2-day training of judges in November 2021 to sensitize and improve their capacity on issues related to GBV Violence, which was attended by 24 Judges.

FGDs WITH HIGH RANKING PERSONNEL FROM ICT AND SINDH POLICE for creation of a performance evaluation framework for assessment of GBV cases

The Gender Crime Cell, Islamabad, reported 104,416 Gender-Based Violence (GBV) cases between 2016 and 2020 across Pakistan. This was met with a conviction rate of 2.5%. Potential factors within the jurisdictional control of the Police contributing towards a low rate of conviction may include, but are not limited to; improper handling and investigation of cases including issues related to FIR (attempts to discourage victims from filing GBV cases), gaps in the collection of evidence, lack of DNA evidence, and an absence of overall legal knowledge to handle such cases.

These gaps are attributed to gender prejudices in the police and evident knowledge and skill gaps such as outdated investigation practices. This increasing number of GBV offences, low conviction rates, and dissatisfaction of victims/survivors with the police in the investigation of such cases are causes for great concern in the criminal justice system. In this regard, LAS is working closely with Sindh and ICT Police for the creation of a specialized performance evaluation framework to evaluate the performance of police personnel especially with regards to GBV cases.

Currently, the Performance Evaluation Framework is in its finalization process and will be presented to high-ranking personnel of ICT and Sindh Police upon finalization.



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REDUCING INSTANCES of Early Child Marriages in Pakistan

CONVERSATION CIRCLES

with 'Community Network for Child Protection'

As an effort to eliminate the practice of child marriages, LAS in collaboration with UNFPA organized conversation circles in Shaheed Benazirabad, Larkana, and Karachi on September 14, 17, and October 22 respectively. The participants discussed in detail the issues related to reporting, age verification at the time of Nikkah/Marriage, and the post-marriage consequences of child marriage.

The participants suggested various measures to counter the menace

of child marriage through serious attitudes & actions on the state level, while civil society organizations should display a responsible role in reporting such cases.

Moreover, the Network praised LAS and UNFPA for striving to raise awareness through various channels including but not limited to social media and radio campaigns, conversation circles, and through the capacity building sessions for civil society, government officials, and Nikkah registrars.



ORIENTATION WORKSHOPS WITH NIKKAHKHWANS / MARRIAGE REGISTRARS on Implications of Child Marriages:

Nikkahkhwans/Marriage Registrars hold immense social responsibility as they play a crucial role in the solemnization of marriages. Recognizing the importance of their role, LAS engaged with Nikkahkhwans in a workshop centered around the dangers of child marriage.

The workshops were aimed at improving the overall capacity and knowledge of the Nikkahkhwans and also marriage registrars from Hindu, Christian, and Sikh communities. The workshops were organized in Karachi, SBA, and Larkana during September and October 2021. Valuable insight was gained during this conference while LAS also received overwhelming support for its initiatives from the attendees.



JOINING HANDS WITH CSOs to chart out the Legal Reform Agenda vis-à-vis Child Marriages:

LAS organized several discussion sessions with legal experts in Karachi (August 30 and October 22, 2021), Larkana (September 21, 2021), and in SBA (September 22, 2021), to finalize legal reform recommendations on the issue of child marriage.

Participants included several legal experts and CSO representatives including **Ms. Nuzhat Shereen**, (Chairperson SCSW), **Mr. Iqbal Detho**, **Mr. Rana Asif Habib**, **Ms. Palvasha Shahab**, **Ms. Bayramgul Garabayeva**, **Ms. Maliha Zia**, **Advocate Khadija Ali**, **Ms. Sarah**

Zaman, **Ms. Sana Tajuddin**, & **Advocate Luke Victor**, amongst others.

