

## Helpdesk Research Report

# Initiatives to strengthen rule of law in Sindh

Brigitte Rohwerder

06.03.2015

## Question

*Please provide evidence of local, national or international initiatives to strengthen rule of law in Pakistan, with a focus on initiatives in Sindh. What lessons can be learnt from the literature on these initiatives, with a focus on factors contributing to success?*

## Contents

1. Overview
2. Improving access to justice
3. Policing
4. Commercial dispute resolution
5. Grievance redress mechanisms
6. Human rights
7. Strengthening the legal system
8. References

## 1. Overview

Rule of law is defined by DFID as the ‘underlying framework that underpins open and fair societies and economies, where citizens, businesses and civil society can prosper’ (DFID, 2013, p. 2). It advances five main ends: i) public authority is bound by and accountable before pre-existing, clear, and known laws; ii) citizens are treated equally before the law; iii) human rights are protected; iv) citizens can access efficient and predictable dispute resolution mechanisms; and v) law and order are prevalent (DFID, 2013, p. 2). Initiatives to strengthen rule of law can engage with access to justice and legal empowerment; strengthening the legal system, police and grievance redress mechanisms; and enhancing human rights, especially women’s rights; amongst others.

Rule of law has long been a concern in Pakistan (Blue et al, 2008). At the request of the enquirer this rapid literature review looks at examples of local, national or international initiatives to strengthen rule of law in Sindh province, with some examples from wider Pakistan.

As in the rest of Pakistan, there are number of **concerns relating to rule of law in Sindh** that include:

- Difficulties accessing justice for the poor (Qaiserani, 2011, p. 1);
- lack of budget allocations for bodies such as the Sindh Human Rights Commission which prevent it from functioning (Zia, 2014, p. 2);
- dissatisfaction with the police; 39 per cent of Sindh respondents to an evaluation of legal empowerment of the poor were unhappy (Khan et al, 2012, p. x). They cited corruption, inappropriate or biased behaviour as key issues (Khan et al, 2012, p. x-xi). Other concerns with the police include that they are poorly managed, ill-equipped, poorly trained, and deeply politicised (Jamal, 2010, p. 58; Abbas, 2011, p. 7).
- an overwhelmed judiciary (43 per cent of cases in Sindh took at least 5 to more than 10 years to resolve) (Khan et al, 2012, p. xi).
- rights violations and violence against women and girls (Repila, 2013).

As a result, **initiatives to strengthen rule of law in Sindh** include: free legal aid services for the poor and marginalised, including women and youth in prisons; awareness raising and legal empowerment for the poor projects; attempts to modernise the Sindh police and Citizen Police Liaison Committees to improve relations between the public and the police; Alternate Dispute Resolution projects; trainings to strengthen knowledge of human rights, the rule of law and conflict-sensitivity in Sindh's security and justice sectors; and the introduction of legislation to protect women's rights.

The literature uncovered during the rapid review was predominantly grey literature published and written by the organisations involved in initiatives to strengthen rule of law in Sindh. The majority of the literature was descriptive, with **very few evaluations** of the programmes and even fewer which looked into the factors which made these programmes successful. Resultantly, this report mainly describes the activities undertaken. The literature engaged with gender and marginalised groups.

The small number of lessons emerging from the literature in relation to **factors contributing to success** include:

- **Connecting with a wide variety of stakeholders** from government, the security and justice sectors, and civil society has been a feature of the majority of successful initiatives.
- **Baseline surveys** can concentrate attention around rule of law issues and provide a mandate and focus for action.
- Having the **support of the Governor of Sindh and others in positions of authority** ensured the success of the legal aid offices located within women's prisons and the Citizen Police Liaison Committees. Conversely, lack of support from the new Inspector General of the Police contributed to the failure of the Community Policing Centers in Sindh.
- The **location of legal aid offices** can improve access to justice for marginalised groups, including women, youth and the poor. Legal aid offices located within women's prisons and juvenile offenders' institutes were successful at providing easy access and swifter justice for women and youth. Legal aid outreach services in communities reached marginalised groups and improved

their access to justice. When the legal aid offices were forced to move out of the prisons they reported a drop in cases coming to them.

