



**CONSULTATIVE WORKSHOP
ON
STRENGTHENING GBV JUSTICE REGIME
12 March 2022**

Khyber Pakhtunkhwa Judicial Academy & UN Women Khyber Pakhtunkhwa

Background

In November 2019 the National Judicial Policy Making Committee (“**NJPMC**”) directed all provincial High Courts to establish special Gender Based Violence Courts in an effort to provide speedy justice to victims of SGBV on priority basis in gender-sensitive manner. The operationalization of special procedures such as GBV courts are aimed at alleviating the challenges and problems victims face in an effort to obtain justice. These challenges represent not only legal problems, but also the social, structural and systemic issues that women and girls confront daily. The GBV Courts are now operational across Pakistan.¹

Further, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President was pleased to make and promulgate the Anti-Rape (Investigation and Trial) Ordinance 2020 (**the Ordinance**). The Section 3 of the Ordinance required that the President, in consultation with the Chief Justice of Pakistan, shall establish as many Special Courts throughout the country, as he may deem necessary, to try the scheduled offences, i.e. sexual offences against women and children. This Ordinance has been lapsed after completion of its constitutional period.

More recently, on December 01, 2021, the Parliament has enacted the Anti-Rape (Investigation and Trial) Act, 2021 (“**the Act**”) to ensure expeditious redressal of rape and sexual abuse crimes in respect of women and children through special investigation teams and special courts providing for efficacious procedures. The Act, inter alia, under section 3 requires establishment of special courts. The Act also provides that Provided that where gender based violence (GBV) courts or juvenile courts or child protection courts have already been designated, they shall be deemed to be the Special Courts under this Act. Thus the scope of GBV courts, originally designated under the decision of NJPMC, have been enhanced through statutory provision.

UN Women is aiming to hold a consultative dialogue with Justice Sector stakeholders along with GBV Courts’ Judges and Prosecutors jointly with KP Judicial Academy to highlight the experiences, lessons learned, challenges and remedial measures around GBV courts and the Special Courts established under the Anti-Rape (Investigation and Trial) Act, 2021, which also includes the Juvenile Courts and Child Protection Courts. The event will happen in the 8th of March, i.e. International Women Day 2022.

¹ [Gender-based violence courts in Pakistan \(nation.com.pk\)](https://nation.com.pk)

Scarcity of resources, conflicts, and displacement as a result of environmental degradation exacerbate existing inequalities. Gender-based violence is frequently used in these situations to reinforce privileges and control over resources. These effects are exacerbated by climate change². Climate change has a significant impact on Gender Based Violence, according to the IWD theme 2022 "**Changing Climate; Gender Equality Today for a Sustainable Tomorrow**". Though entire populations are affected by climate change, **women and girls suffer the most**. Due to their traditional roles, women have faced heightened real-life challenges specially being vulnerable to different forms of sexual and gender-based violence (SGBV). They suffer from a lack of protection, privacy, and mental trauma. Women are exposed to SGBV due to weak or absence of social, economic, political security and the culture of widespread impunity to the perpetrators. There is double victimization of women both as human beings and because of their gender.³

Theme of the Event



Discussions

1. Sharing of knowledge and lessons of best practices to adopt in working of GBV courts.
2. Understand the limitations of GBV Courts and the challenges women survivors face in receiving timely and gender responsive justice.
3. Recommendations for corrective actions to strengthen the capacity of GBV courts to provide survivors with high-quality support and justice and how to incorporate national and international best practices in court procedures and functioning.

² [Gender-based violence and the environment | IUCN](#)

³ [epl_2021_51-3_epl-51-3-epl210055_epl-51-epl210055.pdf \(un.org\)](#)



Expected Outcomes

1. Enhanced understanding of all relevant stakeholders on key issues and barriers that hamper dispensation of justice to survivors of gender-based violence.
2. Recommendations and envisaged solutions to enhance procedures that promote speedy and effective court trial and gender responsive justice for women.
3. Active participation of justice sector stakeholders for enhancing people centric access and dispensation to justice.

Proposed Chief Guest: Chief Justice of High Court -Khyber Pakhtunkhwa

Participants:

1. DG KPJA (Host)
2. Registrar Khyber Pakhtunkhwa High Court (or nominee)
3. Advocate General KP (or nominee)
4. Prosecutor General KP (or nominee)
5. Chairperson, KP Commission on Status of Women
6. Ombudsperson KP for Protection Against Harassment of Women at the Workplace
7. Director (KP Regional Office) of Ministry of Human Rights
8. Representative of KP Human Rights Department
9. Representative of KP Social Welfare Department
10. 06 Presiding Officers of Special Courts notified under the Anti-Rape (Investigation and Trial Act), 2021 which includes (GBV Courts/ Child Protection Courts/ Juvenile Courts)
11. 06 Prosecutors of Special Courts mentioned supra.
12. 03 Investigation Officers, at least one of them shall be ASP/DSP
13. 02 Probation Officers
14. 03 Female lawyers from KP
15. 03 Representatives Civil Society from Peshawar (Aurat Foundation, Blue Veins, Group Development Pakistan,)

Responsibilities of KPJA	Responsibilities of UN Women
<ol style="list-style-type: none"> 1. Guest Invitations and ensuring participation from KP 2. Registration Desk Management 	<ol style="list-style-type: none"> a. Logistic arrangements b. Printing of Material (Banner/Standees) c. Press Release/social media d. Moderation (Consultant)



Consultation Date:
12 March 2022



Location/ Venue:

KP Judicial Academy

Time: 10:00 Hours to 15:30 Hours

Modality: In Person

Expected No. of Participants: 35-40

CONSULTATION WORKSHOP AGENDA

Strengthening GBV Justice Regime

Moderated by UN Women/KPJA Personnel

10:00am – 03:30 pm

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		Registration	KPJA Administration
1	09:45 am		
2	10:00 am	Recitation of Holy Quran	KPJA Administration
3	10:05 am	National Anthem	KPJA Administration
4	10:10 am	Welcome Address	by Hon'ble DG KPJA
5	10:25 am	Key Note Address	By the Chief Guest
6	10:40 am	Overview of UN Women Access to Justice Programming in Pakistan	UN Women
7	11:30 am	Countering the Gender Based Violence- Legislative Development	Consultant UN Women
8	11:30 am to 12:00 noon	Tea Break	
9	12:00 to 01:00 pm	Importance of GBV courts, facts and figures, Experience sharing /lessons learned in light of the cases in GBV courts	Whole Group Discussion moderated by the Consultant
10	01:00 to 01:45	Lunch / Prayer Break	
11	01:45 to 02:30 pm	Identification of challenges Recommendations and transformative actions	Group Work facilitated by the Consultant
12	02:30 to 03:00 pm	Presentation of recommendations	Whole Group moderated by the Consultant
13	03:00 to 03:30 pm	Closing ceremony	KPJA Administration