



Violence Against Women in Elections in Pakistan

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Acronyms

The Convention on the Elimination of all Forms of Discrimination Against Women	CEDAW
Civil Society Organization	CSO
Election Commission of Pakistan	ECP
Election Observation Mission	EOM
Election Management Body	EMB
European Union	EU
Free and Fair Election Network	FAFEN
Federal Investigation Agency	FIA
Focus Group Discussion	FGD
Federal Ombudsman¹ Secretariat for Protection against Harassment	FOSPAH
International Foundation for Electoral Systems	IFES
Key Informant Interview	KII
Khyber Pakhtunkhwa	KP
National Commission on the Status of Women	NCSW
National Identity Card	NIC
Pakistan Penal Code	PPC
Pakistan Telecommunication Authority	PTA
Violence Against Women in Election	VAWE
Prevention of Electronic Crimes Act	PECA

¹ The secretariat website still uses the word "ombudsman" although in the Act, through the amendment, *The Protection against Harassment of women at the Workplace (Amendment) Act, 2022* the word has been replaced by the "ombudsperson."

***No nation can rise to the height of its glory unless your women
are side by side with you.***

Quaid-e-Azam Mohammed Ali Jinnah

Executive Summary

Like many other countries in the world, violence against women in elections (VAWE) is a pervasive challenge in Pakistan which undermines women's equal access to the democratic process – as voters, candidates, polling staff, polling agents and elected leaders. Such violence can occur through a variety of channels: in the home, at the polling station, or increasingly online through social media platforms. Indeed, online violence against women is so pervasive globally that the United Nations Broadband Commission found that 73 percent of women have been exposed to or experienced some type of online violence.² The Center for Peace and Development Initiative (CPDI) conducted a field-based assessment to evaluate how women in Pakistan experienced violence throughout the electoral processes and the key factors which prevent women's full political participation. The assessment includes data from focus groups, individual interviews with women politicians, women leaders, women candidates, transgender people, and polling staff. The assessment also identifies a list of key findings and recommendations for the electoral stakeholders, and toolkit for those best positioned to address and mitigate violence against women in elections.

This data revealed several key findings that have significant implications and must be urgently addressed as Pakistan looks to hold general elections in 2022 or 2023. Drawing on this data, the assessment highlights several key trends related to violence against women in elections:

Family reticence to support women's political participation – as voters, candidates, and elected leaders: Across all groups, family control over women's political life consistently surfaces as one of the most prominent challenges to women's electoral participation. For women candidates, the need for familial support is seen as one of the first hurdles women must overcome.

most men...consider women's participation in political activities against their culture and norms, and strictly restrict their women to stay away from it.
- Female candidate from Khyber Pakhtunkhwa

As one candidate from Khyber Pakhtunkhwa (KP) noted: "most men...consider women's participation in political activities against their culture and norms, and strictly restrict their women to stay away from it." Participants particularly highlighted the high rates of social media attacks on women politicians and candidates as contributing to family members' reticence to allow women to engage as candidates or elected officials. This mentality can constitute VAWE in the case that family members use intimidation, harassment, or other tactics to inhibit women's rights to engage in all aspects of the electoral process.

Challenges for transgender voters: Transgender individuals highlighted the forms of violence they face when seeking to access their political rights. In recent elections transgender citizens experienced before they even set out for the polling stations; transgender individuals reported facing challenges in obtaining their national identity cards (NICs), including being confronted with significant delays at the time of registration. Perhaps most alarming, transgender participants highlighted common insults – spread through social media – calling on transgender voters to

² UN Broadband Commission, *Cyber Violence Against Women and Girls: A World-Wide Wake-Up Call*, October 23, 2015, <https://en.unesco.org/sites/default/files/genderreport2015final.pdf>, 2.

“return to the street corner,” a euphemism for abuse. As one participant reflected, the public does not see the importance, or even right, of transgender citizens to engage in Pakistani politics.

Centering of women’s “honor” in politics: The reputations of women candidates and politicians is scrutinized to an extent that men’s are not, and besmirching of women’s honor or reputation is seen as a mark against her entire family. This reality has significant impacts on a woman’s decision to enter political office, as well as her family’s propensity to support her. Participants underscored a critical public perception that has not been identified in previous assessments: society perceives women *who seek to fight for their rights* as being of “lesser moral character.” For

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example, as one participant noted, men – especially male candidates and political leaders – can use more aggressive language during televised programs or public events in order to defend themselves or make political points. Societal pressures and norms dictate that if women use similarly strong language, even to respond to political opponents, they risk being seen negatively, or even “vulgar.”

Using women to mete out revenge on family: Closely linked to honor, participants also noted that in some instances, men have targeted women candidates as an efficient way to “take revenge or settle other family feuds” against the women’s family members. Attacking women is an effective way to harm their families more broadly as women’s presence in the public domain makes them an “easy target,” and to undermine the woman is to undermine “the honor of the family.”

Preponderance of online harassment against women candidates and leaders: Cyber violence is among the most frequently wielded forms of violence against women, with potentially long-lasting psychological effects on women and their families. Participants gave examples of incidents where individuals spread false information through fake Facebook accounts to defame women candidates with hundreds if not thousands to see. In addition, reports have shown that women are more likely to receive objectifying, personal, sexualized, and sexist comments on social media than men.

Toxic environment for women elected leaders: Focus group discussion (FGD) participants note that male-centered political party structures, which are common worldwide, not only restrict women’s access as contestants but can also limit their ability to advance as elected leaders. Women politicians reported that as elected leaders, they often must face derogatory or sarcastic remarks by male counterparts on the assemblies’ floor. They further stated that unlike men, women are judged more for their personal appearance or personal life issues rather than their performance in the Parliament or provincial assemblies. Women’s private lives have been the topic of debate on the floor while such discussion about male members had seldom been held.

Family control over elected women’s resources: Participants from this assessment noted several instances where male family members exercised control over resources that women leaders had because of their positions. Participants shared examples where male family members have used fake signatures of women to receive honorariums as well as funds that are allocated for councilors. Women were either unaware of those funds – a challenge that speaks to the need to educate newly elected women leaders who may never have held elected office about their roles – or let these funds go under the pressure from male family members.

Despite these challenges, it is important to remember that Pakistani women should not be viewed merely as victims. Pakistani women have been, and continue to be, at the forefront of advancing gender equality, including by advocating for women's rights legislation and playing an active role in politics and their communities. Women have held high positions in Pakistan, including as prime minister, speaker, and deputy speakers of the National Assembly and provincial assemblies, as well as opposition leaders, federal ministers, and judges. Even as women lack access to equality on many levels, particularly in the areas of politics, the historical strength of Pakistani women and their allies can be drawn on to meet the challenges of VAWE, especially as Pakistan looks to the next general elections. With this context in mind, this Assessment is an effort to give visibility to the less recognized issue of VAWE and add to the evidence-based examples of real experiences women faced in recent local government and by-elections to identify practical recommendations for a variety of electoral stakeholders. Select recommendations include:

To the Government of Pakistan

- Strengthen educational outreach on the reporting channels for violence against women and build the capacity of legal authorities to investigate such cases in formal courts.
- Establish a clear mechanism that citizens, particularly women, can use to submit their complaints about political and electoral violence as well as a follow up mechanism and communication of the outcomes of complaints.
- Integrate VAWE-related indicators into existing reporting mechanisms, such as the Social Development Goal (SDG) monitoring systems, to establish shared national goals for addressing issues that will lead to greater political participation among women.