- Part of the success of the Citizen Police Liaison Committees in bridging the gap between citizens and the police in Sindh is their **independence** from political interference as a result of being primarily funded by private donations. This has meant they are seen as impartial.
- Having the **support of Bar Associations** has contributed to the success of UNDP's pilot project legal aid offices. However, the Bar Association's unhappiness with the legal aid offices in prisons caused that initiative to end.
- One initiative successfully used **various mediums** such as TV, radio, SMS, hoardings, street theatre, schools visits and awareness seminars to raise legal awareness among nearly 2 million citizens in 6 months.
- Using different mediums to provide access to justice has proven relatively successful in the case of the Legal Aid Call Centre, which provided free legal advice via telephone to vulnerable and deprived sections of society. Computerisation has also helped log grievances and manage criminal cases dealt with by the police.
- **Enough resources and an adequate budget** are important for ensuring that rule of law initiatives are able to be carried out and are sustainable.
- **Advocacy from civil society** can lead to measures to improve rule of law, such as the signing of the Domestic Violence Law in Sindh and the establishment of a Provincial Ombudsman in Gilgit-Baltistan.

## 2. Improving access to justice

### Legal aid offices in Sindh jails

Women and underage offenders were held in jail for undue lengths of time in jail as a result of lack of access to legal aid (Qaiserani, 2011, p. 1). As a result in 2003, Justice Nasir Aslam Zahid, at the suggestion of the Association of Pakistani Physicians of North America, started a pilot project providing legal aid to female under-trial prisoners and convicts (Qaiserani, 2011, p. 2). This was the first of its kind in Pakistan (Qaiserani, 2011, p. 2).

It became clear that full time advocates located within the jail would be the most convenient and effective way of providing legal aid to the women (Qaiserani, 2011, p. 2). The Governor of Sindh agreed to open a legal aid office in the jail premises in Karachi of the Special Prison for Women and the Youthful Offenders Industrial School (Qaiserani, 2011, p. 2). A Committee for the Welfare of Women Prisoners (CWWP) was set up with an initial aim of setting up the legal aid office (Qaiserani, 2011, p. 2). In addition, the Karachi 'Women Prisoners Welfare Society' (WPWS) was set up to assist and collaborate with CWWP (Qaiserani, 2011, p. 3).

The legal aid office opened in August 2004 and cases progressed rapidly as inmates received defence counsel (Qaiserani, 2011, p. 3). The success of the project led to a further four more offices being opened across Sindh in Sukkur, Hyderabad, Larkana, and Dadu (Qaiserani, 2011, p. 3). The location of the legal aid office within the jail meant that those confined had free and easy access to justice (Qaiserani, 2011, p. 3). In addition the legal aid office provided basic necessities such as milk, sugar and oil; worked on rehabilitation; and provided contact with families (Qaiserani, 2011, p. 3). The office staff also gained the

trust of the prison authorities (Qaiserani, 2011, p. 3). As of October 2010, the legal aid office had dealt with the cases of 1,132 women and 652 juvenile offenders and the number of inmates had reduced drastically (Qaiserani, 2011, p. 4). The legal aid office also arranged surety amounts for those who could not afford bail so they could be released on bail (Qaiserani, 2011, p. 4).

In February 2011, Justice Zahid was approached by the Sindh Government to open legal aid offices across Sindh for all prisoners, including male adults (Qaiserani, 2011, p. 5). With funding from the Sindh Government, legal aid offices were soon opened on the outer premises of every jail in Sindh (Qaiserani, 2011, p. 5). Representation of prisoners by the legal aid office advocates was relatively low and free legal aid was to only be provided to 'deserving' prisoners, although there were no criteria for judging this (Qaiserani, 2011, p. 6).

However, at this point the Karachi Bar Association began to protest about the ease of access the legal aid office advocates, through their location in prisons, had to people in need of legal advice (Qaiserani, 2011, p. 6). Their unhappiness at what they felt to be preferential treatment for the legal aid offices led to them forcing the legal aid office advocates to stay out of the courts through protest actions and threatening to strike (Qaiserani, 2011, p. 6). The Karachi Bar Association challenged the legality of the legal aid offices, arguing that only the Sindh Bar Council is authorised to receive grants from the government and that they had not approved of the legal aid offices being set up (Qaiserani, 2011, p. 6). In addition, they made other allegations of wrong doing in relation to personal gain which were strongly refuted by Justice Zahid (Qaiserani, 2011, p. 6-8). The issue was taken to the High Court, where an interim order directed the legal aid offices to move out of the prison premises (Qaiserani, 2011, p. 6).

The move out of the prisons has reduced the number of visits to prisoners (Qaiserani, 2011, p. 9). The legal aid office advocates feel that the events leading to the original offices shutting down have 'tarnished the reputation' of the service and they are receiving less new clients (Qaiserani, 2011, p. 9). They claim that prisoners are being forced to look into private lawyers that they can't afford (Qaiserani, 2011, p. 9).

