

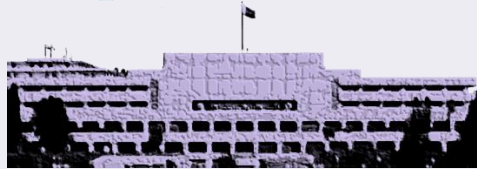
ASSESSMENT

OF

PARLIAMENTARY RESPONSIVENESS TO GENDER AND INCLUSION ISSUES



FAFEN



25A. Equality of citizens

25. (1) All citizens are equal before law and are entitled to equal protection of law.
- (2) There shall be no discrimination on the basis of sex^{1*}.
- (3) Nothing in this Article shall prevent the State from making any special provision for the protection of women and children.

38. Promotion of social and economic well being of the people

38. The State shall—
- (a) secure the well-being of the people, irrespective of sex, caste, creed or race, by raising their standard of living, by preventing the concentration of wealth and means of production and distribution in the hands of a few to the detriment of general interest and by ensuring equitable adjustment of rights between employers and employees, and landlords and tenants;
- (b) provide for all citizens, within the available resources of the country, facilities for work and adequate livelihood with reasonable rest and leisure;

THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN

34. Full participation of women in national life

34. Steps shall be taken to ensure full participation of women in all spheres of national life.

EXECUTIVE SUMMARY

The “Assessment of Parliamentary Gender Responsiveness” report by the Free and Fair Election Network (FAFEN) evaluates the National Assembly proceedings from July to December 2024, analyzing legislative debates, government’s responses, and institutional practices through a gender and inclusion perspective. This analysis aligns with constitutional guarantees and directions of non-discrimination, affirmative action for women, and promotion of economic and social well-being of the people. The report highlights the proactive engagement of lawmakers, particularly women, in addressing critical challenges faced by marginalized groups, including women, religious minorities, persons with disabilities (PWDs), and transgender persons. However, it underscores underlying gaps and missed opportunities in translating political discourse on the gender and inclusion issues into tangible actions. The findings of the assessment and the recommendations are categorized under five key themes including the safety and security; political representation; economic empowerment; social uplift; and institutionalization of parliamentary response to gender and inclusion issues.

Under the safety and security theme, the lawmakers persistently raised concerns about rising GBV, including sexual assaults, trafficking, and domestic abuse. Legislative proposals to criminalize acid attacks and enhance victim protections were introduced but remain pending in committees. The government committed to running targeted campaigns against GBV and pledged inter-provincial coordination on trafficking. However, the discussions were more of a reaction to isolated incidents and lacked a

METHODOLOGY and SCOPE of the Report

This report examines the National Assembly proceedings from gender and inclusion perspective as universally agreed as well as described in the Articles 25, 34 and 38 of the Constitution of Pakistan. The current analysis covers the proceedings from the 7th to the 11th sessions, that commenced between July 2024 and December 2024.

This assessment involves observing and documenting:

Women-specific issues raised or discussed during the proceedings;	Commitments made by the government concerning women;
Opportunities provided to and challenges faced by the women lawmakers; and	Recommendations made by the Assembly concerning women;

For the purpose of this assessment, FAFEN relies on the official records of the National Assembly proceedings available on its website (www.na.gov.pk).

proactive approach towards scrutinizing and addressing the causes that perpetuate the GBV and other issues facing women. Highlighting the administrative measures is necessary as far enforcement of the existing laws go, but prevention of such crimes requires a holistic approach.

The discussions under the political representation theme largely revolved around electoral and political disputes. Lawmakers pointed out the challenges to women's representation in legislature and hurdles to their participation in political activities. Due to unresolved electoral controversies and judicial scrutiny, as many as 19 (32 percent) seats reserved for women and three (30 percent) for religious minorities in the National Assembly remain vacant. Opposition benches regularly raised allegations of harassment against PTI's women workers, which the government dismissed. These issues were raised through points of order that did not require a formal response from the government. Raising them through formal agenda interventions and articulating the concerns in a bipartisan manner would have elicited focused attention to such critical issues.