To the Election Commission of Pakistan

- Ensure that the Gender and Social Inclusion Wing has the resources and authority needed to carry out its role.
- Ensure that the existing 10 percent mandatory job quota for women in the Election Commission of Pakistan (ECP) is met.
- Integrate VAWE-related questions and considerations into election security assessments to best identify hot spots and potential resources that could be deployed to mitigate instances of VAWE on Election Day.
- Expand gender sensitivity training to polling staff to including an emphasis on identifying and reporting VAWE at polling stations and throughout the electoral process.
- Conduct robust voter and civic education that includes a focus on the importance of women's political participation, as well as information on mechanisms for addressing gender-based electoral violence.

To Civil Society:

- Train judges, police, and others— especially in the provinces – on how to adjudicate and investigate VAWE cases and produce reference materials to support these efforts.
- Provide leadership trainings to women in politics that include a focus on building solidarity networks with other women leaders.
- Serve as watchdogs to monitor lawsuits and other election complaints filed around gender-specific election violations and publish results.

- Conduct gender-specific election observation, either independently or included within larger observation missions, using internationally recognized checklists.
- Review the codes of conduct developed for political parties, observers, media, polling staff, polling agents, and security personals to ensure that VAWE-related issues are adequately integrated.

To Political Parties:

- Develop and adopt political party codes of conduct and action plans that include a commitment to respecting women's rights to a safe and secure political environment, zero tolerance toward sexual harassment, and a rejection of utilization of gender-based hate speech as well as other forms of violence against women through social media platforms.
- Build awareness on the issue of VAWE within political parties through conducting policy dialogues and gender sensitization sessions for political parties and parliamentarians. Dialogues should be in collaboration with CSOs (Civil Society Organizations) and national and provincial women commissions and women parliamentary caucuses.
- Require gender sensitivity training courses for political party members, as well as reviews of relevant legal frameworks, such as the cybercrime laws, Protection from Harassment at the Workplace Act, and others.

Introduction

Violence against women in elections (VAWE) is a pervasive challenge in Pakistan that undermines women's equal access to the democratic process – as voters, candidates, polling staff, polling agents and elected leaders. To shed light on the obstacles affecting Pakistani women's access to and full participation in the electoral process and the interventions needed to mitigate these obstacles in future election cycles, the Centre for Peace and Development Initiatives (CPDI) conducted a field-based assessment on electoral violence against women in Pakistan. The VAWE assessment utilizes focus group discussions (FGDs) and individual key informant interviews (KII) to identify how women experience violence in elections – including an emphasis on women's experiences in the 2021 and 2022 local government elections held until July 2022 – and the key factors that prevent greater participation. The study is accompanied by a toolkit that serves as a resource for women and their allies to better ensure access to services and legal recourse for VAWE survivors.

While violence against women is a widely documented issue in Pakistan, this study highlights some unique findings that are not captured by other reports on gender-based electoral and political violence. To name a few, FGD and KII participants underscored how widespread harassment of women candidates contributes to families' reticence to support women family members entering politics, and that if women do win seats, male family members sometimes exercise control over resources to reap the benefits that come with leadership positions. Still other participants highlighted how the fixation on women's morality and reputation make women candidates and elected leaders "easy targets" and conduits for meting revenge on women's family members.

Despite challenges Pakistani women face, it is vital to remember that Pakistani women should not be viewed merely as victims. Pakistani women have been, and continue to be, at the forefront of moving gender equality forward by advocating for women's rights legislation and playing an active role in politics and their communities. Women have held high positions in Pakistan, including as prime minister, speaker of the National Assembly, opposition leaders, federal ministers, and judges. The cross-party Women Parliamentary Caucuses formed in Pakistan has made significant progress in introducing pro-women legislation to address domestic violence, workplace harassment, and customary discriminatory practices, among others. Even as women lack equality on many levels, particularly in the areas of politics, the historical strength of Pakistani women and their allies can be drawn on to meet the challenges of VAWE, especially as Pakistan looks to the next general elections. With this context in mind, this study is an effort to give visibility to the less recognized issue of VAWE and add to the evidence-based examples of real experiences women faced in recent local government and by-elections to identify practical recommendations for a variety of electoral stakeholders.

Methodology

To effectively address VAWE, practitioners must understand the cultural and socio-political norms that impact the status of Pakistani women and their participation in the electoral process. However, such information is often not readily available within a country. Indeed, the lack of systematic baseline data on VAWE is a global issue, recognized by the United Nations Special Rapporteur on Violence Against Women (SRVAW).³ Therefore, in order to uncover VAWE trends in Pakistan, the Assessment uses a mixed methodology consisting of a literature and legal review – which draws on country-specific election observation reports, global and national research on women in politics, ECP reports, and relevant legal frameworks – as well as FGDs and KIIs. Taken together, these sources give insight into the nature, scope, and extent of VAWE in Pakistan.

The VAWE field assessment was conducted between January and July 2022. The assessment included numerous initiatives to gather qualitative data, including in the immediate weeks following Pakistan's Khyber Pakhtunkhwa (KP) local government election. CPDI held five FGDs (see Table 1) that engaged 55 people. Added to this, 16 KIIs were held with women representing political parties and local government leaders. Overall, these methods incorporated voices of: women polling staff, polling agents, transgender citizens, government officials – including the Federal Investigation Agency (FIA), police, the National Commission on the Status of Women, the Federal Ombudsman Secretariat for Protection against Harassment (FOSPAH), and the ECP – as well as CSOs and women politicians representing the major parties (Balochistan Awami Party, Pakistan Tehreek-e-Insaf, Pakistan Muslim League-N, Mutahida Quami Movement, and Jamiat Ulema-e-Islam (F).

Group Name	Number of Participants with Gender Split	Location
Polling Agents-1	Total= 11 Women= 11	Jhelum
Polling Staff	Total= 11 Women= 11	Jhelum
Transgender	Total=8 Gender=unspecified	Online (Zoom)
Media	Total=11 Women=1	YMCA, Lahore
Polling Agents-2 (Minority)	Total=8 Women=8	Youhanabad, Lahore

Table 1: Number of FGDs participants and gender split

A questions guide for conducting FGDs and KIIs was developed based on the initial literature review. The guiding questions for FGDs and KIIs are available in Annex A.

³ United Nations Secretary General, *Report by the Special Rapporteur on violence against women, its causes and its consequences against women in politics*, 6 August 2018.

Limitations: While the report utilized qualitative methods – such as KIIs and FGDs – to gather information from a diverse group of electoral stakeholders, given the relatively small sample size, findings should be used to primarily inform policy recommendations and advocacy efforts, but not be seen as a complete capturing of all forms of VAWE that women experience in Pakistan. Another limitation faced during the data collection was that, given the sensitivity of the topic, participants were at times hesitant to directly answer questions about the types of VAWE women experience, and the most common perpetrators. Linked to the sensitive nature of VAWE, some prospective interviewees – including candidates, elected women leaders, and aspiring women politicians – were wary of being identified through their responses, and thus at times unwilling to share their personal experiences. Despite these challenges, the interview and FGD responses help clarify VAWE-related themes, which in turn inform elucidation and prioritization of responses.

What is VAWE?

VAWE is a threat to the integrity and quality of the electoral process because it coercively excludes women from having a voice in governance through civic and political participation. VAWE is a violation of political and human rights and frequently also a violation of criminal or civil code that harms voters, candidates, election officials, activists, security, and political professionals worldwide, occurring both online and offline. The International Foundation for Electoral Systems (IFES) defines VAWE as:

Any harm or threat of harm committed against women with the intent and/or impact of interfering with their free and equal participation in the electoral process during the electoral period. It includes harassment, intimidation, physical harm or coercion, threats, and financial pressures, and it may be committed in the home or other private spaces, or in public spaces. These acts may be directed at women in any of their roles as electoral stakeholders (e.g., voters, media, political actors, state actors, community leaders, electoral officials).⁴

Common understandings of electoral violence originate in definitional frameworks that often privilege public acts of physical violence and violence between public stakeholders. These definitions reflect male experiences of political violence and tend to overlook personal relationships between perpetrators and survivors, the variation in spaces where violence occurs and nuances within types of potential violence – all of which are essential for understanding the distinct nature of how election violence is experienced by women.⁵ Through increased attention to women's participation and women's voices in democracy assistance, the narratives of how VAWE appears in women's homes, political arenas, and public spaces have become more visible and therefore must be part of any responsible VAWE response.