### ***Legal Aid Call Centre (LACC)***

As the legal aid office dealt purely with criminal cases, a Legal Aid Call Centre (LACC) was opened in August 2009, to provide free legal advice to all callers on civil, criminal or family law related matters (Qaiserani, 2010, p. 5). It was set up as a collaboration between Justice Zahid and the All Pakistan Women's Association (APWA) (Qaiserani, 2010, p. 5). Its focus was to provide support women and children and others from the vulnerable and deprived sections of society (Qaiserani, 2010, p. 5). It also connects disadvantaged callers with lawyers at affordable rates, or human rights organisations, for appropriate legal representation, guidance, and/or support (Qaiserani, 2010, p. 5).

The centre is located in a premises owned and provided free of cost by APWA and staffed by trained aspiring advocates (male and female), supervised by three senior advocates (Qaiserani, 2010, p. 5). The full capital cost of the LACC of approximately Rs. 4 million, was covered by private donations (Qaiserani, 2010, p. 5). The day to day management and operation cost of the LACC for the next three years were provided by the Sindh Government under the Public-Private Community Development Programme (Qaiserani, 2010, p. 5). LACC has the capacity to deal with 100 to 150 calls daily, but in reality it functions at a much lower level (Qaiserani, 2010, p. 5). Possible reasons for this are suggested to be lack of awareness due to the costs of awareness raising, and potential apprehension amongst the public about what is still a highly unconventional professional legal service (Qaiserani, 2010, p. 5).

## **UNDP's Enhancing Access to Justice by Strengthening Legal Empowerment of the Poor in Pakistan project**

UNDP/UNOPS funded a six month pilot project in 2012-2013 which aimed to strengthen support mechanisms or initiatives for poor, vulnerable and minority groups to gain better access to justice services (INP, 2013, p. 1). Implemented by a local organisation Insaf Network Pakistan (INP), the USD 473,000 'Access to Justice - Legal Empowerment of the Poor in Pakistan' project took place in D. I. Khan, Lakki Marwat, Mansehra, Torghar, Qila Abdullah, Layyah, Bhakkar, Bahawalpur, Lodhran, Tharparkar, Sanghar, Karachi, Thatta, Vehari, Narowal and Skardu (INP, 2013, p. 1).

The project included the involvement of Bar Associations, NGOs/CSOs, universities, Ombudsman, police and communities in the areas of implementation (INP, 2013, p. 1). Interventions were designed to raise awareness within the target groups of laws and enforcement mechanisms; increase demands for justice; and increase access to legal aid of poor, vulnerable and minority groups (INP, 2013, p. 1).

A baseline survey was carried out (Voices of the unheard: Legal empowerment of the poor in Pakistan) which helped strengthen the mandate of the project, spark debate, and attract government, donor, and civil society attention to the issues (INP, 2013, p. 2).

INP and various implementing partners has raised legal awareness for nearly 2 million citizens in the target districts (INP, 2013, p. 3). Awareness raising occurred through: radio, TV, SMS, hoardings, posters, newspapers, cable; and more targeted interventions including: street theatre, school visits, legal clinics, awareness seminars, legal Chopals, phone calls, and other activities (INP, 2013, p. 3).

INP educated and mobilised 16, 000 university students from nine universities across Pakistan (INP, 2013, p. 3). Using debates, talk shows, drama competitions and campus radio programmes, the students spread the message of legal empowerment (INP, 2013, p. 3).

Awareness was raised about the functions of ombudsman offices in the districts through legal aid clinics, awareness seminars, and brochures (INP, 2013, p. 4). Information about the relevant ombudsmen for the district was provided on hoardings in each district (INP, 2013, p. 4). The website of the Federal Ombudsman for the Protection Against Harassment of Women and the Punjab Ombudsman were developed (INP, 2013, p. 4). Policy advocacy by INP also led to the establishment of a Provincial Ombudsman in Gilgit-Baltistan (INP, 2013, p. 7).

More than 12, 000 marginalised and vulnerable communities, local CSOs, and other community organisations were targeted through interactive community activities with police and lawyers (INP, 2013, p. 4). 741 community paralegals also received specialised training creating a community based legal knowledge resource (INP, 2013, p. 5).

INP and its implementing partners also improved the provision of legal aid across the 16 districts (INP, 2013, p. 6). 18 legal aid centres have been established, with a team of 124 lawyers, which have filed 455 court cases (INP, 2013, p. 6). They were created through the signing Memorandum of Understandings with Bar Associations in the targeted districts to create free legal aid committees, under the Free Legal Aid Rules of 1999 (INP, 2013, p. 7). Outreach legal clinics have also been conducted at the village level, providing legal counselling to 5,468 beneficiaries, and raising awareness of the service to many more (INP, 2013, p. 6).