Under the economic empowerment theme, the lawmakers flagged the issues concerning the social protection measures like Benazir Income Support Programme (BISP) and Pakistan Bait-ul-Mal initiatives, exploitative wages in informal sectors, and challenges facing women in exercising their inheritance rights. The government highlighted BISP reforms, including biometric verification and partnerships with banks for smooth disbursements of aid to beneficiaries, and measures it was taking to implement inheritance-related legislation including changes to the law and simplified process for acquiring succession certificates. While the lawmakers highlighted the concerns of economically weaker segments of society and working women, significant progress towards economic empowerment of women would require assessing the labour laws from a gender perspective and ensuring compliance with the special protections in these laws for women.

The social uplift theme covers the representation of gender concerns in the exercise of fundamental and legal rights including right to education, minimum age of marriage, and access to public places. In this area, lawmakers proposed bills to set a minimum marriageable age, protect minority rights, and ensure PWD accessibility. The government did not oppose the proposed private members' legislation under this theme during the first reading stage. Also, it outlined the measures it was taking to improve girls school enrolment and PWDs accessibility. In order to assess the disproportionate impact of any issue or action on marginalized segments, the lawmakers, particularly women, should stress upon the government to provide information disaggregated by gender, religion and other special groups, whenever applicable, during the Question Hour and debates in the House.

The theme of institutionalized parliamentary response documents the lawmakers' contributions and the government's commitments to institute formal mechanisms to take up gender and inclusion concerns. The section also covers instances of misogynistic and stereotypical representations during the House discussions. The lawmakers highlighted challenges to functioning of Special Committee on Gender Mainstreaming and Women Parliamentary Caucus as well as proposed amendments to the Assembly's Rules of Procedure for explicitly prohibiting "sexist indecent, and derogatory" language during the House proceedings. The parliamentary response to gender and inclusion concerns was generally encouraging, yet gaps persisted in the institutionalization of this response. For instances, the National Assembly constituted multiple committees and passed laws that provided for establishment of decision-making forums within educational and other governance institutions. However, the concern for ensuring representation of women and marginalized groups provisions in such forums did not come under discussion.

To further strengthen representation of concerns and interests of marginalized groups, the report urges the National Assembly to consider the following recommendations:

ABOUT FAFEN

Free and Fair Election Network (FAFEN) is the network of 20 civil society networks dedicated to strengthening democracy through observation and oversight of the electoral parliamentary and governance processes. FAFEN has been observing the plenary proceeding of the federal Parliament and Provincial Assemblies since 2010. FAFEN's reports based on this observation contributed to and increased transparency and enhanced public participation in the parliamentary proceedings. FAFEN has also been issuing an annual report on the performance of the women parliamentarians. Building on these initiatives, FAFEN conducted the current assessment of the National Assembly proceedings from a gender and inclusion perspective.

Structured and Institutional Approach towards Representation of Women and Marginalized Groups:

The Assembly should further bolster the facilitation and support to the existing institutional forums such as the Standing Committee on Human Rights, Women Parliamentary Caucus and Special Committee on Gender Mainstreaming for their optimal functioning. These forums should be provided the best technical and human resources for proactive functioning and to move beyond reactive mode to isolated incidents. Moreover, there's a need to clearly delineate the roles and functions of these forums to avoid any duplication of efforts and bureaucratic frictions.

Mandatory Gender Impact Statements for Legislative Proposals:

The individual lawmakers as well as the parliamentary leadership may consider incorporating provisions in the National Assembly Rules of Procedure and Conduct of Business 2007 for mandating gender impact assessments along with all legislative proposals. In a similar practice, the federal government already provides a Gender Budget Statement with the annual budgetary proposals. Such gender impact assessments must assess a bill's alignment with constitutional Articles 25, 34, 36 and evaluate potential impacts on women, minorities, PWDs, and transgender persons. Relevant standing committees should review these analyses and recommend amendments to mitigate unintended discrimination before bills proceed.