The normalization of electoral violence against women in Pakistan is so significant that, as FGD participants noted, “even the survivors usually are unable to identify it.” Such normalization of

⁴ IFES, *Violence Against Women in Elections: A Framework for Assessment, Monitoring and Response*, February 2017, <http://www.ifes.org/publications/violence-against-women-elections>.

⁵ Ibid, 12.

violence against women is fueled in part by privileging the publicly witnessed and physical violence that men tend to experience above more private forms of violence that women experience, including verbal, emotional and psychological forms of violence and abuse. In one telling statement, interview participants noted that “incidents of violence against women are minor” when compared to electoral violence against men. Far from reflecting a lack of electoral violence against women – which data shows is pervasive – such statements speak to the underappreciation for the harm that more silent forms of violence have against women.

The normalization of electoral violence against women in Pakistan is so significant that FGD participants noted *“even the survivors usually are unable to identify it.”*

A relatively new and increasingly pervasive phenomenon is the prevalence of online harassment perpetuated through social media, which women commonly face during their participation in political activities. The impact of VAWE online is magnified by the anonymity and scale that online media platforms provide. A report by the United Nations Broadband Commission called online violence against women generally a “problem of pandemic proportion,” and found that 73 percent of women online have been exposed to or experienced some type of online violence.⁶ Worldwide for women engaging in politics, tactics like character assassination spread through social platforms are widely used by political opponents to discredit, humiliate, or otherwise harm women candidates. These tactics are so pervasive and effective that they can destroy a woman’s candidacy for political office. Online harassment and violence against women in elections is an especially damaging violation of democratic freedom as it discourages women’s electoral and political participation and prevents them from exercising their civic and political rights.⁷

There are a variety of ways of addressing VAWE. One is through legal reforms, such as introducing new, standalone laws, and integrating VAWE into broader gender-based violence legislation as well as penal and electoral codes. As will be explored in more detail below, outside of new and revised legislation, a variety of electoral actors can play a critical role in addressing and mitigating VAWE. Election management bodies (EMB) can refer VAWE cases to appropriate authorities and sensitize polling staff to electoral violence against women. Ensuring that women are working as polling agents, observers, and police on election day, so women survivors have more comfortable and accepting outlets for reporting VAWE incidents. Political parties also have an important role in preventing and reducing VAWE by extending psycho-social, security, and legal support in addition to information and sensitization to male part workers.⁸

⁶ UN Broadband Commission, *Cyber Violence Against Women and Girls: A World-Wide Wake-Up Call*, October 2015, <https://en.unesco.org/sites/default/files/genderreport2015final.pdf>.

⁷ IFES, *Online Harassment and Violence Against Women in Elections: How do online threats of violence impact women’s electoral participation?*, 2019, https://www.ifes.org/sites/default/files/vawe_online_one_pager_december_2019.pdf.

⁸ UN Women and UNDP, *Preventing Violence Against Women In Elections: A Programming Guide*, 2017, <https://www.unwomen.org/en/digital-library/publications/2017/11/preventing-violence-against-women-in-elections>.

Factor 1 - Status of Women in Pakistan

In general, Pakistan's asymmetrical gender and power relations and patriarchal and tribal traditions have resulted in significant gender disparities in access to education and economic and political opportunities.⁹ The World Economic Forum's 2022 Global Gender Gap Report demonstrates the numerous areas of gender disparity in Pakistan: Pakistan continues to have an excess female mortality rate due in part to sex selection practices; is ranked as the lowest nation in women's economic and participation and opportunity globally; has the smallest percentage of women in senior, legislative, and managerial roles globally with women making up only 4.5 percent of these roles across the labor market; and retains persistently high illiteracy rates for women with female literacy rates remaining under 50 percent.¹⁰ 2022 data indicates that women's labor force participation rate is only 20.7 percent, although it should be noted that such figures generally capture more formal labor and not the informal work that women undertake.¹¹ As a result of these and other factors, the World Economic Forum's 2022 Global Gender Gap Report, which measures gender equality in relation to economic participation and opportunity, educational attainment, health and political empowerment, ranked Pakistan 145th out of 146 countries, with only Afghanistan falling below on the economic participation and opportunity index.¹²

Within this socio-cultural context violence against women is a major and particular public health problem and a violation of women's rights. The 2017-2018 Pakistan Demographic and Health Survey found that 28 percent of women ages 15-49 have experienced physical violence since age 15.¹³ Eight percent of ever-married women report that their husbands display three or more specific types of controlling behaviors and 34 percent of ever-married women have experienced spousal physical, sexual, or emotional violence.¹⁴ Perhaps most worrying 42 percent of women and 40 percent of men agree that beating one's wife is justified in at least one of six specified situations.¹⁵ Such violence was likely exasperated by the COVID-19 crisis. In April 2020, the U.N. Secretary General noted a "horrifying global surge" in domestic violence linked to lockdowns imposed by governments responding to the COVID-19 pandemic and women's interrupted access to essential gender-based violence support services.¹⁶ Given sentiments toward violence against women in Pakistan there is good reason to believe that Pakistani women and girls faced elevated levels of violence since the pandemic. Indeed, recent data demonstrates that instances of violence against women and girls in 25 districts of Pakistan and Gilgit-Baltistan increased since

⁹ Freedom House, *Freedom in the World 2021 Country Report-Pakistan*, 2021, <https://freedomhouse.org/country/pakistan/freedom-world/2021>.

¹⁰ World Economic Forum, *Global Gender Gap Report 2022*, 2022, https://www3.weforum.org/docs/WEF_GGGR_2022.pdf, 12.

¹¹ Ibid, 27.

¹² Ibid, 10.

¹³ Demographic and Health Surveys, *Pakistan: Demographic and Health Survey 2017-2018*, January 2019, <https://dhsprogram.com/pubs/pdf/FR354/FR354.pdf>, 304.

¹⁴ Ibid, 303.

¹⁵ Ibid, 269.

¹⁶ "UN Chief Calls for Domestic Violence 'Ceasefire' Amid 'Horrifying Global Surge'", UN News, Published April 6, 2020, <https://news.un.org/en/story/2020/04/1061052>.

2020, even though institutional mechanisms and favorable legislation to curb violence against women and girls exist in all four provinces and at the federal level.¹⁷

Factor 2: Legal Framework related to VAW

The low status of women today contradicts Pakistan's legal framework which, on paper, includes several provisions that recognize women's equal rights generally and their right to participate in the democratic process specifically. Perhaps most notably the Constitution of Pakistan provides for the fundamental rights of all its citizens, including establishing that all persons are equal before the law and are entitled to the equal protection of the law (25:1), and states that there shall be no discrimination on the basis of sex (25:2). The Constitution also calls for steps to be taken to ensure the full participation of women in all spheres of national life (34).