INP also raised police capacity by providing training covering gender awareness, legal rights, and Alternative Dispute Resolution (INP, 2013, p. 7).

A randomised phone survey carried out by INP of 1,500 beneficiaries (20 per cent women) found that 48.8 per cent had used their new legal awareness to solve legal problems, while a further 40.9 per cent felt that their confidence had been raised in dealing with justice authorities (INP, 2013, p. 4). The phone survey also found that 94 per cent of beneficiaries of the legal aid services were satisfied (57 per cent) or very satisfied (37 per cent) with the service they received (INP, 2013, p. 8).

## **The Asia Foundation's Access to Justice Project in Pakistan**

The Asia Foundation developed an Access to Justice Project to complement its Human Rights Fund initiatives (Asia Foundation, 2014). The ten districts across all four provinces which were targeted had reported significant rights violations against women and minorities (Asia Foundation, 2014). The project works to improve access to justice and human rights through the provision of efficient, cost effective legal assistance and protection for vulnerable populations (Asia Foundation, 2014). It works to address gaps in supply and demand for quality legal aid services together with Lawyers for Human Rights and Legal Aid and the Pakistan Institute of Labor Education and Research (Asia Foundation, 2014). The project also aims to raise citizen's knowledge of the laws which protect their rights and to strengthen the capacity of legal aid centres (Asia Foundation, 2014).

## **3. Policing**

### **Modernisation of the police in Sindh**

In 2008, the Sindh government announced that it would immediately recruit 8,500 personnel and pledged to recruit an additional 10,000 every year until the number of police was sufficient to meet the province's needs (Jamal, 2010, p. 62). However, this was not reflected in the 2009-2010 Sindh police budget (Jamal, 2010, p. 62). However some investments were made into forensics training and a 'Digital Computer Forensic Lab' was set up (Jamal, 2010, p. 62). Planning also began, at the request of the federal government, to raise an additional force of 15,000 in the form of the Sindh Constabulary, to support the Sindh Police (Jamal, 2010, p. 62).

A USD 40 million grant from the Asian Development Bank was given to the Sindh police to upgrade the existing Sindh Forensic Science Laboratory in Karachi and set up two new facilities in the interior of the province, in Hyderabad and Larkana (Abbas, 2011, p. 10). However, by 2011, almost no progress had been made (Abbas, 2011, p. 10).

In December 2013, the US Bureau of International Narcotics and Law Enforcement Affairs (INL) donated 48 new pickup trucks to the Sindh Police in order to increase police presence, improve mobility, and shorten response time in Karachi and throughout Sindh Province<sup>1</sup>. They were part of more than USD 20 million worth of equipment, training, and infrastructure support provided by the US since 2011<sup>2</sup>. INL is also helping the Sindh Police to develop curriculum for new recruits and in-service training to enhance the capacity and professionalism of its police officers; and reconstruct a Criminal Investigation Department building damaged in a suicide attack<sup>3</sup>. The US has also conducted training for female police investigators and female prosecutors from Karachi and Sindh Province in forensics, interview techniques, trial preparation, and

---

<sup>1</sup> INL Assisting Sindh Police in Pakistan with Tools and Training: <http://www.state.gov/j/inl/rls/nwsltr/2014/219891.htm>

<sup>2</sup> ibid

<sup>3</sup> ibid

crime scene analysis, as well as helping to renovate three of the dedicated police stations in Karachi which are staffed by women officers<sup>4</sup>.

In 2013, the newly installed Sindh government increased the Public Order and Safety Affairs budget for the financial year 2013-14 by 25 per cent to Rs 48.8 billion, with the aim of tackling the poor law and order situation<sup>5</sup>. They planned to use this budget to increase recruitment (including of female police officers) to fill 10,000 new posts and purchase equipment<sup>6</sup>. An additional 10,000 new police officers are also planned to bring the force up to 90,000 to deal with the shortage of police personnel<sup>7</sup>.

In 2014, the budget for security in Sindh for 2014-15 was increased again, this time by 20 per cent to Rs 54.08 billion<sup>8</sup>. Rs 4.65 billion is a special allocation for the operational requirements of the police<sup>9</sup>. Rs 1.5 billion has been allocated for rehabilitation and renovation of jails and construction of new jails, residential quarters for prison and police constables and head constables, new police stations and also for installation of mobile jammers and video surveillance system in jails across the province<sup>10</sup>. Sindh's Chief Minister reported that there had been a 'decline of 65 per cent in targeted killings, 35 per cent in murders and 12 per cent in kidnapping for ransom' in the last year (2013-2014)<sup>11</sup>.

