



Government of the Punjab
Local Government & Rural Development Department

**GENDER JUSTICE
THROUGH MUSALIHAT ANJUMAN
PROJECT - PUNJAB**



Background

Physical, psychological and sexual abuse suffered by women, otherwise termed, as 'Gender Violence' is a serious problem in all societies. UNDP recently conducted a Social Audit on Abuse Against Women (SAAAW), DFID sponsored and executed by the Ministry of Women Development (MOWD). The audit was conducted to provide information on the extent, and form of violence afflicted on women. The findings of this study and the subsequent consultative process led to the recommendation to provide women victims of violence an alternative mechanism where they can obtain gender justice considering that the institutional safeguards offered by the formal justice sector institutions have also failed to perform their role. Partly, the problem is rooted in the over burdened justice sector institutions also discouraging women victims to approach these services with the required confidence which is reflected by the basic and underdeveloped Alternate Dispute Resolution (ADR) systems.

PROBLEMS/CONSTRAINTS OF EXISTING LEGAL SYSTEM FOR PROVIDING RELIEF TO VICTIMS OF GENDER VIOLENCE

- (a) In cases of gender violence, prosecutions were rarely initiated by women themselves. The category of cases usually taken to courts by women are child custody, maintenance and divorce/khula;
- (b) Women could not take their cases to courts of law for a variety of reasons including inability to pay court related costs and traveling, fear of repeated violence by perpetrators, fear of negative publicity, hostile and unfriendly attitude of police functionaries. There was very little difference in women's perception of lady police station compared with ordinary police stations;
- (c) Police is not forthcoming in registering the FIRs in the cases of domestic violence, terming them as internal family matters;
- (d) The perpetrators of rape cases usually exploited provisions of Hudood/ Qanoon-e-Shahadat laws for falsely implicating the women victims in Zina offences. This leads to a reluctance amongst women victims of rape to approach formal court system for seeking justice;
- (e) The procedures followed by police and medico legal functionaries typically delay and hence spoil the evidence in cases of rape and violence against women;
- (f) Police complained that withdrawal by affected families themselves in cases of gender violence/rape etc (under so called social pressure) led to a less

effective police response to such incidents.

THE PROJECT

In the given circumstances, it is important to look at the potentials of ADR as a means to address the gender violence issues for amicable settlement through mediation and conciliation. There is a great potential for ADR to work and resolve many gender issues at a local level if they are formed properly and carefully. It will save not only the courts' time but the time and money of the parties at dispute. In addition, it will save women the difficulty of travelling long distances to attend court hearings/sessions or approach an NGO. There is an important ADR platform provided in the Local Government Ordinance, 2001 (LGO) in form of Musalihat Anjuman (MA), which is community based, informal and in-expensive and which can effectively dispense justice to victims of Gender Violence and resolve their disputes amicably. The Project hence sets out a comprehensive strategy for operationalizing ADR Framework for curbing gender violence through strengthening and capacity building of Musalihat Anjumans.

PROJECT GOAL

The project aims to promote and safeguard the rights and entitlements of women and vulnerable groups by institutionalizing community supported dispute resolution mechanisms with a clear goal:

"To assist women and other vulnerable sections of society in improving their Conditions through safeguarding and promoting their rights and lawful entitlements"

PROJECT OBJECTIVES

The project is designed to achieve its goal through implementation of five inter-related project objectives. These objectives cover the areas of improved service delivery, capacity building, empowerment and sustainability. Following is a description of these objectives.

- (a) To provide women victims of violence an alternative mechanism, whereby they can obtain gender justice
- (b) To build the capacity of Musalihat Anjuman for dispensing gender-responsive justice
- (c) To enhance public engagement with utilization of the services of Musalihat Anjuman
- (d) To promote women's awareness of their legal rights and men's active participation in ending gender based violence

TARGETS/OUTPUTS

The project has four strategic outputs;

- (A) Constitution and mobilization of the Musalihat Anjumans in all Union Councils in the pilot districts to provide the women victims of violence an alternative mechanism where they can obtain gender justice;
- (B) To build the capacity of the Musalihat Anjumans (MAs) to dispense gender-responsive justice;
- (C) Partnerships between judiciary, police and MA for fair, accountable and equitable dispensation of justice;
- (D) Community advocacy to promote women's awareness of their legal rights and the active participation of men in ending gender-based violence.