Complementing Pakistan's Constitution, Pakistan has also recently adopted Acts that specifically uphold the political rights of marginalized groups – such as persons with disabilities and transgender persons. These include: the UN Convention on the Rights of Persons with Disabilities, which protects the rights of women with disabilities to humanitarian assistance (Article 11) and healthcare (Article 25); as well as the Transgender Persons (Protection of Rights) Act, passed in 2018, which outlines equal rights to legal identification, voting and economic security. In addition to the broader acts and legislation, the following acts represent legislation that is relevant to addressing violence – including electoral violence – against women:

Prevention of Electronic Crimes Act, 2016

The most critical piece of legislation for online violence is Prevention of Electronic Crimes Act (PECA) 2016. Among other provisions PECA addresses the unauthorized interception of any transmission, which can be used for addressing unauthorized phone tapping with "dishonest intentions" (Section 17). Other provisions include the protection of an individual's dignity, reputation and privacy, and criminalization of displays of false information (Section 18). It should be noted that this provision does not apply to broadcast media or distribution service licensed under Pakistan Media Regulatory Authority Ordinance 2002. PECA also outlaws use of sexually explicit image or video for revenge, blackmail, harassment or harming of a person's reputation (Section 19); defines cyberstalking as "coercion or intimidation, or harassment by any person using an information system, information system network, internet, website, spying or electronic mail, text messages or any other form of electronic communication" (Section 21); and provides a safeguard against spamming, as defined as the transmission of harmful, fraudulent, misleading, illegal, or unsolicited information to any person without the recipient's permission (Section 22). PECA also addresses "spoofing", which relates to the establishment of a website or sending any information with a counterfeit source in such a way that it is intended to be believed to be an authentic source (Section 23).

The Protection against Harassment of Women at the Workplace Act, 2010

The Protection against Harassment of Women at the Workplace Act, 2010, has a comprehensive definition of employee and workplace. As a result, women politicians may be able to use the law for protection against harassment at the workplace. However, it should be noted that critics – and

¹⁷ Aurat Foundation, *Violence Against Women and Girls in the Times of Covid-19 Pandemic*, January-December 2020, <https://www.af.org.pk/PDF/VAW%20Reports%20AND%20PR/VAWG%20Report%202020.pdf>.

the Supreme Court itself – have argued that the definition of harassment in the Act narrowly relates to sexual harassment at the workplace and does not cover all forms of harassment.¹⁸ The definition of “workplace” (Section 2-n) includes the place of work or the premises where an organization or employer operates and includes a building, factory, open area, or a larger geographical area. Although the word ‘political party’ is not mentioned in the definition of the ‘organization’ in this Act, Article 17 of the Constitution notes that political parties are associations and can be interpreted as organizations formed for political purposes. Therefore, political parties can be understood as relevant to this law.

The Criminal Law (Amendment) Act, 2010 and Criminal Law (Second Amendment) Act, 2011

The 2010 law creates an amendment to Section 509 of the Pakistan Penal Code (PPC). More specifically, section 509 (i) protects a woman against an insult delivered through any word, sound, or gesture or by intruding on her modesty in public places, including markets, public transport, streets, or parks, or in private places including workplaces, private gatherings, or homes. This Section can be used by women politicians and activists for any offensive behavior against them during rallies, TV talk shows, or at any other place or occasion. Section 509 (ii) adopts the same harassment definition given in the Protection of Women against Harassment at Workplace Act, 2010. However, the law goes one step further than the Harassment Act as it criminalizes sexual harassment and provides punishment for it.

The Elections Act, 2017

The Elections Act has introduced a few important provisions that can protect women from undue coercion or influence. Section 167 of the Elections Act penalizes corrupt practices such as bribery, personation, or exercising undue influence, among others. Section 170 of the Elections Act also addresses the undue influence and acts of violence. In the context of VAWE, relevant acts of violence specifically noted in the Elections Act could include:

- Making or threatening to make use of force, violence, or restraint.
- Inflicting or threatening to inflict any injury, damage or harm, or loss. Harm includes social ostracism (the action of intentionally not including someone in a social group or activity), expulsion from a community, especially a religious community, or expulsion from any caste or community.
- Preventing any woman from contesting an election or exercising her right to vote.

In addition to the Elections Act 2017, the ECP has codes of conduct for all the relevant stakeholders including political parties, media, observers, security personnel, polling agents, and polling staff with references which address discrimination and promote equal electoral participation. While recognizing that these codes of conduct could be further strengthened, they provide an important first step for holding electoral stakeholders accountable to promoting more inclusive election processes as a failure to comply can result in punitive actions.

As was underscored throughout the FGDs and KIs for this report, despite the robust legal framework protecting women’s rights in Pakistan, their actions to address VAWE violations are limited by the pervasive lack of knowledge amongst women about what legal recourses are available. Participants noted that lack of clear legal channels for seeking recourse against VAWE

¹⁸ Nasir Iqbal, “Workplace harassment law limited in scope: SC”, Dawn, Published July 7, 2021, <https://www.dawn.com/news/1633616>.

has led to the damaging perception that VAWE is “easy” and relatively “risk free” for perpetrators, as women have few platforms for seeking justice. Others note that women do not pursue legal action because “resorting to court” is a lengthy process, and they would waste their time with “no hope for justice.”

Factor 3: Women’s access to the electoral process

As outlined below, women face unique barriers to electoral and political participation as voters, candidates, polling staff and elected leaders. Before examining trends in VAWE more specifically, it is important to understand some of these sociocultural barriers – namely time constraints stemming from domestic responsibilities, a fixation on women’s modesty, negative perceptions of women in politics – and the impact they have on women’s electoral participation and leadership.

Among the most significant challenges is the way that heavy and uneven domestic responsibilities lead to time constraints which limit women’s democratic engagement. Added to this is inequality in intra-household relations – including social expectations of gendered division of labor and men’s power over decision making – which limit women’s full and meaningful political participation. Such inequitable time constraints affect not only women as voters, but also their participation as candidates and elected leaders. Indeed, a 2014 UN Women survey on violence against women in politics found that 78 percent of Pakistani participants reported they agreed that women should still perform their domestic duties if elected to public office.¹⁹ According to 2018 polling data from the International Republic Institute (IRI) nearly one quarter of women participants cited household roles and duties as the most significant barrier to increasing women’s participation, second only to women’s concern around male-dominated political structures.²⁰ Similar concerns were highlighted in the CEDAW Committee on the Elimination of Discrimination Against Women’s 2020 report, which expressed concern about “persistent discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society, exacerbated by religious divisions ... which perpetuate women’s subordination to men”.²¹

Negative public opinion about women in elected office is another factor undermining women’s electoral participation. The potential impact that pervasive negative public regarding female candidates was demonstrated in a 2018 IRI survey in Pakistan, when asked about candidate preferences a majority of male participants (68 percent) and a plurality of women participants (45 percent) said that if two candidates were running for office with the same qualifications they would be more likely to support the male candidate.²² Beyond failure to invest in women candidates, a 2019 Institute of Development and Economic Alternatives report also underscored

¹⁹ UN Women, “Violence Against Women in Politics: A study conducted in India, Nepal, and Pakistan”, 2014, <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2014/Violence%20Against%20Women%20in%20Politics-Report.pdf>, 67.

²⁰ International Republican Institute, *National Survey of Public Opinion in Pakistan*, November 2018, https://www.iri.org/wp-content/uploads/legacy/iri.org/2019.3.14_pakistan_poll.pdf, 40.

²¹ CEDAW “Concluding Observations on the Fifth Periodic Report of Pakistan”, 10 March, 2020, <https://www.ohchr.org/en/documents/concluding-observations/cedawcpakco5-committee-elimination-discrimination-against-women>, 16.