### **Citizen Police Liaison Committee Sindh (CPLC)**

The CPLC Karachi was established in August 1989 as a non-political, independent, statutory institution, managed by volunteers drawn from concerned citizens (Saeed, 2014, p. 12). Its objective was to strengthen law enforcement and promote public confidence in the law enforcement agencies (Saeed, 2014, p. 12). It attracted the business community as they were being targeted by kidnappers, and because of the high crime rates in Karachi.

The CPLCs have a legal status and there are CPLC offices in all five district Deputy Inspector General offices in Karachi, as well as a branch office in Hyderabad (Saeed, 2014, p. 12). They have a wide range of functions including verifying that police procedures are being followed, reporting misconduct, and building public confidence in the police, amongst others (Saeed, 2014, p. 13-14). The helpline deals with more than 6,000 calls a day and its Computerized Criminal Record Management had stored the data of 766,398 first information reports by March 2013 (Saeed, 2014, p. 14). Their work also includes anti-kidnapping; assisting citizens; stolen property; public awareness; parking; neighbourhood care; public toilets; and police welfare. Cooperation between the CPLC and the police human rights complaint cell also resulted in the dismissal of 216 policemen and the demotion or fines for 1,226 others between November 1998 and July 1999 (Saeed, 2014, p. 14). Over time, the development and tasks of the CPLC mean it can be regarded as an extension of specialised police functions (Saeed, 2014, p. 14). Efforts are underway to expand CPLC to other cities of Sindh (Saeed, 2014, p. 15). It has been described by an independent commission as 'perhaps the best-sustained attempt to bridge the gap between citizens and police in Pakistan' (Khan, 2012, p. 145).

---

<sup>4</sup> ibid

<sup>5</sup> Network for Improved Policing in South Asia: Sindh Budget Increase Aims to Improve law and order in the province: <http://www.nipsa.in/update/archive/nipsa-update-sindh-budget-increase-to-improve-policing.html>

<sup>6</sup> ibid

<sup>7</sup> ibid

<sup>8</sup> Sindh increases security funds by 20pc: <http://www.dawn.com/news/1112620>

<sup>9</sup> ibid

<sup>10</sup> ibid

<sup>11</sup> ibid

The CPLC's Central Reporting Cell was established through donations from the public (Saeed, 2014, p. 15). Each committee was also attached to a particular police station and was able to raise resources to improve the working conditions of that station (Khan, 2012, p. 146). This was an important contribution to improving the relationship between the communities and their police stations (Khan, 2012, p. 146). Sindh government's financial contribution towards the CPLC over the years averages to approximately 20 per cent (Saeed, 2014, p. 15). CPLC's success can be attributed in large part to its financial independence from government and local politicians, allowing it to remain free from political interference (Khan, 2012, p. 146). While it has meant that the committee is often branded 'elitist', it also means the CPLC has managed to sustain an image of impartiality (Khan, 2012, p. 146).

The CPLC is answerable to the Governor of Sindh for administrative and operational purposes and the commitment of the governor is important to its effectiveness (Saeed, 2014, p. 16).

## **Community Policing Centers in Sindh**

In 2011, the concept of Community Policing Centers (CPCs) was introduced for the first time in Sindh (Saeed, 2014, p. 19). CPCs were established to facilitate close contact between locals and law enforcers to curb street crimes (Saeed, 2014, p. 19).

However, the initiative failed to take off and of the 160 CPCs which were established, only ten are actually functioning (Saeed, 2014, p. 19). Their failure is attributed to lack of resources and manpower, deteriorating law and order, and the transfer of the supportive Inspector General of the Police to another position and the lack of support by the new inspector general (Saeed, 2014, p. 19).

## **4. Commercial dispute resolution**

### **Pakistan Alternate Dispute Resolution (ADR) project**

As a result of concerns about how commercial disputes were settled in Pakistan, the International Finance Corporation (IFC), the Ministry of Law and Justice and the Sindh High Court worked together to launch the Pakistan Alternate Dispute Resolution (ADR) project (Merchant et al, no date, p. 1). In 2005, a pilot project was launched in the Karachi region to create an effective means for settling commercial disputes (Merchant et al, no date, p. 1).

