**Promoting Women and Girls Rights with focus on Merged Districts**

**Legal rights of women and girls in Khyber Pakhtunkhwa**

The constitution of Pakistan guarantee equality between men and women, same as the case of Khyber Pakhtunkhwa government legislation providing equality between men and women. The Khyber Pakhtunkhwa government has setup laws and acts for the rights of women and girls. Khyber Pakhtunkhwa government enhance equal opportunities in political, socio-economic and cultural conditions of women, and elimination of all forms of discrimination against women. After the 25th amendment constitution of Pakistan Tribal areas merged with Khyber Pakhtunkhwa. Merged districts become part of Khyber Pakhtunkhwa province, after this all the legislation of Khyber Pakhtunkhwa extend and implement at tribal areas. Now the women and girls of tribal districts have equal rights as the other of the province.

Khyber Pakhtunkhwa Commission on the status of Women Act As a prime oversight statutory recommendatory body focused on women’s rights, its address legal, political, economic and social discrimination against women in the public and private sectors through advocacy and outreach, policy planning, review and reform of laws, monitoring and research, in collaboration with civil society and government agencies.

The Khyber Pakhtunkhwa Enforcement of Women ownership Rights ACT of 2012, protect and secure the right of ownership of women in the property.

The Protection against Harassment of Women at Workplace Act was passed in the year 2010. The Act was amended and adopted by the Khyber Pakhtunkhwa Government in 2018. This Act provides for notification of an Inquiry Committee at all workplaces for probing and making recommendations in a reported case of harassment. It has been made imperative on all the government departments, semi-autonomous and autonomous institutions working within the jurisdiction of Khyber Pakhtunkhwa to notify these committees.

The Women Empowerment Policy of Khyber Pakhtunkhwa which was approved in year 2017, and is also mandated to look after various marginalized segments of population such as women and girls who are victims of violence, economically challenged. The women empowerment mandate of The Social Welfare, Special Education & Women Empowerment Department includes empowerment of women through establishment of institutions, referral mechanisms and autonomous bodies across the Province as well as supporting other departments working in this direction.

Khyber Pakhtunkhwa domestic violence against women (Prevention and Protection) Act 2021, protect women and girls from any kind of violence. The government form the district protection committee in every district of Khyber Pakhtunkhwa consisting of 10 members, including the district khateeb, a psychologist and a gynecologist. According to the law, the decisions of the district protection committee shall be taken by the majority of the members present. Every district protection committee shall submit a biannual report to the chairperson of provincial commission on the status of women, under this act free help line was establish to report any kind of problem to women.

**Social Welfare department of Khyber Pakhtunkhwa work for promoting women and girls rights**

The Social Welfare, Special Education & Women Empowerment Department (SWWED), Khyber Pakhtunkhwa started functions in public sector in the year 1959, and the Directorate of Social Welfare as sub-office of Local Government was established in 1971. The subject of women empowerment was transferred from Population Welfare to Social Welfare in 2001. The Department is custodian of Women Empowerment Policy of Khyber Pakhtunkhwa which was approved in year 2017, and is also mandated to look after various marginalized segments of population such as women and girls who are victims of violence, economically challenged, persons with disabilities, senior citizens, orphans and drug addicts. The women empowerment mandate of the Department includes empowerment of women through establishment of institutions, referral mechanisms and autonomous bodies across the Province as well as supporting other departments working in this direction. The measures undertaken by the SWWED range from enactments customized and adopted to the local needs, service provisions including institutional care, protection of the vulnerable groups, protection from violence by providing shelters, trainings and courses for starting micro initiatives, holding conferences and seminars, collection of data on various topics, and display and exhibitions of handicrafts and other items for encouragement and provision of platforms for starting small businesses.

**Women Empowerment Cell**

The Women Empowerment Cell of the Department was established in the year 2004 with the mandate to protect and promote women empowerment and gender mainstreaming agenda at the provincial level. The cell has two Gender Specialists, one Gender Analyst and three support staff members at the Secretariat level. The Department has a Deputy Director and a female Assistant Director at the Directorate level who work closely with Women Empowerment Cell.

Legislation for Protection against Harassment of Women at the Workplace The Protection against Harassment of Women at Workplace Act was passed in the year 2010. The Act was amended and adopted by the Khyber Pakhtunkhwa Government in 2018. Before this law, there was no mechanism in place in the province for reporting workplace harassment. Amongst other things the Act provides for notification of an Inquiry Committee at all workplaces for probing and making recommendations in a reported case of harassment. It has been made imperative on all the government departments, semi-autonomous and autonomous institutions working within the jurisdiction of Khyber Pakhtunkhwa to notify these committees. It also delineates the composition of such Committee, with a mandatory membership of at least one female officer or employee of the department, semi-autonomous and autonomous institute.