²² International Republican Institute, *National Survey of Public Opinion in Pakistan*, November 2018, https://www.iri.org/wp-content/uploads/legacy/iri.org/2019.3.14_pakistan_poll.pdf, 39.

the failure of political parties to engage in outreach to women voters themselves, exacerbating the perception that the interests of women constituents are not a priority. The report found that women were three times less likely than men to have been mobilized by political parties, contributing to a sense of invisibility among women constituents, and undermining their motivation to participate in politics.²³

As a result of these and other factors, women's electoral participation remains low across Pakistan. In the 2018 elections, Pakistan elected 69 women representatives out of 342 total representatives (or 20 percent) to the national parliament.²⁴ Of these 69 representatives, only eight were elected to general seats, while the remainder were elected through the reserved seat system. Pakistan has a gender quota for its National Assembly, which reserves 60 seats for women, or 17 percent.²⁵ As of May 2022, Pakistan ranks 111th out of 183 countries in terms of its proportion of women in parliament.²⁶ The Elections Act of 2017 also requires that women make up 5 percent of political party candidates on general seats. This provision – although widely followed by most major political parties during the 2018 general election – did not lead to an increase in women elected to general seats when compared to the 2013 general election, partly because parties did not nominate women to run in winnable constituencies. A report by the European Union's Election Observation Mission found that only 25 percent of women candidates were nominated in constituencies won by their parties in previous elections.²⁷

While at the time of finalizing this Assessment official data from the local government elections in KP and Sindh was still unavailable, feedback from KIIs suggest that in some cases, women wanted to contest elections for general seats but were discouraged by male colleagues under the auspices that women already have reserved seats, and therefore should not contest for general ones. Such discrimination also directly impacts women's ability to deliver as elected leaders once in office. As an example, one participant noted that "male elected representatives in the local councils get more funds in comparison to those allotted to women for the betterment of their communities." While there is not sufficient evidence to confirm the extent to which this happens even the perception that it does undermines beliefs in the effectiveness of women leaders.

In FGDs and KIIs women candidates and political leaders repeatedly identified that the public and political parties alike respect neither women's role as democratic leaders nor their constitutional right to be in elected office. Participants noted that the ECP sometimes allots campaign symbols to women candidates that are seen as highly gendered and leave women candidates even more open to ridicule. In one instance a woman was assigned a sewing machine as her candidate symbol, and in another a woman candidate was assigned a dressing table. Such charged symbols fed community members' call that woman should focus on their appearances, and that their job

²³ Institute of Development and Economic Alternatives, *Women's Political Participation in a Pakistani Metropolis: Navigating Gendered Household and Political Spaces*, April 1, 2019, https://ideaspak.org/wp-content/files_mf/155619037120190423.pdf, 5

²⁴ Inter-Parliamentary Union, *Women in National Parliaments*, Last Modified December 1, 2018, <http://archive.ipu.org/wmn-e/arc/classif011218.htm>.

²⁵ International IDEA, *Gender Quotas Database: Pakistan*, Last Modified April 28, 2022, <https://www.idea.int/data-tools/data/gender-quotas/country-view/241/35>.

²⁶ Inter-Parliamentary Union, *Monthly ranking of women in national parliaments-May*, Last Modified May 1, 2022, <https://data.ipu.org/women-ranking?month=5&year=2022>.

²⁷ European Union Election Observation Mission, *Final Report: General Elections, 25 July 2018*, October 2018, https://www.eeas.europa.eu/sites/default/files/final_report_pakistan_2018_english_1.pdf, 37.

is first and foremost “to stick clothes,” not contest elections. Another example noted by participants is that women candidates often run as “Mrs. (husband’s name)”, elevating the husband’s name over their own given one. Still other participants highlighted that, much like campaign symbols, the projects and tasks allotted to women are highly gendered, with women leaders generally assigned “meager tasks such as the distribution of wheelchairs and sewing machines to those in need, as opposed to more well-funded projects such as those of related to construction of roads and rehabilitation of government infrastructure”, the latter of which typically go to men.

Women’s low rates of representation as candidates and elected leaders, as well as negative perceptions of their effectiveness, are similarly mirrored in leadership positions in government bodies. This underrepresentation was perhaps most obvious in the Government of Pakistan’s response to COVID-19. In 2020 when the country was beginning to form its COVID-19 response several committees were set up. However, these committees were dominated by men with negligible representation from women. Nationwide women represented only 5.5 percent of the COVID-related committee members, reflecting a broader issue with low levels of women’s representation among senior government and decision-making positions.²⁸

Beyond women’s representation amongst government and elected officials, a significant number of women lack their basic NICs, putting them at risk of deprivation of citizenship rights. A study carried out by IFES ahead of the 2013 General Election on barriers to women obtaining their NIC – which is essential for registering as voters – found that time constraints and lack of family support were among the top three challenges cited by women participants.²⁹ Such challenges persist nearly a decade later: as of January 2022, there were approximately 11.3 million eligible women lacking NICs, though the actual number may be higher when compared against official province-wise population data from the 2017 Census.³⁰ The importance of an NIC cannot be overstated. In addition to serving as the identification needed to exercise one’s voting rights, an NIC is also needed for Pakistanis to access certain welfare schemes, including the relief packages and other services that the federal and provincial governments offered in response to COVID-19. The absence of NICs for young women may have long-term, detrimental impacts on their electoral participation as studies show that the time in which young people become enfranchised is integral for establishing lifelong habits of participation in community and government affairs.³¹

Amidst these challenges it is important to highlight the efforts of the ECP – which has the sole authority to administer elections in Pakistan – to address gender and inclusion barriers in the electoral process. Perhaps most notably in 2015 the ECP established a Gender and Social Inclusion Wing, whose main objective is to promote the electoral participation of women, people with disabilities, transgender individuals, and ethnic and religious minorities. Since its establishment

²⁸ IFES, *Gender Impact of COVID-19 in Pakistan: Contextual Analysis and the Way Forward*, May 2020, https://www.ifes.org/sites/default/files/gender_impact_of_covid-19_in_pakistan_contextual_analysis_and_the_way_forward_may_2020.pdf, 3.

²⁹ IFES, *Survey Assessing Barriers to Women Obtaining Computerized National Identity Cards (CNICs)*, February 2013, <https://aceproject.org/electoral-advice/archive/questions/replies/277728362/962062828/IFES-PK-Survey-Assessing-Barriers-to-Women.pdf>

³⁰ Business Recorder, “Gender gap reduced to 10.7m from 12.37m: ECP”, Business Recorder, Published January 19, 2022, <https://www.brecorder.com/news/40148172>.

³¹ CEPSS, *Raising Their Voices: How Effective are Pro-Youth Laws and Policies?*, 2019, https://www.ifes.org/sites/default/files/ifes_2019_pro-youth_report_english.pdf, 44.

the Gender and Social Inclusion Wing has co-established and facilitated the Gender and Disability Electoral Working Group, which is a coalition of over 100 CSOs and representatives; mobilized women's CSOs to implement NIC registration campaigns; established partnerships with universities and colleges in all four provinces to expand voter and civic outreach to young people, especially young women; and drafted a Gender Mainstreaming and Social Inclusion Framework to guide strategic outreach and election management priorities. Within the ECP the institution has taken other critical, inclusion oriented measures, such as introducing "Gender and Elections" capacity building trainings for new ECP staff in order to foster an appreciation for women's electoral participation among new recruits; delivering women's leadership and technical skills trainings to women ECP staff; establishing day care centers at ECP secretariat to mitigate care challenges for women staff; and circulating information on the "Harassment of Women at Work Place Act 2010" to all the field and headquarters offices. While more can be done, these steps provide an opportunity to continue to build on and leverage as key electoral stakeholders seek to address VAWE-related factors.

Factor 4: Trends in VAWE

Based on FGDs and KIIs discussions with political activists, contestants and women leaders of the major political parties, the report identifies the following key VAWE trends as most prevalent in Pakistan. These trends are presented within four overarching categories: cross cutting; violence against women voters, polling staff and polling agents; violence against women candidates; and violence against elected representatives.

