ACID VIOLENCE

Fostering effective implementation of pro-women and girls' laws: Criminal Law Amendment Act 2011 (Act XXV), an example of good practice
ACID VIOLENCE

Fostering effective implementation of pro-women and girls’ laws: Criminal Law Amendment Act 2011 (Act XXV), an example of good practice.

April 2014

By

Caroline Bates and Valérie Khan.
# TABLE OF CONTENT

1. Foreword ........................................................................................................... 03  
2. Acknowledgements ........................................................................................ 04  
3. Executive Summary ....................................................................................... 05  
4. Introduction ..................................................................................................... 07  
5. Methodology ................................................................................................... 10  
6. Current Situation of the Acid and Burn Phenomenon ..................................... 12  
7. The Pilot Project ............................................................................................... 15  
8. Findings/Analysis ............................................................................................ 18  
9. Why an Example of Good Practice? ................................................................. 23  
10. Conclusion ...................................................................................................... 26  
11. Recommendations .......................................................................................... 27  
12. Bibliography .................................................................................................. 29
FOREWORD

Violence, and the fear of violence, are perhaps the most potent barriers to women's realization of their full potential, and acid violence is one of its heinous forms maiming and damaging the victim for the rest of her/his life. Whereas both women and men are subjected to acid violence, documentation done by Acid Survivors Foundation reveals that more women have borne acid attacks than men – 519 out of a total of 949 reported cases from 2007-2013. Given the nature of the crime, legislation was the first step needed to acknowledge its severity. This was taken with the passage of Criminal Law Amendment Act 2011 after a concerted effort of parliamentarians, civil society organizations, media, lawyers, religious representatives and doctors. The next step is to ensure the implementation of the Law.

The Constitution of Pakistan guarantees security and protection of all its citizens; the country has made a range of international commitments to safeguard women's rights. It is signatory to UN Human Rights Declaration, has ratified CEDAW, ECSR, CAT among others, and signed ICPD and Beijing Conference declarations in 1994 and 1995 respectively. The 20-year review of the Beijing Platform of Action has provided government and CSOs alike the opportunity to reflect on our achievements and the unfinished agenda of women's rights. While it is reassuring to see that welcome strides have been made in recognizing various forms of violence through laws, implementation of the laws presents a big challenge. Equally important is the need for more laws to fill gaps in existing legislation.

ASF has come forward to monitor implementation through systematic documentation of cases of acid violence so necessary to track both, the incidence of acid crimes and the process of prosecution. A major concern for NCSW is to develop mechanisms to monitor implementation and document the impact of laws for protecting women, not only to ensure their security and free them from threats of violence, but also to enable Pakistan to report on their international commitments. NCSW therefore is collaborating with ASF in monitoring and documentation and in helping develop comprehensive legislation towards eliminating this form of violence.

NCSW wishes ASF success in its endeavor which is in fact our collective endeavor.

Khawar Mumtaz
Chairperson
National Commission on the Status of Women
ACKNOWLEDGEMENTS

Acid Survivors Foundation would like to express its deepest gratitude to all the police officers, lawyers and medico-legal officers who accepted to join its action to counter GBV and acid violence in particular.

ASF is also honoured to have cooperated with Australian High Commission to launch this pilot project.

All media have been very cooperative to regularly highlight the progress made along with the remaining challenges.

Last but not least, we thank her Excellency, Mrs. Khawar Mumtaz, for adding her experience and foresight, to our efforts to combat acid violence. We also would like to thank the Ministry of Law and Justice and Human Rights for its continuous support.

Many unsung heroes such as nurses in hospitals, local Pakistani surgeons, volunteers such as Professor Hamid Hassan, or Doctor Mazhar Hussain, community members who defy threats, parliamentarians -especially women- who defy silence and taboos, must be acknowledged here.

The fight for justice is not a one-person show; it can only be achieved via group mobilization, via collective efforts and tenuous collaboration.

We thank you for being part of this journey to achieve a better society.
EXECUTIVE SUMMARY

Addressing Gender Based Violence (GBV) and acid violence in particular has always been Acid Survivors Foundation’s mission. Since 2006, the organization has been conducting holistic evidence based programs in Pakistan to eradicate one of the worst forms of human rights violations; it appears that encouraging progress has been achieved.