ADR provided commercial mediation services at the Karachi Centre for Dispute Resolution (KCDR) (Merchant et al, no date, p. 1). Despite mediation being a new concept, KCDR, has resolved 936 cases since its inception (Merchant et al, no date, p. 1). Judges and the private sector have benefited from training and awareness raising (Merchant et al, no date, p. 2). The project also had initiatives to support women's participation in business, alleviate their legal issues, and promote their business rights for which they won an award in 2010 (IFC CEO Gender Award) (Merchant et al, no date, p. 1). For example, more than a quarter of the cases successfully resolved at KCDR have involved women-owned businesses as litigants<sup>12</sup>. The Superior Judiciary of Pakistan has taken full ownership of the project<sup>13</sup>. The pilot was deemed a success and there are plans for a national roll-out (Merchant et al, no date, p. 1).

---

<sup>12</sup> Increasing Access to Justice for Women: <https://www.wbginvestmentclimate.org/advisory-services/cross-cutting-issues/gender-in-investment-climate-reform/pakistan-adr.cfm>

<sup>13</sup> *ibid*

## 5. Grievance redress mechanisms

### Strengthening Public Grievances Redress Mechanism (SPGRM)

The UNDP-funded Strengthening Public Grievance Redress Mechanism aimed to improve the outreach and quality of grievance redress mechanisms available to citizens in Pakistan (Khan and Rana, 2012, p. 6). The Wafaqi Mohtasib (Ombudsman) Secretariat (WMS) is the national implementation partner (Khan and Rana, 2012, p. 6). The project ran from 2008-2011 with an expenditure of approximately USD 0.9 million (Khan and Rana, 2012, p. 6).

An end of project evaluation finds it has created awareness among the public about the opportunities available to them for accountability of federal agencies (Khan and Rana, 2012, p. 27). The capacity of the public grievance redress mechanism was strengthened by automation and improved efficiency of the implementing body (Khan and Rana, 2012, p. 27). Technological improvements in the implementation and investigation wing of WMS are one of the best practices developed as a result of SPGRM (Khan and Rana, 2012, p. 27). The implementation of the project was not smooth, however, and the project was delayed by a year (Khan and Rana, 2012, p. 7). In addition, there are risks to the sustainability of the SPGRM if there is no additional input from the government or external funding and support (Khan and Rana, 2012, p. 28). However, the evaluation finds that it is a successful part of UNDP initiatives to support rule of law and recommends that it should be replicated in other public institutions countrywide (Khan and Rana, 2012, p. 27).

## 6. Human rights

### Strengthening human rights and rule of law in the Sindh justice and security sectors

In January 2015, International Alert organised a series of training workshops for members of the formal justice and security sectors in Jacobabad and Kashmore districts in Sindh<sup>14</sup>. The participants included police officers, judiciary, and staff from the prosecution departments<sup>15</sup>. The training aimed to strengthen their knowledge of human rights, the rule of law and conflict-sensitivity<sup>16</sup>. The training was given in response to a review of the security and justice sectors in the two districts and the gaps it revealed<sup>17</sup>. The training covered issues such as the protection of victims, the rights of suspects, the current circumstances that are limiting human rights and the legality of these<sup>18</sup>. International Alert then developed a 'conflict-sensitive value framework' for both districts aimed at exploring new ways that the formal justice and security sectors can increase their efficiency and improve the rule of law<sup>19</sup>.

---

<sup>14</sup> International Alert: State-citizen relations in Pakistan: <http://www.international-alert.org/news/state-citizen-relations-pakistan>

<sup>15</sup> ibid

<sup>16</sup> ibid

<sup>17</sup> ibid

<sup>18</sup> ibid

<sup>19</sup> ibid

## **Legislation to protect women's rights in Sindh**

Legislation can set standards of acceptable behaviour and thus change behaviour that reinforces gender inequality (Aurat Foundation, 2014b, p. 3). The Sindh Government has only submitted and passed one piece of legislation specific to women in the 2014 parliamentary year, relating to child marriages (Aurat Foundation, 2014b, p. 4).

As a result of five years of advocacy by women's groups nationwide, in 2013, the Sindh Government also passed a domestic violence law (Repila, 2013, p. 4; Aurat Foundation, 2014a, p. 7). However, implementation has been slow and none of the commission, committees and the officers meant to be formed and appointed have been set up (Aurat Foundation, 2014a, p. 7). The law has not been publicised and the police, judiciary and civil servants remain unaware of what the law mandates (Aurat Foundation, 2014a, p. 7).

## **Gender Equity Program (GEP) in Pakistan**

The Asia Foundation works together with the Aurat Foundation to implement the USAID funded Gender Equity Program (GEP) (Asia Foundation, 2014). The initiative works with and issues small grants to local civil society organisations, academic and training institutes, media, professional and business associations, and key government institutions, across Pakistan to expand women's access to justice, increase women's empowerment, and combat gender-based violence (GBV) (Asia Foundation, 2014; McLachlan et al, 2013).