**Enforcement of Women’s Property Rights**

In order to guarantee protection to the rights of ownership and possession of properties by women, and to ensure that such rights are not violated by means of harassment, coercion, force or fraud and for other matters connected therewith, the government of Khyber Pakhtunkhwa enacted the Khyber Pakhtunkhwa Enforcement of Women’s Property Rights Act, 2019. Under the Act, a woman deprived of ownership or possession of her property by any means may file a complaint to the Ombudsperson if no proceedings in a court of law are pending regarding that property. However, the Ombudsperson, on its own motion or on a complaint filed by any person including a non-governmental organization, may also initiate action in relation to the ownership or possession of a woman’s property, if no proceedings are pending in a court in respect of that property. On conclusion of 108 complaints filed 44 cases in progress 14 cases decided 1100 notices issued for the formation of Inquiry Committees 11Report – September 2020 the proceedings, if the Ombudsperson finds that the complainant has been illegally deprived of ownership or possession of her property, s/he would direct the Deputy Commissioner or a state functionary or any private person to take steps so as to restore or confer possession or title of the property to the complainant, including measures to protect such title. The Ombudsperson may, where deemed fit, direct the officer-in-charge of a police station for such assistance as may be required for the purpose of implementing the orders.

**Khyber Pakhtunkhwa Commission on the Status of Women (Autonomous Body)**

The Khyber Pakhtunkhwa Commission on the Status of Women Act was passed in the year 2016 to replace a 2009 law on the same subject. The new law has been enacted to make the Khyber Pakhtunkhwa Commission on the Status of Women (KPCSW) – an autonomous statutory advisory body notified under the previous Act – more effective, and to increase the say of the Commission in future legislation and policymaking related to the status of women in the province. The changes made in the new law are related to 12Women Empowerment in Khyber Pakhtunkhwa composition of the commission as well as financial powers, which is aimed at giving financial autonomy to the commission.

**The Lissaail-i-Wal Mahroom Foundation (Autonomous Body)**

The Khyber Pakhtunkhwa Lissaail-i-Wal Mahroom Foundation Act, 2015 provides for the establishment of a foundation for the welfare of the indigent and dispossessed persons including widows and persons with disabilities in the Province of Khyber Pakhtunkhwa. The law provides for financial assistance for health, education, trainings, tools, equipment, shelters, and enterprises in line with the spirit of well-being of the people as envisaged in the Constitution of the Islamic Republic of Pakistan. The special needs of widows, who cannot meet their requirements for food, shelter, health, training, small business, education and permanent rehabilitation are particularly addressed by this law. Under the Act, the Government of Khyber Pakhtunkhwa has established a foundation known as the Khyber Pakhtunkhwa Lissaail-e-Wal Mahroom Foundation. The Act was amended in the year 2019 according to which there shall be a Managing Director of the Foundation, who shall be posted by the Government from amongst the Officers in BPS20 and above from PAS, PMS or PCS.

**Domestic Violence Bill (DVB)**

The Khyber Pakhtunkhwa Domestic Violence Bill, 2019 was introduced in the Provincial Assembly of Khyber Pakhtunkhwa in October 2019. Khyber Pakhtunkhwa domestic violence against women (Prevention and Protection) Act 2021, protect women and girls from any kind of violence. The government form the district protection committee in every district of Khyber Pakhtunkhwa consisting of 10 members, including the district khateeb, a psychologist and a gynecologist. According to the law, the decisions of the district protection committee shall be taken by the majority of the members present. Every district protection committee shall submit a biannual report to the chairperson of provincial commission on the status of women, under this act free help line was establish to report any kind of problem to women.

**Child Marriage Restraint Bill (CMRB)**

The Department has finalized the draft of the Khyber Pakhtunkhwa Child Marriage Restraint Bill, 2020 to replace the colonial-era Child Marriage Restraint Act, 1929. The proposed Bill has been designed to address the most controversial issue related to the minimum age of marriage for a female. A working group, organized by the Khyber Pakhtunkhwa Child Protection and Welfare Commission of the Social Welfare Department, deliberated the problems associated with child marriages, and concluded that the permissible age for marriage for both female and male should be 18 years. The proposed bill has assigned punishment of up to three years imprisonment and a fine worth PKR 45,000 imposed on those who are involved in this offence. The offence, as per the proposed CMRB, will be regarded as a non-bailable, non-compoundable and cognizable offence, and courts should conclude the trial within 90 days. The nikah registrar will also be required to examine and verify the computerized national identity card of both the groom and the bride to provide the marriage registration documents. The department is closely working with Women Parliamentary Caucus (WPC) and UN Women for advocacy on this bill.