Cross cutting theme

Family reticence to support women's political participation – as voters, candidates, and elected leaders: Whether interviewing women voters, candidates, or elected leaders, across all groups, family control over women's political life consistently surfaces as one of the most prominent challenges. This issue was previously documented in a 2014 UN Women survey which found that 45 percent of participants felt that women's families should decide whether they can participate in politics.³² A 2019 survey echoed similarly discouraging findings, with 54 percent of male participants agreeing that it is acceptable to stop women in their households from voting if the women voted differently from them, 30 percent indicating that women should not speak their mind about politics, and over 60 percent that it is not appropriate for women to become political party workers.³³ Some of these barriers stem from the cultural belief that it is men's role to protect women, and male heads of household requiring women to stay home if there are threats of violence. In FGDs and KIIs participants described multiple situations where the lack of family support impacted women's political participation in multiple ways. One woman participant highlighted a situation where a man reportedly threatened to divorce his wife if she did not vote for his preferred candidate. A Tehsil Councilor described the interventions of her family in the decision to run for office, reporting "my husband stood by my side when I contested local government elections for the first time (in 2021) and encouraged me to actively participate in local

³² UN Women, *Violence Against Women in Politics: A study conducted in India, Nepal, and Pakistan*, 2014, <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2014/Violence%20Against%20Women%20in%20Politics-Report.pdf>, 67.

³³ Institute of Development and Economic Alternatives, *Women's Political Participation in a Pakistani Metropolis: Navigating Gendered Household and Political Spaces*, April 1, 2019, https://ideaspak.org/wp-content/files_mf/155619037120190423.pdf, 19-24.

politics, but he opposed my decision to contest general elections due to non-conducive and anti-women political environment in the area. The male family members found it hard to face the culture of character assassination and violence against women contestants". Several FGD participants noted that community leaders in Southern Punjab "take oaths" on the Holy Quran, committing them to require their wives and women family members to vote for the male head of household's preferred candidate.

For women candidates, the need for familial support is even more pervasive as one of the first hurdles women must overcome is to persuade their immediate families to support them in filing as candidates. Women candidates active in politics at the national, provincial, and local governments identified support from their male family members as key to their success and if the family member's support is withdrawn, women said they often have no choice but to quit. As one candidate from KP noted that "most men...consider women's participation in political activities against their culture and norms, and strictly restrict their women to stay away from it." Another shared an instance of a woman

My husband stood by my side when I contested local government elections for the first time (in 2021) and encouraged me to actively participate in local politics, but he opposed my decision to contest general elections due to non-conducive and anti-women political environment in the area. The male family members found it hard to face the culture of character assassination and violence against women contestants.

- Tehsil Councilor, KP

obtaining her husband's support, but not the rest of her family's, to run in the general election. According to the participant she had to sever ties with her family to run. Still others noted that "Women listen to what their male members instruct. They do not have courage to oppose them. They have fears of physical abuse, and are threaten either to quit the politics or leave from their houses if they show any political affiliation without prior permission of their male family members." Other examples emerged of male family members controlling women's movements even after they were elected to local government offices: "I knew of three elected women who were not attending council meetings in their districts, their brothers or husbands used to attend the meetings and managed the funds released on their names."

Unfortunately, due in part to concerns that women will be harmed if they engage in politics, family members often discourage women from political engagement. Participants particularly highlighted the high rates of very public social media attacks on women politicians and candidates as contributing to family members' reticence to "allow" women to engage as candidates or elected officials. This mentality can constitute VAWE in the case that family members use intimidation, harassment, or other tactics to inhibit women's rights to engage in all aspects of the electoral process.

Violence against women polling staff, polling agents and voters

Gender-insensitive polling station structures and practices contribute to violence against women polling staff and polling agents: The nature of the counting process, in which polling officials and agents are often required to stay late into the night to complete and announce results, poses gender-specific challenges for women polling staff and agents. In FGDs participants shared an instance where a woman polling agent – whose candidate had won the election – was followed and harassed on her way home by supporters of the opposing candidate. Women polling staff and polling agents also highlighted how "celebration" efforts following announcement

of results, for example the practice of male political party supporters firing guns and firearms into the air, made them feel too intimidated to leave the polling station. Others noted incidents where armed supporters of the losing candidate entered the polling station following announcement of the results and “misbehaved” with women staff and polling agents. A female member of polling staff noted that the instances of violence at the polling station were so grave that she refused to return as a polling staff, making excuses “to abstain” whenever called on to staff a polling station.

More broadly, the polling stations themselves are not set up in gender sensitive ways, contributing to risks of harassment for women. Polling staff noted that polling stations – especially those in more rural areas – often lack a women’s-only washroom, or a proper washroom at all. Participants also noted that private rest places are not provided to polling staff who must travel longer distances, nor is transportation arranged for polling staff. While these issues impact both men and women, participants noted they are disproportionate challenges for women who face greater risks trying to rest in a non-private space. In some cases, participants highlighted instances where the absence of arranged transport, particularly to more remote polling locations, has caused women polling staff and polling agents to accept rides from political party supporters to the polling stations. While participants noted that nothing occurred during the ride, following arrival at the polling station, they learned that supporters from opposing political parties had spread rumors of indecent conduct against women who accepted rides, seeking to discredit and shame the women.

Harassment against women political party workers inhibits outreach to women voters: In FGDs with women polling agents – who, as political party members, also conduct door-to-door campaigning for their parties and candidates – women reported regular harassment, especially from rival political party supporters. As one participant noted, it is “horrifying to do canvassing in the strongholds of rival candidates,” and that male supporters of rival candidates seek to display firearms and even, as several reported, fire shots into the air. While such responses do not specifically target women, the intimidation women feel may be different than male polling staff. Such violence against women exacerbates a persistent challenge in Pakistan: as identified in the Institute of Development and Economic Alternative’s 2019 study women were three times less likely than men to have been reached directly by political parties ahead of the 2018 election, and that when women do connect with political party workers, their engagement is “largely mediated” by men from the household.³⁴ The lack of efforts to reach women voters directly and negatively impacts women’s motivation to vote.

Challenges for transgender voters: In FGDs, transgender individuals highlighted the forms of violence they face when seeking to access their political rights. For the first time in the 2018 General Elections, transgender voters were able to register, and vote based on their self-identified gender marker. Despite this milestone legal provision, participants indicated that they faced harassment from voters, polling agents, polling staff, and law enforcement agencies. Participants particularly highlighted that instead of protecting transgender voters, police reportedly joined in with locals who were harassing them. Such harassment and discrimination were prevalent before transgender citizens even set out for the polling stations: transgender individuals reported facing

³⁴ Institute of Development and Economic Alternatives, *Women’s Political Participation in a Pakistani Metropolis: Navigating Gendered Household and Political Spaces*, April 1, 2019, https://ideaspak.org/wp-content/files_mf/155619037120190423.pdf, 5.

challenges in obtaining their NICs, including being confronted with significant delays at the time of registration. One transgender participant also highlighted an instance in which an election rally was organized by transgender rights advocates in support of a particular candidate, and the rally was attacked by local community members.

Perhaps most alarming, transgender participants highlighted common insults – spread through social media – calling on transgender voters to “return to the street corner,” a euphemism for abuse. As one participant reflected, the public does not see the importance, or even right, of transgender citizens to engage in Pakistani politics.

FGDs and KIs also uncovered potential discrimination against prospective transgender candidates at the district level. As one participant noted, she was aware of a transgender woman whose nomination paper was rejected as one of the proposers or seconders was from another constituency. This error is grounds for initial rejection, but the FGD participant noted that in other cases when the same error was made by prospective male candidates it was promptly solved so that the men could complete the nomination process. While more examples are needed to more definitively determine whether there is a pattern of discrimination against transgender candidates, at a minimum the occurrence warrants further examination.