Prioritize Long-Pending Legislative Proposals on Gender and Inclusion: There are a number of progressive legislations regarding women, PWDs, transgender persons and religious minorities that have been brought forward during successive terms of the National Assembly and has had broader support across major parties. All such legislative business should be identified and prioritized. A forum like WPC or Special Committee on Gender Mainstreaming should take ownership of such business build cross-chamber and cross-party consensus on moving them forward. Moreover, women lawmakers should, particularly, stress on providing gender disaggregated information, wherever applicable, during the Question Hour and discussions in the House

Periodic Reviews on Implementation of Laws Concerning Marginalized Groups: Women Parliamentary Caucus and Special Committee on Gender Mainstreaming should be empowered to conduct periodic reviews of implementation on gender- and inclusion-focused laws. For a starter, the list of laws for review may include penal provisions concerning violent crimes against women and marginalized such as rape, child sexual abuse, honor killing, harassment, the Enforcement of Women Property Rights Act 2020, Protection against Harassment of Workplace Act, 2010, gender-related provisions of labour laws including the Factories Act, Shops and Establishment Act, and inclusion-related provision in the Elections Act, 2017.

Ensuring Constitutionally-mandated Representation: Resolving the constitutional crisis over vacant reserved seats remains the paramount issue for improving women and minorities representation in the incumbent legislatures. The Election Commission must take steps to ensure the representation of women and minorities instead of keeping it hostage to electoral and institutional disputes.

FINDINGS OF THE ASSESSMENT

The National Assembly's proceedings reflected a proactive engagement by the lawmakers, particularly women, with critical issues affecting women and marginalized communities. However, the representation of issues facing these segments of the society remained largely reactive, focusing on isolated incidents reported in the media instead of a well-thought out approach to addressing the systemic issues. Lawmakers from both sides of the aisle raised concerns on various matters, including, among others, women's political representation, socio-economic disparities, and gender-based violence. This assessment identifies key themes from these discussions, examines the government's responses, and outlines areas where further action is needed.

1. Safety and Security

a. Representation of Issues and Concerns by Lawmakers

Women legislators persistently raised concerns during the House proceedings about the alarming rise in gender-based violence (GBV), including sexual assault, domestic abuse, and human trafficking. Their interventions took multiple forms including Question Hour, points of order and legislative proposals. As many as five lawmakers asked questions demanding statistics on crimes against women and transgender persons, specifically citing rape, gender trafficking, and domestic violence. Moreover, two lawmakers introduced the legislative proposals that sought to criminalize acid attacks and burn-related violence, proposing enhanced legal protections for victims within the Islamabad Capital Territory (ICT).

Legislative Efforts to Counter GBV

#	Mover	Title of Bill	Current Status
1	Dr. Mehreen Razzaq Bhutto, PPP	Acid and Burn Crime Bill, 2024	Referred to Standing Committee for Review and Recommendations
2	Sharmila Sahiba Faruqui Hashaam, PPP	The Corrosive Substances Assault (Prevention and Protection) Bill, 2024	Referred to Standing Committee for Review and Recommendations

As many as six lawmakers utilized parliamentary tools like points of order to highlight hurdles in addressing workplace and public harassment. Lawmakers also urged the government to ensure the implementation on the existing laws made for protection of women against violent crimes.

b. Government's Response

In response to the legislator's interventions, the government announced that it would launch a targeted campaign in ICT to combat violence against women and children. The Federal Ministry for Human Rights assured collaboration with provincial authorities and committed to prioritizing the issue of human and gender trafficking in the next Inter-Provincial Coordination meeting.

c. Strengthening Representation and Response

Legislators and the House should take steps that are beyond just reactive measures to isolated incidents. Parliamentary bodies overseeing rights and inclusion issues including the Women Parliamentary Caucus, the Standing Committee on Human Rights, and the Gender Mainstreaming Committee should require quarterly progress reports from law enforcement institutions on GBV cases. Additionally, long-pending bills such as the Domestic Violence Bill should be expedited to close legislative loopholes and strengthen victim protections.

2. Political Representation and Participation

a. Representation of Issues and Concerns by Lawmakers

Challenges to women's and religious minorities' political representation and participation in political processes were a recurring theme during the National Assembly proceedings. The lawmakers from both treasury and opposition benches brought up these concerns during the discussions on the controversies relating to the conduct of General Election 2024 and delays in filling the vacant women and non-Muslim seats in the Parliament and Provincial Assemblies. Currently, 66 seats reserved for women – 19 in the National Assembly, two in the Senate, 24 in the Punjab Assembly, and 21 in the Khyber Pakhtunkhwa Assembly – and 10 seats reserved for non-Muslims – three each in the National Assembly and the Punjab Assembly, and four in the Khyber Pakhtunkhwa Assembly – are vacant. These seats have been vacant for more than a year now.