The discussion revolved around the legal aspects concerning child marriages while also highlighting the need for the implementation of the Sindh Child Marriage Restraint Act, 2013. **Possible amendments to the Nikkahnama were also discussed alongside a joint agreement on the need to inculcate a formalized mechanism for birth registrations and age verifications to ensure protection mechanisms are in place to prevent child marriages.**

CAPACITY BUILDING WORKSHOPS for Administrative Gatekeepers

LAS in collaboration with the UNFPA and the Government of Canada organized two-day capacity-building workshops for administrative gatekeepers each in Larkana on September 20 and 21, 2021 in Shaheed Benazirabad on September 15 and 22, 2021 and in Karachi on October 25 and 26, 2021. The workshops were aimed at sharing lessons learned while improving the capacity and existing knowledge of the officials on issues concerning child marriages in society.

Discussions were also held on the health consequences of early marriages, societal traditions, and the subsequent impact on the lives of girls. The angle of gender-based violence was also brought to light as part of the discussion.





SAFEGUARDING AND PROMOTING THE RIGHTS OF JUVENILES IN SINDH

Since 2019, LAS has focused its attention on safeguarding and promoting the rights of juveniles in Sindh. In particular, LAS is concerned with the welfare and rehabilitation of juveniles and children caught in the web of the criminal justice system and has worked on a project that aims to operationalize the provisions of the Juvenile Justice System Act 2018 (JJSA).

In this vein, our efforts have been focused on three key areas:

1. Creation of operational mechanisms to improve the functionality of the juvenile justice system and child welfare schemes/regimes in Sindh;
2. Increased use of probation and diversion in juvenile cases across the province,
3. Capacity building of select criminal justice actors on juvenile justice, child welfare, and child rights within the international framework.

Within these parameters, LAS has been able to achieve the goal of improving justice outcomes for juveniles in Sindh during the reporting period.

Draft of rules for implementing the JUVENILE JUSTICE SYSTEM ACT 2018



To ensure productive implementation of the Juvenile Justice Systems Act 2018, LAS has developed draft Rules under the Act. This draft is extensive, as it builds on the drafts made in ICT and Punjab respectively whereby provisions like extensive medical assessment reports, legal aid services, and others have been added and provisions like legal assistance, the structure of the juvenile court, age determination, diversion proceedings, social investigation of the juvenile, proceedings of the juvenile justice

committee, educational and technical training of the juvenile, and others have been elaborated upon.

A new Form for Social Investigation Report as created by LAS has also been added to the draft. Since then, the Sindh JJSA draft rules have been shared with the Law, Parliamentary Affairs, & Criminal Prosecution Department and Home Department for further processing.

TRAINING OF PROBATION AND PAROLE OFFICERS based on the SIRs and Orientation Manual developed by LAS



LAS held a two-day capacity-building training of Probation and Parole Officers of the Reclamation and Probation Department of Sindh from September 30 to October 1, 2021.

This training was attended by 23 officers and led by LAS consultant Mr. Sharafat Ali who explained the role of Probation and Parole Officers in achieving juvenile justice.

The trainer also elaborated on the use of Social Investigation Reports (SIRs) when conducting investigations, copies of which were provided to all attendees, as well as copies of the Employee Orientation Manual for incoming Probation Officers.

BASIC LITERACY AND LIFE-SKILLS CURRICULUM INITIATIVE PROGRAM through E-Learning Technology

LAS recognizes the need for empowering vulnerable juveniles in prison with the basic skill sets needed to effectively reintegrate them into society as law-abiding citizens with a capability to lead their lives with dignity and in compliance with laws, thereby also allowing them to pursue education or meaningful employment upon their release from prison/ correctional facilities.

LAS partnered with SABAQ an Ed-Tech company that aims to help all Pakistani children succeed in the primary grades. It leverages technology to improve the quality of learning experience and lesson delivery in classrooms where teacher

capacity and resources are limited, in a sustainable way. LAS in collaboration with SABAQ developed educational and life skills content for juveniles to improve their learning outcomes.