GEP is globally recognised for promoting societal demand for and commitment to a caring and gender-responsive society in Pakistan (Asia Foundation, 2014). A mid-term independent evaluation found that the GEP was able to be responsive to new political contexts and the gender priorities of the new governments (McLachlan et al, 2013, p. 2). Most grants were given to activities to combat GBV and the project has helped build sustainable capacity of some grantees to provide shelters to GBV victims (McLachlan et al, 2013, p. 3). However, there were challenges that affected the quality of some implementation efforts, mainly relating to insufficient and unrealistic timeframes and budgets (McLachlan et al, 2013, p. 3). The project has seen some success with one of its networking platforms, the National Advisory Forum participating in discussions around the creation of the Sindh Women's Development Department, and helping Women's Development Departments understand their responsibilities after devolution (McLachlan et al, 2013, p. 3).

## **7. Strengthening the legal system**

### **Pakistan One UN Programme II**

The second One UN Programme for Pakistan for 2013-2017 was developed in close collaboration with federal, provincial and regional governments, key donors, and a wide spectrum of civil society actors to work together towards meeting Pakistan's national development priorities (UN, 2012). The fourth of these development priorities concerns strengthened governance and social cohesion, and includes under it initiatives to strengthen rule of law across Pakistan.

Outcome 4.2 of the second One UN Programme is 'Rule of law and public security institutions strengthened to enhance public trust and social stability, and to provide improved safety and security, including measures to address transnational crime and trafficking' (UN, 2012, p. 28). Interventions under this outcome will include working with civilian law enforcement and criminal justice institutions to deliver services to international standards in order to establish justice and stability (UN, 2013, p. 28). Rigorous

systems for investigation, crime scene management and forensic capabilities will be developed (UN, 2012, p. 29). The UN will also provide support to develop the management capacities of the police and advice to prison managers and training for staff (UN, 2012, p. 29).

## 8. References

- Abbas, H. (2011). *Reforming Pakistan's Police and Law Enforcement Infrastructure: Is It Too Flawed to Fix?*. United States Institute of Peace. Retrieved from: [http://www.usip.org/sites/default/files/SR266-Reforming\\_Pakistan%E2%80%98s\\_Police\\_and\\_Law\\_Enforcement\\_Infrastructure.pdf](http://www.usip.org/sites/default/files/SR266-Reforming_Pakistan%E2%80%98s_Police_and_Law_Enforcement_Infrastructure.pdf)
- Asia Foundation. (2014). *Pakistan*. Asia Foundation. Retrieved from: <https://asiafoundation.org/resources/pdfs/Pakistan.pdf>
- Aurat Foundation. (2014a). Legislation on Domestic Violence - A 2014 Update. *Legislative Watch*, 43, 1-8. Retrieved from: <http://www.af.org.pk/news/1402998220.pdf>
- Aurat Foundation. (2014b). Legislative Performance on Women's Rights Issues During the First Parliamentary Year 2013 – 2014. *Legislative Watch*, 43, 1-8. Retrieved from: <http://www.af.org.pk/news/1402998220.pdf>
- Blue, R., Hoffman, R., & Berg, L-A. (2008). *Pakistan Rule of Law Assessment – Final Report*. USAID. Retrieved from: [http://pdf.usaid.gov/pdf\\_docs/PNADO130.pdf](http://pdf.usaid.gov/pdf_docs/PNADO130.pdf)
- DFID. (2013). *Policy Approach to Rule of Law*. DFID. Retrieved from: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/306396/policy-approach-rule-of-law.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/306396/policy-approach-rule-of-law.pdf)
- INP. (2013). *Access to justice: Project factsheet/UNDP-LEP*. INP. Retrieved from: <http://www.inp.org.pk/sites/default/files/A2J%20Project%20Fact%20Sheet.pdf>
- Jamal, A. (2010). *Police Organisations in Pakistan*. Human Rights Commission of Pakistan and Commonwealth Human Rights Initiative. Retrieved from: [http://www.humanrightsinitiative.org/publications/police/police\\_organisations\\_in\\_pakistan.pdf](http://www.humanrightsinitiative.org/publications/police/police_organisations_in_pakistan.pdf)
- Khan, D. (2012). The Role of the Private Sector and NGOs. In H. Abbas (ed.). *Stabilizing Pakistan through police reform*. Asia Society. Retrieved from: [http://asiasociety.org/files/pdf/as\\_pakistan\\_police\\_reform.pdf](http://asiasociety.org/files/pdf/as_pakistan_police_reform.pdf)
- Khan, A.N., & Rana, M.F. (2012). *Strengthening Public Grievances Redress Mechanism (SPGRM) Wafaqi Muhtasib (Federal Ombudsman): End of Project Evaluation*. UNDP. Retrieved from: [http://www.pk.undp.org/content/dam/pakistan/docs/EvaluationReports/Strengthening%20Public%20Grievances%20Redress%20Mechanism%20\(SPGRM\).pdf](http://www.pk.undp.org/content/dam/pakistan/docs/EvaluationReports/Strengthening%20Public%20Grievances%20Redress%20Mechanism%20(SPGRM).pdf)
- Khan, S., Saqib, H., Noor, T., & Bakhtiar, U. (2012). *Voices of the unheard: Legal empowerment of the poor in Pakistan*. UNDP. Retrieved from: <http://www.inp.org.pk/sites/default/files/job%20description/%20Executive%20/National%20Research%20on%20Legal%20Empowerment%20in%20Pakistan%201.pdf>
- McLachlan, F., Khan, R., & Kiran, A. (2013). *Gender Equity Program Mid-term Evaluation Report*. USAID. Retrieved from: [http://pdf.usaid.gov/pdf\\_docs/pa00k46g.pdf](http://pdf.usaid.gov/pdf_docs/pa00k46g.pdf)