Linked to electoral controversies was the issue of alleged harassment of women members of Pakistan Tehreek-e-Insaf (PTI) by the government authorities. Sunni Ittehad Council (SIC) lawmakers frequently raised this issue in the House. During their submissions on the treatment of PTI's leadership and workers, they underscored the importance of women's political participation.

b. Government's Response

All these concerns on political representation and participation were primarily raised through points of order, which do not require a formal government response. Treasury members, particularly from PML-N and PPP, countered these allegations by citing instances of similar treatment of their own political workers under the previous PTI government. On the issue of vacant reserved seats, the government enacted an amendment to the Elections Act 2017, changing the legal provisions concerning the parties' entitlement for these seats. However, the implementation on the law remains pending due to a conflicting Supreme Court's judgement.

c. Strengthening Representation and Response

The prolonged disruption in women and minorities' representation undermines constitutional and democratic principles. The Parliament, Election Commission and Judiciary should look for ways to ensure women's representation. Moreover, given the seriousness of these issues, it is imperative that such issues are brought to the Assembly's agenda through formal parliamentary interjections rather than informal discussions.

3. Economic Empowerment

a. Representation of Issues and Concerns by Lawmakers

Lawmakers from both genders raised issues concerning women's economic rights during the House proceedings. As many as five members used Question Hour to seek facts and clarity regarding concerns on inefficiencies in the Benazir Income Support Programme (BISP), including delayed fund disbursements, outdated surveys, and potential exclusion of eligible beneficiaries. They also asked about the measures to streamline BISP disbursements and expedite support for widows and low-income women. Separately, a lawmaker, on a point of order, drew the government's attention to the exploitative wages in the home-based industries including bangle industry, carpet-weaving and garment production.

On employment equity, a lawmaker inquired about job quotas for women in police. Also, lawmakers used CANs to highlight the challenges faced nursing education due to operational limitations of Pakistan Nursing and Midwifery Council.

As many as two female legislators also pointed out the challenges facing women in their inheritance rights, particularly non-implementation of court orders granting women their rightful inheritance shares. A MQM lawmaker proposed amendments to the Pakistan Penal Code and Code of Criminal Procedure. The bill sought legal provisions for ensuring compliance with court decree regarding inheritance shares of women within 120 days with penalties of imprisonment or fines for non-compliance.

Legislative Efforts for Women's Economic Rights

#	Mover	Title of Bill	Current Status
1	Sofia Saeed Shah, MQM	Criminal Laws (Amendment) Bill, 2024	Referred to Standing Committee for Review and Recommendations

b. Government's Response

In response to the lawmakers' queries and concerns, the government outlined its performance on the subject of women empowerment. They highlighted the measures that have been taken to improve efficiency of the social protection programs including Benazir Income Support Programme (BISP) and Pakistan Bait-ul-Mal initiatives, including the onboarding of six partner banks to streamline fund disbursement, biometric verification for transparency, enhanced grievance redressal through dedicated call centers, fresh surveys to identify new program beneficiaries in underserved regions.

On the employment equity in police, the minister concerned confirmed adherence to the government-mandated 10 percent quota for women in recruitment in Islamabad Police. For nursing professionals, the government acknowledged delays in accreditation and committed to expediting approvals once the Pakistan Nursing and Midwifery Council's accreditation committee is operational. The government also shared plans to establish hostels for nurses. The government acknowledged the need for broader debate on issues like wage disparities in the home-based industries and encouraged the Women Parliamentary Caucus (WPC) to take up the issue.