Under this intervention LAS is providing basic literacy to juveniles, covering subjects like Urdu, Maths, English, and Science from KG to grade 5, curriculums. The juveniles are also being taught basic life skills such as teamwork, anger management, community services, etc. which emphasizes on key attitudes and habits that help to develop strong characters of juveniles and increase chances of better societal rehabilitation of juvenile prisoners to their post-release.



LAUNCH OF THE GAP ANALYSIS REPORT

“State as the Absent Parent: Child Marriage in Sindh Pakistan”

The event to celebrate the Launch of the Gap Analysis Report “State as the Absent Parent: Child Marriage in Sindh Pakistan” was organized in Karachi on November 1, 2021. The objective of the gathering was to discuss the findings of the gap analysis paper “**State as the Absent Parent: Child Marriage in Sindh, Pakistan**” in detail, and seek a variety of opinions from different stakeholders with regards to the role of their concerning platforms, institutions and organizations – for the prevention of child marriages and to discuss the gaps as

identified in the report and provide recommendations for amendments in, and for the implementation of the Sindh Child Marriage Restraint Act, 2013 in true letter and spirit.

The event was attended by politicians, parliamentarians, heads of various Civil Society, Human Rights, Child Rights & Women Rights organizations, media persons, social activists, Ulemas, minority community representatives, and representatives from national and international NGOs, and thinks tanks.



The prominent guest speakers of the event were **Dr. Farooq Sattar** (former MNA MQM), **Ms. Shamim Mumtaz** (Chairperson, Sindh Child Protection Authority), **Ms. Sidra Imran** (MPA-PTI Sindh), **Ms. Nuzhat Shirin** (Chairperson Sindh Commission on Status of Women), **Ms. Bayramgul Garabayeva** (Head of Office UNFPA-Sindh), **Mufti Naveed Abbasi**, **Justice Arif Hussain Khilji** (Board Member LAS), **Ms. Maliha Zia Lari** (Associate Director, LAS), amongst other prominent stakeholders who shared their opinions and discussed the gaps identified in the report .



WOMEN AT LAS SHINE AT PAKISTAN'S 1ST WOMEN IN LAW AWARDS; WIN FOUR NATIONAL AWARDS!



Legal Aid Society members won 4 awards at Pakistan's 1st Women in Law Awards organized by the Ministry of Law & Justice and Group Development Pakistan (GDP).

Women in Law Initiative of Pakistan, established in 2016, is working to highlight and mainstream gender equality in the legal profession through various initiatives. The award ceremony was held in Islamabad on November 25, 2021, which recognized outstanding women lawyers, legal practitioners, and legal programs focused on women beneficiaries. The awards featured 71 nominees across 18 categories, with LAS' nominees bagging awards in four categories:



Maliha Zia Lari (Associate Director, LAS)

Won two awards for
 1. "Outstanding Comeback of the Year" and
 2. "Gender, and Diversity Champion (Sindh)".



Hira Saleem Malik, (Senior Program Manager, LAS)

Secured the 2nd runner-up position for "Rising Star of the Year Award".



Noor ul Sabah (Legal Team Head for the Prison Program)

Won the "Unsung Hero Award".

LEGALLY EMPOWERING WOMEN TO UNDERSTAND AND ACCESS JUSTICE MECHANISMS FOR PROPERTY RIGHTS

INTERNATIONAL CONFERENCE ON WOMEN'S RIGHT TO MATRIMONIAL PROPERTY IN COLLABORATION WITH MUSAWAH

LAS has been working on women's rights, particularly to improve their social and economic standing. Whilst one area where little attention has been given by policymakers in the past is that of matrimonial property in Islam, which mandates certain rights and privileges for women. In this vein, LAS organized a three-day international conference on November 2-3, 2021, on women's right to matrimonial property. This conference was in collaboration with Musawah (a Malaysian organization promoting equality and justice within the Muslim family specializing in pertinent Islamic laws). The conference was attended by lawyers, development sector practitioners, and civil society activists from all across Pakistan.