IMPLEMENTATION STRATEGY

(A) Constitution and Mobilization of Musalihat Anjumans in all the Union Councils in the Pilot Districts.

- i) Support for local Govt./District Government Departments.
- ii) District Mapping
- iii) Preparation / approval of Rules of Business for Musalihat Anjumans
- iv) Formation of Musalihat Anjumans in Pilot Districts

B) Musalihat Anjuman capacity built to dispense gender justice at the community level

- i) Formation of Musalihat Anjuman Support Services (MASS) at provincial level comprising all the stakeholders.
- ii) Capacity building of Musalihat Anjumans through MASS
- iii) Sustainability of Musalihat Anjuman activities / initiatives through MASS

C) Partnership between Judiciary, Police and Musalihat Anjuman for accountable, fair and equitable dispensation of justice.

- i) Formation of Musalihat Anjuman Justice Advocates (MAJA) at pilot district level comprising all the stakeholders.
- ii) Awareness raising activities on the use of Musalihat Anjumans and ADR through MAJA

D) Community Advocacy for legal rights of women & men's role in ending violence

- i) Pilot district level workshops/seminars.
- ii) Preparation and distribution of legal awareness based material

IMPLEMENTATION ARRANGEMENTS

The project is being implemented by Ministry of Local Government and Rural Development, Government of Pakistan with the technical and financial support of

UNDP and its cost sharing donors. It is a Pilot Project for two years period. In Punjab ATTOCK and BAHAWALPUR have been selected as Pilot Districts. Following are the implementation arrangements.

National Steering Committee (NSC)

NSC is headed by Federal Secretary Ministry of Local Government and Rural Development. All the stake holders have been given representation in the committee. The Committee is a national level forum to monitor, supervise and support the project activities.

Federal Project Management Unit (PMU)

Federal PMU is headed by National Project Director/ Deputy Secretary (Dev.) MoLG&RD with technical support of National Project Manager and support staff, Admin & Finance Officer and driver. Federal PMU is responsible for the monitoring, supervision and support to the project implementation at National level.

Provincial Steering Committee (PSC)

PSC is headed by Provincial Secretary Local Government and Rural Development Department. All the stake holders have been given representation in the committee. The Committee will monitor, supervise and support the project at Provincial level.

Provincial Project Management Unit (PMU)

Provincial PMU is headed by Provincial Project Director/ Director General Local Govt. LG&RD Department Punjab with technical support of Provincial Project Manager and support staff, Admin & Finance Assistant and driver. Provincial PMU is responsible for the project implementation at Provincial level.

Musalihat Anjuman Support Services

Musalihat Anjuman Support Services (MASS) is a Provincial Level forum for the effective implementation and execution of the project activities. MASS has been constituted comprising of stakeholders including NGOs having demonstrable track record in the field of legal rights awareness and social mobilization and the District Governments in the Pilot Districts.

Musalihat Anjuman Justice Advocates

Musalihat Anjuman Justice Advocates (MAJA) is a District Level forum for the effective implementation and execution of the project activities. MAJA comprises of stakeholders including NGOs having demonstrable track record in the field of legal rights awareness and social mobilization in the Pilot Districts and the District Governments.



**GENDER JUSTICE THROUGH MUSALIHAT ANJUMAN
PROJECT - PUNJAB**

Local Government & Rural Development Department
Government of the Punjab

5th Floor, Local Government Complex, Atif Chowk, 2 Sanda Road, Lahore.

Ph: 042-9213458, 7242644 Cell: 0300-7761284

E-mail: shahbaz7209@yahoo.com, km_baig_adv@yahoo.com