As Pakistan continues to grapple with mitigating the impact of COVID-19, it still requires a comprehensive response framework for its lesser known ‘shadow pandemic’ of gender-based violence. It is evident that national and provincial response systems are not well-equipped to proactively address the multifaceted nature of Sexual and Gender Based Violence (SGBV). Structural and systemic barriers that women survivors and victims of violence face in obtaining justice are immeasurable. Unfortunately, COVID-19 has disproportionately affected victims and survivors of SGBV and further exacerbated deep-seated gender inequalities in Pakistan – which already ranks near the bottom on gender equality. This raises serious concerns on some of the economic and social advances that Pakistani women and policy makers have fought hard to achieve in recent years.

The Government’s National Response Plan for COVID-19 lacks a clear focus on gender-specific considerations. In addition, the discourse on the impact of the pandemic has remained silent on women and specifically on cases of SGBV. However, rehaling systems to deliver improved justice outcomes needs to be an on-going process. It is therefore imperative to advocate for a policy framework, which holistically tackles the impact of COVID-19 on survivors and victims of SGBV.

Within this background, UNODC curated a series of three webinars from 18 June - 1 July 2020 through its Virtual Advocacy Campaign (VAC) in collaboration with UN Women and UNFPA. The webinars were designed against three streams based on an understanding of the attrition framework in cases of SGBV.
The criminal justice system (CJS), as it presently operates, pushes cases which pass certain benchmarks whilst a plethora of SGBV instances fall foul to existing police and court processes and thus typically result in falling off-the-grid, i.e. outside the folds of the formal justice system. They need to be addressed through a more conscious regulatory and targeted policy framework. The three webinar themes were conceptualized as follows:

A. **Reporting of SGBV and gender responsive policing**;

B. **Promoting accessibility and availability of essential services for survivors and victims of SGBV**;

C. **Access to modern court room protection, virtual court rooms and ICT solutions for prosecutors, judges and court staff**.

The webinars brought together prominent gender, criminal justice, legal and human rights experts and activists along with government counterparts from the Judiciary, Judicial Training Academies, Police and Prosecution Departments from all provinces in Pakistan. Participants discussed the challenges facing survivors and victims of SGBV in the context of the on-going health emergency and how piecemeal and ad-hoc solutions coined in silos without integrated and coordinated efforts fail to ensure desired results. The participants agreed to the need of further operationalizing existing regulatory and administrative pro-women reforms to facilitate access to justice for survivors and victims of SGBV since the current asymmetry in the system undermined their ability to access protection systems and obtain fair justice outcomes.

This document does not intend to reiterate the essentials of gender-based discrimination or inequality nor the myths and types of violence that women continue to face in society. This policy note intends to list a menu of realizable action points which are practical, systemic and grounded in current policy initiatives whilst being reflective of current fiscal outlays and institutional capacities. It presents these action points both institutionally and thematically against the aforementioned streams of attrition which reflect the reporting, investigation and adjudication stages of SGBV cases.

1. **Strengthening the role of the police as first responders**

- Development of time-sensitive online case registration tracking systems that flag internal police processing delays.
- Notification of cadres of specially trained investigation officers for handling SGBV cases.
- Expansion in outreach and communication (through relevant ICT interfaces e.g. email, text, SMS, mobile telephony, etc.) of existing reporting mechanisms such as special Inspector General (IG) complaint cells and helplines.
- Making police stations survivor-friendly to encourage reporting with clear displays of signage of legal aid and other service delivery providers.
- Provision of training aligned with a clear competency framework that focuses on gender sensitization and forensics.
- Assisting first responders, such as Station House Officers (SHOs), Investigator Officers (IOs) and Muharirs, to be able to understand disguised cases of SGBV to reduce the number of diverted cases along with other aspects of GBV.
- Introduction of accountability measures for professional failing to ensure effective implementation of laws and police rules.
- Establishment of GBV databases to develop baselines and monitor progress in reporting trends.
- Increase in the number of women in the police service by expanding the female quota and offering special perks.
- Setting up women protection and complaint cells at police stations in partnership with civil society organizations to provide one stop solutions and prevent re-victimization of survivors and victims.
- Leveraging online and mobile platforms (such as WhatsApp Groups) with civil society and community leaders for enhancing reporting of SGBV.

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1 Webinar conducted on 18 June 2020
2 Webinar conducted on 22 June 2020
3 Webinar conducted on 1 July 2020
4 List if speakers and key participants may be annexed
The following legal provisions must be applied by the lawyers and police:

- Recording of the statement of the survivor under sub sections 154, 161 and 164 CrPC;
- Legal representation to be provided under section 161A CrPC;
- Protection offered at the time of the medical examination under section 164 A CrPC.