Prominent speakers at the event included **Barrister Zahra Viyani**, who demonstrated how effectively women exercise their rights. Another esteemed speaker **Justice Nasira Iqbal** expressed her views for laws not being enforced for the rights to marital property and lauded the conference for starting this important conversation. On behalf of Musawah **Hyshyama Hamin** (Coordinator Campaign for Justice in Muslim Family Laws) joined during the conference virtually

and emphasized that marriage in Islam is based on a partnership of equals mandated by the Quran in recognition of women's contribution to households and families.

During the 3 days, all participants were actively engaged in two-way conversations with the speakers with their queries, inputs, and recommendations for the implementation of Matrimonial property laws in Pakistan.



EDUCATING THE MASSES ON PROPERTY RIGHTS

To increase awareness on inheritance and marital property laws, LAS identified and trained 60 women paralegals in targeted communities across 3 districts of Sindh to serve as support units for their respective communities on women's rights and privileges regarding property.

This training allowed for paralegals to be empowered enough to provide solutions to property-related issues being faced by women within their communities and to also challenge local pressures that impede upon women's marital and legal property rights. In addition, the paralegals were also trained in mediation to manage emerging disputes and to continue increasing awareness as a sustainable practice.

After their training, the paralegals were tasked to use the IEC material

developed by LAS in sessions held with community members to raise awareness on the issue. Five distinct IEC materials (all translated into Urdu and Sindhi), were developed on the themes of:

1. Importance of access to the property for women,
2. Muslim women's rights to movable and immovable property,
3. Minority women's rights to legal property,
4. Access to transgender persons' right to legal property, and
5. Institutional obstacles faced by women whilst accessing their property rights and their solutions.

So far, 136 community awareness sessions have been conducted with 3,516 participants in three districts of Sindh. With continued success in communities, we are confident that women will use their knowledge of the law to socially and economically empower themselves.



COMMUNICATION CAMPAIGN ON WOMEN'S RIGHT TO LEGAL PROPERTY: MoU between LAS and National Commission on the Status of Women

In collaboration with Sharmeen Obaid Chinoy (SOC) Films, LAS produced 9 animated films on distinct themes on women's rights to matrimonial and legal property, such as on inheritance laws, division of property in Sunni, Shia, Hindu, and Christian laws, and women in rural and urban spaces. All films are developed in 8 regional languages for dissemination among multiple cultural and ethnic groups in Pakistan. Both LAS and SOC Films will be part of circulating these films via mobile cinemas that will hold screenings of the films in 37 districts across Pakistan.

To expand the reach and support we receive for providing legal awareness to women who are vulnerable and at risk of being discriminated against, LAS signed a Memorandum of Understanding (MoU) with The National Commission on the Status of

Women (NCSW) on November 23, 2021. This MoU was been signed with the purpose to partner on improving women's knowledge and access to their fundamental rights and legal remedies via the animated films developed by SOC films.

As a collaborative endeavour with the **NCSW** and **SOC films**, these films were extensively covered by the press (Dawn, Samaa, and others) and on social media for its outreach. All films were released during the 16 days of activism against gender-based violence, with emphasis on the support available for women to access information about their rights across urban and rural landscapes. We hope that this partnership makes way for empowering women when it comes to realizing their social and economic independence.

DECONGESTING COURT DOCKETS

by Institutionalizing Alternate Dispute Resolution:



SENSITIZING LAW STUDENTS across Sindh on ADR

LAS conducted information sessions for law colleges students at 4 law colleges which included:

1. ABD Law Colleges Sukkur,
2. Zulfiqar Ali Bhutto Law College, Malir, Karachi,
3. Shaheed Benazir Bhutto Law College Larkana, Quaid-e-Azam Law College Nawabshah, and
4. Peer Ilahi Bakhsh Law College Dadu.