Violence Against Women Candidates

Emphasis on women’s “honor”: The reputations of women candidates and politicians is scrutinized to an extent that men’s are not, and besmirching of women’s honor or reputation is seen as a mark against her entire family. This reality has significant impacts on a woman’s decision to enter political office, as well as her family’s propensity to support her. As an example, women who contested the local government election in KP’s newly merged districts noted that due to *purdah* and the concept of honor, women contestants’ families regularly prohibited them from publishing their pictures on their campaign materials. Male candidates do not face such restrictions.

(voters) make fun of women who run campaigns and approach them for their vote. These women politicians and candidates become a center of gossip in mini local groups as women of loose character, and damage their reputation

- Elected woman leader

For those women who did publish their pictures, there were reports that their pictures were torn or defiled. Others noted that threats of harassment – and its impact on one’s reputation – has meant that women candidates rarely participate in outdoor activities, forcing them to entrust campaign outreach to male family members. Still others note that “(voters) make fun of women who run campaigns and approach them for their vote. These women politicians and candidates become a center of gossip in mini local groups as women of loose character, and damage their reputation.”

Participants underscored a critical public perception that has not been identified in previous assessments regarding the perception of women who stand up for their rights. In addition to attacks on women’s characters, participants repeatedly highlighted that society perceives women *who seek to fight for their rights* as being of “lesser moral character.” For example, as one participant noted, men – especially male candidates and political leaders – can use more aggressive language during televised programs or public events to defend themselves or make political points. Societal pressures and norms dictate that if women use similarly strong language, even to respond to

political opponents, they risk being seen negatively, or as “vulgar.” Due to these reasons, women “think ten times before they can react to the incidents of VAW or for reporting such incidents.”

Using attacks on women as a conduit to harm families: Participants noted that in some instances, men have targeted women candidates as an efficient way to “take revenge or settle other family feuds” against the women’s family members. Attacking women is an effective way to harm their families more broadly as women’s presence in the public domain makes them an “easy target,” and to undermine the woman is to undermine “the honor of the family.” Other participants noted that while male candidates may face criticism about, for example, their economic standing, a primary challenge against women candidates is that they have “loose characters,” with insults also being levelled against their male family members for not being able “to control their women.” Still others noted that If women are active within their community, then they face backlash because people from other families are jealous. One such incident is when the male community members went as far as to hurl bricks and stones at the women or blackmailed them.”

Preponderance of online harassment against women candidates and leaders: Among the forms of violence identified by women politicians, cyber violence was identified as the most frequent and engendering among the worst psychological effects of any form of violence. As one woman noted, online harassment has such long-lasting impacts as it is often documented – through sharing on social media platforms – for hundreds if not thousands to see. Another noted a specific example in which a political opponent used a fake Facebook ID and posted a picture of a man standing outside of her house. The caption of the photo suggested that the woman was having an extramarital affair with the man. As the elected woman leaders noted, “this incident could have ruined my reputation in the family and community, but fortunately, the time mentioned in the post was when my husband was at home with me.” The pervasiveness of harassment of women online is widely acknowledged, the Digital Rights Foundation’s report on “Online Participation of Female Politicians in Pakistan’s General Election 2018,” provides data confirming that women are more likely to receive “objectifying, personal, sexualized and sexist comments.”³⁵ Even as women face an onslaught of harassment on social media, doubly marginalized groups may confront even greater levels of violence online. For example, transgender FGD participants underscored that online platforms are used to wield vitriolic attacks against them, including characterizing transgender individuals as entertainers, dancers and sex workers with no role in politics.

³⁵ Digital Rights Foundation, *Online Participation of Female Politicians in Pakistan’s General Elections 2018*, 2019, <https://digitalrightsfoundation.pk/wp-content/uploads/2019/01/Booklet-Elections-Web-low.pdf>, 2.

Women Elected Leaders

Toxic environment for women elected leaders: FGD participants note that male-centered political party structures, which are common worldwide, not only restrict women's access as contestants but can also limit their ability to advance as elected leaders. Women politicians said that as elected leaders, they often must face derogatory or sarcastic remarks by male counterparts on the assemblies' floor. They further stated that unlike men, women are judged more for their personal appearance or personal life issues rather than their performance in the Parliament. On the floor women's private lives have been the topic of debate, while similar discussions about male members had seldom been held. An elected woman noted that "male politicians do not allow women to raise their voice in the council meetings. When a woman raises a point of discussion, at times they do not pay attention and change the discussion to avoid what she wants to say." Perhaps most alarmingly, participants noted that some women elected leaders act "as a front for the men that are actually in control," and that "men accompanying their women to the local government councils sit in the local council's gallery during meetings and listen to the proceedings, therefore, not only are some women unable to voice their concerns due to a lack of confidence, it is also due to fear of the men that are controlling them."

Men accompanying their women to the local government councils sit in the local council's gallery during meetings and listen to the proceedings, therefore, not only are some women unable to voice their concerns due to a lack of confidence, it is also due to fear of the men that are controlling them.

- Focus group participant

The Organization for Security and Co-operation in Europe identifies numerous gender provisions that can be integrated into political party rules and procedures to mitigate some of the restrictions on women. These include implementing requirements for gender-balanced boards for selecting party candidates; requiring gender sensitivity training courses for political party members "to minimize the effect of historical inequalities in political life;" and adopting gender strategies and action plans that are developed and owned by the political parties themselves.³⁶ The lack of any such provisions in Pakistan's party frameworks contributes to the weak gender sensitivity across political parties.

Apathy for addressing VAWE in political parties: In nearly all FGDs and in many KIs participants highlighted widely shared public apathy and entrenched impunity for addressing VAWE in political parties. According to former United Nations Secretary General Ban Ki-moon, "When the state fails to hold perpetrators accountable, impunity not only intensifies the subordination and powerlessness of the targets of violence, but also sends a message to society that male violence against women is both acceptable and inevitable."³⁷ When reflecting on intimidation and harassment by men during door-to-door canvassing and at polling stations women political party agents indicated that they rarely reported incidents, and when they did they only reported to political party leadership. However, after elections were over, no follow-up occurred on the incidents. Another woman politician highlighted an incident that took place in 2014 Parliament when a male member of the National Assembly harassed two women members of the assembly. She said that women parliamentarians encouraged them to report the harassment case, but the

³⁶ OSCE Office for Democratic Institutions and Human Rights, *Guidelines on Political Party Regulation*, 2011, <https://www.osce.org/files/f/documents/2/b/77812.pdf>, 51.

³⁷ IFES, *Ending Impunity for Violence Against Women in Elections*, October 2018. https://www.ifes.org/sites/default/files/vawe_legal_one_pager_october_2018.pdf.

survivors refused to do so because of fears of defamation. In another example a KII interviewee noted that a man within her party sent her offensive and inappropriate messages, which she wanted to report to the party leader and seek legal recourse. She even went to the court with the intention of initiating a legal action, but later opted to withdraw because all her female and many of her male colleagues advised her to stop out of fear that both her reputation as well as the reputation of her party would be harmed. Additionally, participants noted that women from political parties may be underrepresented by qualified lawyers as when they do seek recourse, they often are engaging lawyers from their party who do not require a separate professional fee, and thus the motivation among the lawyers to diligently follow the case is low.

Male control over elected women's resources: While more research is needed to determine the prevalence of this issue FGD and KII participants noted several instances where male family members exercised control over resources that women leaders had as a result of their positions. As one participant noted, women are sometimes encouraged by male family members to run because the men do not consider themselves eligible to contest elections, and that following the election, "men use signature or thumb impressions of the elected women of their families, and receive and manage the funds without consulting them." Another noted that "I witnessed incidents in the past, when women did not appear in any council meetings, but their male family members used to sign their attendance in the council meetings and received honorarium as well as funds allocated to these local councilors." Such actions are not limited to family members. As one participant noted: "when I became Tehsil counsellor, a male elected representative invited me to dinner and even offered PKR 3000 to buy a gift of my own choice and told me not to tell this to anyone."