Responding to the lawmakers' concerns on women's inheritance rights, the government shared that that succession certificates can be obtained directly through NADRA without any court intervention. The responding minister also proposed a special committee to take up such issues. Additionally, the government endorsed the proposed private member's bill the Criminal Laws (Amendment) Bill, 2024 for swift implementation on court decrees concerning women's inheritance rights, which was referred to the standing committee concerned for alignment with a similar draft already submitted to the Cabinet.

c. Strengthening Representation and Response

Despite having over 100 federal and provincial laws that directly or indirectly focus on the subject of labour and include several progressive provisions, the Global Gender Index report highlights significant gender disparities in economic participation in Pakistan. Although the subject was devolved to the provinces through the 18th constitutional amendment, the cumbersome legal framework and a lack of political will keeps the situation from improving. In the past, Free and Fair Election Network (FAFEN) proposed reforms to address these disparities. To effectively tackle this issue, Parliament should establish minimum national standards for labor legislation. These standards should cover terms of service, employment conditions, social security, occupational safety and health, and industrial relations, ensuring uniform protections for all workers in both the formal and informal sectors across the country.

4. Social Uplift

a. Representation of Issues and Concerns by Lawmakers

Lawmakers kept a close vigil on the government's efforts to uphold fundamental as well as legal rights, particularly emphasizing the challenges faced by women, religious minorities, and persons with disabilities. As many as three lawmakers spearheaded legislative interventions to address gaps in legal protections, proposing bills to establish a minimum marriageable age within the Islamabad Capital Territory (ICT) and amend the Christian Marriage Act to align with international standards on child rights.

Concurrently, lawmakers representing religious minorities advocated for institutional reforms including the creation of a National Commission for Minorities to safeguard their constitutional rights. Members from minority communities raised concerns about the exclusion of minority lawmakers from development fund allocations. A lawmaker also sought information about graveyards sites for religious minorities in Islamabad. They also proposed legislation to ensure representation of women and religious minorities in the National Commission on the Rights of the Child.

Legislators also highlighted barriers to women's civil rights, including the disproportionate under-registration of women with NADRA, hurdles in Nikkah registration, and high dropout rates among girls due to inadequate educational infrastructure. Questions were raised about the federal government's commitment to addressing out-of-school children and the efficacy of initiatives like the women-only pink bus service in Islamabad. On the subject of health, three lawmakers criticized taxes on contraceptives and the Saudi government's restrictions barring pregnant women from performing Hajj, while demanding stronger federal programs focusing on women health.

The House unanimously adopted a resolution on PWDs' empowerment, urging comprehensive reforms to ensure accessibility, inclusive education, and employment opportunities.

Legislative Efforts to Promote and Protect Constitutional and Legal Rights

#	Mover	Title of Bill	Current Status
1	Sehar Kamran, PPP	Child Marriage Restraint (Amendment) Bill, 2024	Referred to Standing Committee for Review and Recommendations
2	Naveed Aamir, PPP	The National Commission for Minorities Bill, 2024	Referred to Standing Committee for Review and Recommendations
3	Naveed Aamir, PPP	The Christian Marriage (Amendment) Bill, 2024	Passed
4	Naveed Aamir, PPP	The National Commission on The Rights of Child (Amendment) Bill, 2024	Referred to Standing Committee for Review and Recommendations
5	Sharmila Sahiba Faruqi Hashaam, PPP	The Islamabad Capital Territory Child Marriage Restraint Bill, 2024	Referred to Standing Committee for Review and Recommendations

b. Government's Response

The government did not oppose the legislation by the private lawmakers on issues of human rights. Resultantly, three of these bills were introduced and sent to the relevant standing committees for review, while one bill was passed. In responding to the discussions highlighting systemic barriers facing women's empowerment, the minister concerned outlined interventions such as awareness campaigns for greater school enrolments, pink bus service for female commuters,

scholarships increase, and community engagement. The government also presented statistics on NADRA's citizen registration, and marriage registration, while reaffirming its commitment to ensure gender parity in these areas. On the resolution concerning PWDs empowerment, the government assured the lawmakers that the government was taking strong measures to ensure rights of the PWDs that also include an accessibility audit of National Assembly Secretariat.

c. Strengthening Representation and Response

To further strengthen the representation, the lawmakers should proactively follow up with the laws that have been referred to the committees to ensure they progress to consideration and passage stages. Moreover, the standing committees concerned should be engaged for a systematic and periodic reviews of shortfalls and gaps in ensuring universal access to basic rights and needs including health and education. The private members and the federal government should also consider replicating the positive example adopted in the Punjab province by enacting a legislation titled the Punjab Fair Representation of Women Act, 2014 for mandatory representation of women in the boards of public institutions and other decision-making forums. Moreover, lawmakers, particularly women, should stress upon providing disaggregation of information by gender, religion and special needs groups, wherever applicable to assess the disproportionate impact of any issue on marginalized segments.