These sessions were attended by 208 students (150 boys and 58 girls) during which the students were educated on the merits, methods, and successes of Alternate Dispute Resolution as a viable justice platform.

Via such platforms, LAS intends to prepare the lawyers of tomorrow to be confident of the ADR mechanisms and promote it as a viable option for dispensation of justice.

SENSITIZING COMMUNITY LEADERS

regarding the effectiveness of Alternate Dispute Resolution

5 information sessions have been organized for community leaders in districts of Larkana, Sanghar, Sukkur, Dadu, and SBA during the reporting period. In this time 148 Community Leaders (111 males, 55 female) participated in the sessions. These sessions helped the dissemination of information on ADR to others members across communities. In addition, trained community leaders had vowed not only for referring the cases towards ADR mechanisms but also to act as sustainable suppliers & promoters of ADR in their communities.



ENHANCING THE SUPPLY OF ADR: Training of Saalis Members across Sindh

LAS organized a 2 two-day training on ADR/Mediation Mechanism, through which 49 Saalis members from 14 districts were trained.

The training was provided by **Advocate Navin Salim Merchant** (Advocate of the Supreme Court of Pakistan) to the Saalis members who were earlier notified by Sindh High

Court for mediation.

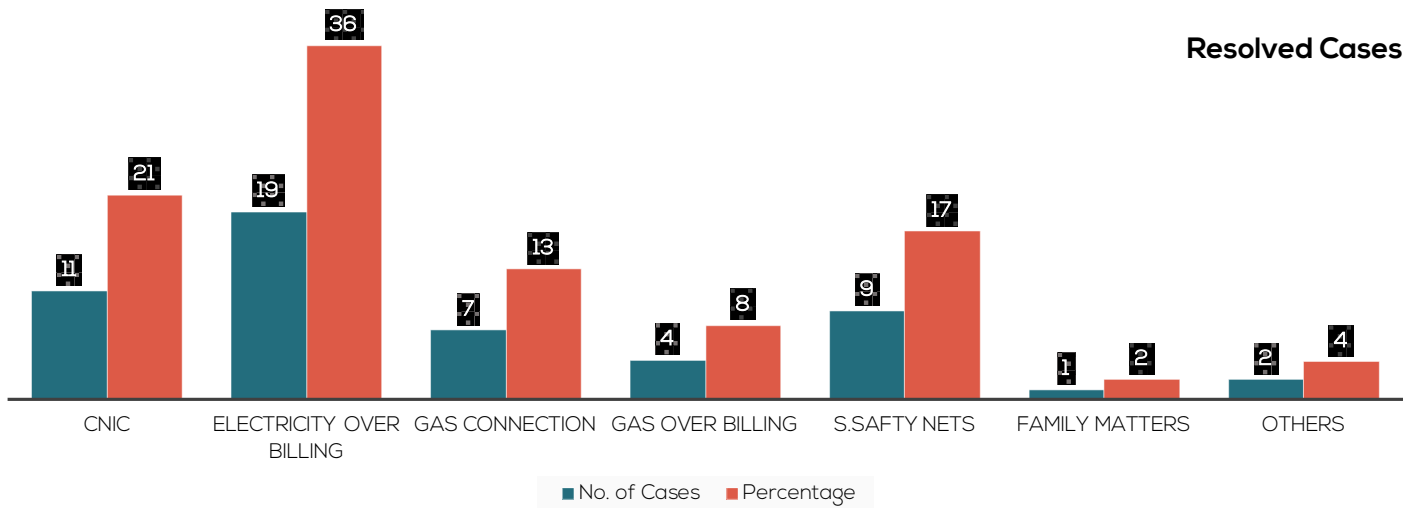
The trainer extensively discussed Mediation rules and the need for Alternate Dispute Resolution, and taught critical skills that Saalis members (private mediators) could employ to use court-annexed mediation as an effective tool for dispensing justice without much delay.