**Acid and Burn Prevention and Rehabilitation Bill**

The Social Welfare and Women Empowerment Department is also making stringent efforts for the enactment of the Khyber Pakhtunkhwa Burn Prevention and Rehabilitation Bill, 2019. The law would result in ensuring adequate medical, legal and rehabilitation services for burn victims, and enhancing the transparency and accountability of elected representatives. The bill has been drafted and a consultative meeting was held with parliamentarians, relevant government departments and civil society.

**Industrial Training Centers (ITCs)**

For the economic empowerment of women, the Department has established ITCs under Revenue fund at every district Khyber Pakhtunkhwa. In these centers, local women receive free training courses on various income-generating skills including embroidery, sewing, knitting and stitching.

**Women Empowerment Policy (WEP) 2017**

The Khyber Pakhtunkhwa Women Empowerment Policy was formulated in 2014 and was reviewed in 2017, and unanimously passed in the same year by the Provincial Assembly of Khyber Pakhtunkhwa. The WEP focuses on social inclusion, political participation and empowerment, access to justice, and economic empowerment of women. The implementation and monitoring of the WEP is the responsibility of the SWWED. However, the policy cuts across the mandate of many departments, therefore, the implementation responsibility is shared among all concerned stakeholders under a systematic arrangement. The objectives of the WEP is to create conducive socio-cultural, economic, political and legal environment to allow women to practice their fundamental rights and participate fully in all spheres of public and private life; to effectively mainstream women empowerment policy into sectoral policies, strategic planning, structures, processes, projects, human and financial resource allocation, performance monitoring, reporting and decision making at all levels; building and strengthening stakeholders' participation and partnership for women empowerment; and strengthening monitoring, evaluation, audit and data system and reporting.

**Women Empowerment in Merged Districts (MDs)**

Under the umbrella of signed MOU between SWWED and UN Women n 2019, both institutions are working together for formulating strategies and interventions focusing on merged districts aiming for protection and economic development of women. A Technical Working Group (TWG) was notified under the chair of Secretary SWWED and membership from various important and relevant stakeholders including but not limited to NADRA, KPCSW, Local Government, Bureau of Statistics and Pakistan Baitul Maal. The purpose of the TWG was to oversee the CNICs registration. Under this intervention 10,000 women from NMDs have been facilitated to get CNICs and 4000 connected with social protection services. Moreover, trainings on gender mainstreaming were organized and were attended by 71 government officials from merged districts and provincial departments. SWWED district offices at NMDs also supported UN Women’s Gender Profiling study of the merged districts aimed at analyzing the area with the gender lens, identify gender equality gaps and provide the policy and programme planners clear findings and recommendations for the future course. A mapping of the available social services for women in the merged districts was also carried out. This mapping will help enhance the beneficiary base of the department in the merged districts. Following the mapping, awareness sessions were conducted with women and girls in the merged districts on the available services and linked with the Zakat funds of SWWED. The district support to SWWED also identified and profiled 70 gender influencers from the merged districts who can be trained to become effective change agents and influence the rigid cultural and tribal traditions obstructing gender equality in the merged districts.

**SWWED as Lead Institution for Protection Working Group KP**

The Provincial Disaster Management Authority KP designated the Department of Social Welfare and Women Empowerment as lead institution for Protection Working Group. The department facilitates the working group meetings and takes lead in all protection relevant interventions in collaboration with relevant UN agencies.

**Psychosocial Support**

SWWED, with support of UN Women, deployed two female psychologists in women crisis centers who provided psychosocial counselling to women survivors of violence during the present times of crisis. The psychologists supported women to cope with the problems in their personal lives as well as the stress that had been created by the pandemic. In order to deal with the mental health challenges of affected women, the staff of the crisis centers have also been trained in psychosocial health. Regular group and individual psychosocial support counselling sessions were conducted for GBV survivors/residents of DuAs.

**Hygiene kits**

Hygiene kits were provided to women residents of the shelters as part of the COVID-19 response. So far 15,795 hygiene kits have been distributed in the Merged Districts. Hygiene awareness sessions have also been conducted with women in MDs.

**Preparations of PPEs**

In response to the COVID-19 pandemic, 3685 PPEs and more than 61,000 masks were prepared by women in skill development centers. These women were trained for making masks and PPEs for two months. These PPEs and masks were distributed free-of-cost to hospitals and government offices

**Food Packages**

The crisis has resulted in limited employment and earning opportunities thus impacting economic stability of the daily wage workers and other informal workers including women. The Department of Social Welfare and Women Empowerment distributed food packages among the daily-wage workers and deserving families.

**Activation of Helpline**

Due to upsurge in the cases of gender-based violence, the BOLO Helpline was activated for women in distress. The helpline provides support to GBV survivors through emergency response and referrals to relevant services. Six staff members were hired for the helpline during COVID-19 lockdown with support of UNFPA.