- Merchant, N., Khan, I.A., & Zuberi, S. (no date). *Promoting Alternative Dispute Resolution through Mediation (Pakistan: ADR Project)*. IFC. Retrieved from: <https://www.wbginvestmentclimate.org/uploads/IFC%20ADR%20Project%20Pakistan%20Fact%20Sheet%202010.pdf>
- Kaiserani, Z. (2011). *Case Study: "Legal Aid Office an initiative by Justice Nasir Aslam Zahid"*. Insaaf Network Pakistan. Retrieved from: <http://www.inp.org.pk/sites/default/files/Case%20Study%20-%20Justice%20Nasir%20Aslam%20Zahid%E2%80%99s%20Legal%20Aid%20Office.pdf>
- Repila, J. (2013). *The politics of our lives: The Raising Her Voice in Pakistan Experience*. Oxfam. Retrieved from: <http://reliefweb.int/sites/reliefweb.int/files/resources/er-politics-lives-raising-her-voice-pakistan-010713-en.pdf>
- Saeed, M.B. (2014). *Community Policing in Pakistan: An Assessment*. Centre for Peace and Development Initiatives. Retrieved from: <http://www.cpd-pakistan.org/testcpdi/wp-content/uploads/2014/12/Community-Policing-in-Pakistan-An-Assessment.pdf>
- UN. (2012). *Pakistan One United Nations Programme: 2013 – 2017*. UN. Retrieved from: [http://www.unicef.org/about/execboard/files/PAK\\_One\\_UN\\_Programme\\_II\\_\(2013\\_-\\_2017\)\\_Document\\_12\\_June\\_2012.pdf](http://www.unicef.org/about/execboard/files/PAK_One_UN_Programme_II_(2013_-_2017)_Document_12_June_2012.pdf)
- Zia, M. (2014). Legislative Initiatives on Women in Pakistan - Need for Self-Critique and Reassessment. *Legislative Watch*, 43, 1-8. Retrieved from: <http://www.af.org.pk/news/1402998220.pdf>

## Suggested citation

Rohwerder, B. (2015). *Initiatives to strengthen rule of law in Sindh* (GSDRC Helpdesk Research Report 1206). Birmingham, UK: GSDRC, University of Birmingham.

## About this report

This report is based on four days of desk-based research. It was prepared for the UK Government's Department for International Development, © DFID Crown Copyright 2015. This report is licensed under the Open Government Licence ([www.nationalarchives.gov.uk/doc/open-government-licence](http://www.nationalarchives.gov.uk/doc/open-government-licence)). The views expressed in this report are those of the author, and do not necessarily reflect the opinions of GSDRC, its partner agencies or DFID.

The GSDRC Research Helpdesk provides rapid syntheses of key literature and of expert thinking in response to specific questions on governance, social development, humanitarian and conflict issues. Its concise reports draw on a selection of the best recent literature available and on input from international experts. Each GSDRC Helpdesk Research Report is peer-reviewed by a member of the GSDRC team. Search over 400 reports at [www.gsdrc.org/go/research-helpdesk](http://www.gsdrc.org/go/research-helpdesk). Contact: [helpdesk@gsdrc.org](mailto:helpdesk@gsdrc.org).