ENSURING ACCESS TO JUSTICE FOR THE VULNERABLE: LAS successfully resolves 313 cases through ADR in Sindh

LAS diverted cases of 313 community members (239 male and 74 female) towards semi-formal and formal, state-recognized ADR mechanisms such as private mediators and Federal and Provincial Ombudspersons.

The registered cases varied from correction in legal identification documents, over-deduction in electricity and gas billings, gas and electricity connections and issues related to water plants, dishonored cheques, deceased quota, family matters, and matters of social safety nets.



PROMOTING THE BENEFITS of ADR in communities

5k+

community members sensitized across Sindh

196

Awareness clinics held in 8 districts of Sindh, attended by 5,183 community members (3,083 males, 2,120 females)

These sessions helped community members to market ADR as an efficient and quicker method for the resolution of their cases through public administration departments, court-annexed, and private mediation options.

Moreover, LAS works regularly with labor unions, teacher associations, business associations, health workers, and other community-based organizations and platforms to garner support for ADR and conduct its legal clinics across communities.

LEGALLY EMPOWERING THE WHITE IN THE FLAG:

Legal Awareness Clinics for Religious Minority Communities in Sindh



The Religious minority communities in remote areas of Sindh lack the necessary knowledge, information, and confidence to easily and effectively access formal and semi-formal justice systems. To educate the community on their rights, entitlements, and formal and semi-formal administrative processes of law, the Legal Aid Society developed IEC (Information Education Communication) materials in a simple and easy-to-understand

language, which is tailored to the needs of the people. Legal Aid Awareness Clinics have also been set up to distribute & ensure its availability to the public.

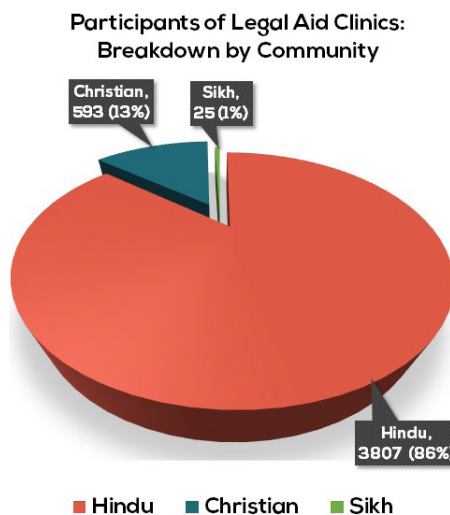
In July 2021, the LAS team began conducting its Legal Aid clinics in 8 districts of Sindh. By November 2021, LAS conducted 177 sessions which witnessed the participation of 4,425 religious community members.

The legal aid awareness clinics cover a range of topics including the fundamental rights of religious minorities, the importance and process of obtaining a national identity card, and the various situations in which the offices of the Federal and Provincial Ombudsperson can be contacted for quick justice.

FREE LEGAL FACILITATION AND REPRESENTATION for Religious Minorities across Sindh:

LAS in its endeavor to give back to the community has pledged to take on 200 cases from religious minority communities through which it shall provide free legal aid and advice to vulnerable religious minority community members. In recent times our field advocates have identified and taken on 178 legal cases.

Of those, 23 cases have been resolved successfully, and 45 cases are currently awaiting a decision before Courts or an Ombudsperson.



“JUSTICE AND RIGHTS FOR RELIGIOUS MINORITIES IN SINDH, PAKISTAN: A LEGAL NEEDS ASSESSMENT REPORT”

Research report launched by LAS in the Capital

LAS launched its research report titled, “Justice and Rights for Religious Minorities in Sindh, Pakistan: A legal Needs Assessment Report” on October 20, 2021, in Islamabad. The report is a first-of-its-kind, evidence-based study of socio-legal needs of Religious Minority (RM) communities in Sindh (Pakistan), and is the result of months-long research involving mixed-method approaches geographically covering 7 districts

and 1 division of the Sindh Province and fills a long-standing gap in understanding the demand-side vis-a-vis Access to Justice for RM communities.