I witnessed incidents in the past, when women did not appear in any council meetings, but their male family members used to sign their attendance in the council meetings and received honorarium as well as funds allocated to these local councilors

-Focus Group Participant

Recommendations

Addressing VAWE necessitates a concerted and coordinated response from key stakeholders responsible for legislating and implementing laws, policies and programs including civil society organizations and media. Mitigating and preventing VAWE is critical to improving the quality of electoral and political processes and enhancing Pakistani democracy. Based on the findings, some key measures required to mitigate the risk of VAWE at all levels include:

To the Government of Pakistan

- Strengthen educational outreach on the reporting channels for violence against women and build the capacity of legal authorities to investigate such cases in formal courts.
- Establish a clear mechanism that citizens, and particularly women, can use to submit their complaints about political and electoral violence as well as a follow up mechanism and communication of the outcome.
- Strengthen mechanisms for collecting data and information regarding the prevalence of VAWE among government institutions, for example through integration of VAWE-related indicators in regular data collection efforts of the Federal Bureau of Statistics' Pakistan Demographic and Health Survey and Pakistan Social and Living Standards Measurement, among others. Such efforts should be done in close coordination with the National and Women Commissions and the Ministry of Human Rights.
- Integrate VAWE-related indicators into existing reporting mechanisms, such as the Social Development Goal (SDG) monitoring systems, to establish shared national goals for addressing issues that will lead to greater political participation among women.

To the Election Commission of Pakistan

- Ensure that the Gender and Social Inclusion Wing has the resources and authority needed to carry out its role, and that representatives from the Gender and Social Inclusion Wing are on hiring panels for senior-level staff, as well as integrated into decision-making processes.
- Ensure that the existing 10 percent mandatory job quota for women in ECP jobs is met and enhance women's presence in ECP's country-wide offices.
- Integrate VAWE-related questions and considerations into election security assessments to best identify hot spots and identify potential resources that could be deployed to mitigate instances of VAWE on Election Day.
- Expand gender sensitivity training to polling staff, to including an emphasis on identifying and reporting VAWE at polling stations and throughout the electoral process.
- Conduct robust voter and civic education that includes a focus on the importance of women's political participation, as well as information on mechanisms for addressing gender-based electoral violence. Such campaigns could include gender-sensitive messaging that demonstrates that male family members and respected leaders endorse and stand with women candidates.

To Civil Society:

- Train judges, police, and others, especially in the provinces, on how to adjudicate and investigate VAWE cases, and produce reference materials to support these efforts.

- Provide leadership trainings to women in politics that include a focus on building solidarity networks with other women leaders.
- Serve as watchdogs to monitor lawsuits and other election complaints filed around gender-specific election violations and publish results.
- Conduct gender-specific election observation, either independently or inclusive of larger observation missions, using internationally recognized checklists.
- Review existing laws related to cybercrimes, women sexual harassment and discrimination and Elections Act 2017 should be conducted by the parliamentarians, CSOs and ECP to address any lacunas and gaps that exists in both legislation and its implementation.
- Review the codes of conduct developed for political parties, observers, media, polling staff, polling agents and security personals to ensure that VAWE-related issues are adequately integrated.

To Political Parties:

- Develop and adopt political party codes of conduct and action plans that include a commitment to respecting women's rights to a safe and secure political environment, zero tolerance toward sexual harassment, and a rejection of utilization of gender-based hate speech and other forms of violence against women through social media platforms.
- Build awareness on the issue of VAWE within political parties through conducting policy dialogues and gender sensitization sessions for political parties, parliamentarians in collaboration with CSOs and national and provincial women commissions and women parliamentary caucuses
- Require gender sensitivity training courses for political party members, as well as reviews of relevant legal frameworks, such as the cybercrime laws, Protection from Harassment at the Workplace Act, and others.

Annexure 1: Sample Questions

Annexure 1A: Sample Question for Key Informant Interviews with Government Officials

Have you seen an increase in VAWE in recent years?

1. How often do you receive complaints on VAWE?
2. What are the primary forms of electoral violence women survivors have experienced in past 3-5 years?
3. What kind of people usually reports incidents of VAWE?
4. And who are the preparators usually (i.e., party leaders, co-workers, family members, etc.)?
5. How do you deal with such incidents? What is the departmental mechanism to deal with VAWE?
 - a. Is this different if the violence takes place online?
6. Have you ever received training on how to respond to these cases as part of your job?
7. Are there specific laws that prevent violence against women or gender-based violence? Are those laws actually implemented?
8. Have those laws ever been applied specifically to instances of violence against women in elections?
9. Are perpetrators convicted? How often? Do they actually face punishment?
10. What percentage of cases got resolved? Does perpetrator get punishment?
 - a. Why or why not?
11. In your opinion and experience, how do women from historically marginalized groups (example of types) experience VAWE differently?
12. Have you seen instances of men in politics experiencing violence?
 - a. What kinds of violence do you see/has been reported to you?
13. What specific steps are needed in your department or line of work to help support survivors of VAWE?
14. What specific steps are needed to improve reporting and prosecution of VAWE as part of your departmental operations/role?

Annex 1-B: KII Questionnaire for Female Politicians

1. When did you start getting involved in politics and the democratic space of Pakistan?
2. What have been some successes and challenges you've faced in your role as a politician?
3. When it comes to challenges and with the increased levels of women's political participation in Pakistan, do you see any direct connection or increase in prevalence with use of electoral violence specifically targeting women?
4. If you feel comfortable answering, what specific forms of electoral violence have you heard about targeting women who attempt to participate in formal political processes as candidates and activists?
5. If you feel comfortable answering, have you ever experienced harassment or violence (online or off) personally in your role as a politician?
 - Again, if you feel comfortable answering, can you describe the situation and what happened?
 - Who were the perpetrators?
6. Do you think you were targeted due to your political participation? Why or why not?
7. Do you think you were targeted due to you being a woman politician? Why or why not?
8. In your opinion, how do women from historically marginalized groups (example of types) experience VAW differently?
9. Do you think this type of attack happens to men too? Why or why not?
10. When men are attacked in this way, in your opinion, does it have the same impact as for women?
11. Do you know of any cases where a woman has brought a formal complaint to authorities about an act like this? (If yes, please get details).
 - Can you tell me about what happened?
 - how did the authorities respond?
 - Were the perpetrators punished?
12. Have you heard of/are you involved in any initiatives to address this issue (please describe)? What has been effective? Are there some approaches that have been tried and are unsuccessful?
13. Have you ever talked to male family, friends, or colleagues about the issue of VAW (either based on your personal experiences or as shared by female colleagues)? What is their reaction?
14. Do you believe that men can play an active role in addressing this issue? How?
15. In your opinion, what needs to happen to end this problem?
16. What do you feel you need, personally, to be better equipped to deal with such harassment and inappropriate behavior?

Is there anything else you would like to tell us about your experiences (with VAW or as a women politician)?

Annex 1-C: VAW Focus Group Discussion Questions

1. How do you participate in public life, politics, elections, or activism?
2. Do you know of women who have experienced harassment/violence as a result of their engagement in elections?
3. Can you describe their experience?
 - a. Are these insults/threats specific to your culture? What do they mean, and why are they hurtful?
4. Do you think the survivors were targeted due to their gender? Why or why not?
5. What would you say were the impacts of this?
6. On what platform did the incident initially take place?
7. In your opinion, what needs to happen to end this problem?

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