5. Institutionalization of Parliamentary Response to Gender and Inclusion Needs

a. Representation of Issues and Concerns by Lawmakers

In addition to raising the constituent's issues, the lawmakers also discussed the gender-based challenges within parliamentary culture and institutional frameworks. They debated the continuous usage of insensitive and sexist language in politics in general and inside legislatures in particular. In this regard, a female lawmaker from PPP proposed an amendment to the National Assembly's Rules of Procedure for outlawing the use of sexist, indecent and derogatory remarks during the House proceedings.

Moreover, the lawmakers also discussed the delays in operationalization of the Parliamentary Gender Mainstreaming Committee. The Committee has representation from both the Senate and the National Assembly. A lawmaker also suggested to constitute a Standing Committee of the National Assembly on the Status of Women so that the delays due to Senate's involvement can be avoided. However, Women Parliamentary Caucus took exception to the proposal saying it would be equivalent to replacing WPC.

Another female lawmaker from the PPP criticized a male lawmaker for inappropriate remarks about clothing of a woman attendee of a standing committee meeting. It was also highlighted that the daycare facilities of the National Assembly need to be upgraded to better accommodate employees. The representation of women and minorities in the Judicial Commission was hailed as a testament to growing commitment to affirmative measures for ensuring representation of marginalized communities at decision-making fora.

b. Government's Response

The government was supportive of the proposals to strengthen the institutional mechanisms for considering gender and inclusion concerns. With the treasury's support, the amendment to the rules of procedure for explicitly prohibiting sexist remarks was referred to the committee concerned for review and recommendations. Ministers, on more than one occasion, expressed their support to Women Parliamentary Caucus encouraging it to take up challenges facing women in social, economic and legal spheres. On the concerns on

WORDS THAT WOUND

FAFEN documented multiple instances of legislators employing language that undermined gender equality and parliamentary decorum:

- ▶ A male lawmaker from MQM drew a parallel between a woman's "marriageable age" and the political career of a leader, stating that politicians have an age limit just as girls have a certain age bracket after which marriage proposals stop coming. Such seemingly harmless remarks reinforce the stereotypical association of women with marriageability.
- ▶ A male legislator from SIC attempted to silence a critical female colleague by invoking patriarchal norms, suggesting her upbringing should have discouraged her from being vocal and loud in front of men.
- ▶ A PPP lawmaker rebuked a male colleague labeling the latter's conversation with female colleagues a "bad habit."
- ▶ A male legislator from PML-N mocked a female PTI leader during a discussion about her party's protest rally in Islamabad. Sarcastically, he questioned how she could be considered a 'mother' to party supporters who were much older than her.
- ▶ A female lawmaker from SIC derogatorily referred to the Chief Minister of Punjab as the "*Tiktok Minister*".

delays in operationalization of Special Committee on Gender Mainstreaming, the responding minister urged the House Chair to take up the issue with the Senate for expediting the formation of the committee. The government also took pride in having instituted the representation of women and religious minorities in the Judicial Commission through the 26th constitutional amendment.

c. Strengthening the Representation and Response

To institutionalize the parliamentary response towards gender and inclusion issues, the lawmakers and the parliamentary leadership should consider a comprehensive gender review of the Assembly's rules of procedure and conduct of business in collaboration with the wider society through public hearings on the subject. Moreover, the National Assembly currently has multiple forums addressing gender issues including Standing Committee on Human Rights, Women Parliamentary Caucus and Special Committee on Gender Mainstreaming. The overlapping mandates of these forums may lead to jurisdictional conflicts and reduced effectiveness. It is essential to clearly delineate their roles and functions to ensure that they work in a coherent and coordinated way. Women lawmakers should, particularly, stress on providing gender disaggregated information, wherever applicable, during the Question Hour and discussions in the House.