On the day LAS team presented key achievements, which included the provision of free litigation services to marginalized communities, and the ongoing legal awareness clinics being conducted across 8 districts across Sindh, Pakistan.



The launch was held at Serena Hotel in Islamabad and was attended by representatives from various NGOs, members of the Civil Society, and governmental organizations. On this occasion, **Justice Mushir Alam** (R) Chief Justice of the Supreme Court of Pakistan, Justice) joined as Chief Guest, while the Keynotes were addressed by **Ms. Maleeka Bukhari**, (Parliamentary Secretary for Law and Justice and Member of Provincial Assembly of Pakistan).



CELEBRATING INTERNATIONAL DAYS

Commemorating the Victims of Acts of Violence Based on Religion or Belief:

LAS celebrated the third International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief on August 22, 2021, to honor the victims and survivors of heinous acts who often remain forgotten.

The day was celebrated by highlighting some of the injustices encountered by religious minorities in the recent past via a Public Awareness Messages & a podcast featuring **Ms. Rukhsana Parveen Khokhar** (Senior Project Manager, LAS), and **Mr. Peter Jacob** (Executive Director, Centre for Social Justice and Peace), discussing the legal avenues available to religious minorities in Pakistan, along with the role of the government and media in promoting pluralism. The messages & podcast were released across all social media platforms.



LAS
LEGAL AID SOCIETY

PROUDLY PRESENT



SPECIAL EPISODE PODCAST



Rukhsana Parveen Khokhar
Senior Program Manager
Legal Aid Society



Peter Jacob
Executive Director
Centre for Social Justice

Sunday - 22nd August
6 p.m. PST

The episode will be hosted exclusively on our Facebook Channel
facebook.com/LegalAidSocietyPakistan



International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief

JUSTICE SUCCESS STORY

Quaid –e- Azam Mohammad Ali Jinnah once said: "You are free; you are free to go to your temples. You are free to go to your mosques or any other places of worship in this State of Pakistan. You may belong to any religion, caste, or creed - that has nothing to do with the business of the state."

However, repeatedly minority communities' religious freedom and access to justice have been impeded by direct and indirect discrimination. This manifests through societal bigotry, institutional discrimination, gaps in existing legal protections, and most alarming, a series of laws and policies designed to disempower and threaten their safety and well-being.

The members of Hindu Panchayat Mehar district Dadu earlier conducted a meeting with the LAS team and discussed their legal issues pertaining to the illegal allotment and occupation of a Hindu community hall. They raised issues of lack of funds for the temple renovation, and insufficient maintenance funds for the temple.

LAS team moved an application to the Chairman Evacuee Trust Property Board (ETPB – an entity which

LEGAL AID SOCIETY WINS A CASE FOR A HINDU TEMPLE before the Evacuee Trust Property Board in Dadu.

looks after the Properties left over by the Sikh/Hindus who migrated to India during partition in 1947-48) for mentioned identified issue, and coordinated with the Director Shrines of ETPB Pakistan and moved the application to the Federal Ombudsman Pakistan as well.

Following the same, for the first time in the history of district Dadu, the delegation of ETPB led by their Deputy Secretary **Mr. Faraz Abbas Sayed** came from their Lahore head office to visit the Temple, which resulted in removing all fake allotments and illegal occupants at Hindu Communities hall on an immediate basis, along with the approval of an appropriate budget for the renovation of the Temple.

The Hindu Panchayat and other Hindu community members of the area were jubilant as the outcome exceeded their expectations by receiving such an effective & speedy response. This is also a unique case where religious minority members had received assistance ETPB through ADR Mechanism. This case will also set a precedent for hundreds of deserving members of religious minorities in Pakistan who are facing barriers to religious freedom and access to justice.



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