2. Making the prosecution department more gender responsive

- Specialized cadres of trained and sensitized prosecutors to be deployed at all GBV courts.
- Rape case handbooks / bench books to be developed for prosecutors.
- Guidelines to be developed for prosecutors for effectively communicating with and handling survivors and victims of SGBV.
- Prosecutors need to be capacitated to play an effective role as gatekeepers of the judicial system and hence filter out weak cases.

3. Improving Medico-legal Examinations

- Filling existing vacancies for medico-legal officers to make up for widespread shortages in staffing.
- Provide well-established incentive schemes for effective coverage of health care service provision outside of urban centres.
- Enhance the capacity of health care providers through trainings provided against competency frameworks specifically on gender sensitized communications with survivors and victims of SGBV and forensics.
- Introduce effective and expedient accountability measures for monitoring progress.
- Establish special SGBV health desks in hospitals to cater to victims and survivors of gender-based violence which integrate forensic facilities for the collection of evidence.

4. Widening the safety net for survivors and victims

- Transformational advocacy campaigns should be initiated to rid communities and supply side actors of biases relating to SGBV and its reporting, and to highlight issues relating to rights and protection of victims and survivors.
- Existing helplines providing legal aid and psycho-social counseling for victims and survivors should be supported with mass media campaigns, targeting female subscribers/audience members.
- Create credible gender disaggregated database on SGBV and holistic social sector and protection programming by using census data and Multi-Dimensional Poverty Index.
- The State’s economic social protection policies must cater to women in the informal sector.
- Enhance the role of Public Safety Commissions for the protection of women like Provincial Commissions on the Status of Women and Police Safety Commissions.
- Engage local governments, especially through their elected female representatives, youth and minorities members.
- Affirmative action to be taken to increase the number of women in judiciary, prosecution and police.
- Social Welfare Department (SWD) needs to be strengthened together with the facilities of shelter homes.

5. Expediting trials in SGBV cases

- GBV courts which were notified for all provinces by the National Judicial Policy Making Committee of the Supreme Court in November 2019 need to be activated and monitored.
- Assessments to be undertaken mapping the on-ground conditions of GBV courts, case management strategies and capabilities of court staff.
- Improve the environment of courts to make them survivor friendly by providing separate space and GBV help desks, including option of video link and trained staff to deal with such cases with the aim of protecting the victims/survivors from any emotional distress by
ensuring their safety, privacy and the confidentiality of cases.

- Advocacy for the introduction of e-trials for all SGBV cases through coalitions with bar associations and CSOs.
- Judges holding additional charge of GBV courts must be trained so as not to encourage reconciliation with perpetrators.
- Judges along with court staff to be provided with specialized training in how to communicate with victims and survivors.
- Investments must be made in capacity building of court staff to better equip them with the relevant technological skills needed for e-trials.
- Safe places should be notified for survivors and victims to avoid confrontation with the accused and family.
- Facilitation officers to be posted in all GBV courts to coordinate with police and prosecution departments to avoid delays and assist victims/survivors on the day of the trial.
- GBV courts should provide screens and video-link facilities for survivors, victims and witnesses.
- Assessment committees should be formed in every district for GBV courts to monitor progress.
- Witness Protection (Special Measures) provisions should be made functional, workable and be used where appropriate.

### 6. Role of the UN and development partners

- Carry out advocacy efforts to bring together key players on a common platform from the Government and Criminal Justice Institutions and for making key bodies such as the National Commission on the Status of Women functional.
- Assist provincial governments in formulating and implementing an integrated response framework for survivors and victims of SGBV.
- Assist governments and line departments in developing reliable baseline data for the prevalence of SGBV cases especially in the context of health emergencies.
- Share international best practices in SGBV emergency/COVID response mechanisms to ensure buy-in and integration in local GBV response systems.
- Conduct assessments of impact on victims as a result of insensitive and slow response of the Criminal Justice System.
- Assist the Governments and line departments in implementing SOPs for the operationalization of GBV courts.
- Assist the Governments in the implementation of the Essential Services Package for GBV victims/survivors.

The comprehensive approach of UNODC is aligned with Pakistan’s vision 2025. Striving to achieve the Sustainable Development Goal (SDG) 16 on Peace, Justice and Institutions: “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.” Also contributing to the SDG Goals 3, 5, 8, 11, 15 and 17.

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