However, those improvements must not make us forget the significant remaining challenges which – if not addressed – will never lead to eradication of acid violence and to curbing gender based violence in the country. That of course, is not an option: we all know that countering GBV is critical to ensure citizens’ security, rule of law, and crucial for the development of secure and prosperous countries. Researches prove that violence against women and girls negatively impacts economic, health, and legal development across society. We want Pakistan to shine and prosper, we want an end to GBV.

Acid Survivors Foundation believes in peace, equity and democracy: those elements - along with a strong focus on developing constructive synergies to widen and sustain social and political disapproval of acid violence and discrimination- have been part of the organisation’s strategy since its creation.

When the Criminal Law Amendment Act 2011 (Act XXV) was passed, ASF’s first feedback was “Now let us start working!” In many consultations, seminars and workshops organized by ASF prior to 12th December 2011, many stakeholders kept saying “You want a new law to specifically address acid and burn violence, but what is the point since no law is implemented?” Acid survivors Foundation Executive Director used to answer: “First the state shall set the norm by passing the proposed law to address acid and burn violence, then we should all work together on implementation; if you have no law, what do you wish to implement?”

ASF successfully promoted this logic in collaboration with parliamentarians at cross party levels, with EVAWG alliance ICT, KP-FATA and Balochistan chapters, with Mumkin Alliance Punjab, bar associations, media, CSOs, doctors and National as well as Provincial Commissions on the Status of Women-KPK, police, judiciary, and government institutions. When the Criminal Law Amendment Act 2011 (Act XXV) was passed in 2011, ASF immediately devised a strategy to support/foster its implementation.
This report is therefore not a research, but a humble attempt to document a pilot practice in a user friendly manner which demonstrates that “vulnerability is not a fatality” and that it is possible to improve rule of law. We hope that it will inspire other initiatives to address other GBV issues and we welcome you to join us again in 2014/2015 to assess the impact of this practice once disseminated, improved and up-scaled.

Valerie Khan Yusufzai
Chairperson, Acid Survivors Foundation.

1. Quoting Celia Jeannot, from Islamic Relief, France, Pakistan Mission.
INTRODUCTION

What is acid violence?

Acid violence is one of the worst forms of gender based violence which – in the context of Pakistan – disproportionately affects women and girls. Acid violence generally occurs as the result of a preexisting cycle of violence, usually domestic violence (60% of the cases) or refusal of marriage proposal/sexual advance. Acid violence can kill but it also causes severe physical, psychological and social scarring, particularly since medical treatment and/or rehabilitation services are insufficiently available and prohibitively expensive. Survivors are traumatized, disfigured, disabled and frequently ostracized. This leads to high levels of social exclusion, depression and sometimes even suicide.

Acid Survivors Foundation is a Pakistani non-profit organization working since 2006 to eradicate acid violence from Pakistan and protect – as well as promote- the fundamental rights of acid and burn survivors. It was officially registered in August 2007 under Voluntary Social Welfare Agencies (Registration and Control) Ordinance 1961. ASF Pakistan’s mandate is to work with multiple relevant stakeholders, through peaceful and democratic processes, towards the elimination of acid violence in particular and GBV at a larger level, and towards the empowerment of survivors – especially women and girls- so that they can exercise their fundamental rights. To this purpose, ASF is following a culture sensitive, holistic, human rights based approach, comprising 4 main axes: 1) Promote gender equity and peace 2) Ensure survivors receive the best available medical treatment and rehabilitation services in the long run 3) Ensure that survivors obtain justice, exercise their fundamental rights in accordance with the Pakistani constitution and international conventions 4) Enable survivors to end up as autonomous, proactive, empowered and democratic citizens.

In fact, ASF dreams of and strives for a Pakistan that becomes an acid and burn violence free country in which men, women and children fully exercise their fundamental rights.

To fulfill its mission, ASF implements the following programs:

1) Empowerment Program
   - Provision of comprehensive tailor-made rehabilitation services to victims of acid/burn attacks along with legal aid and personal development services

2) Communication For Change
   - Evidence/research based advocacy and lobbying to establish effective comprehensive

---

2 ASF data
4 Gender Based Violence
acid and burn related legislation in Pakistan to prevent/stop acid attacks, provide medical and rehabilitation services for survivors of attacks, regulate and monitor acid sale, ensure gender justice in the long run

- **Transfer of knowledge and mobilization** of LEAs\(^5\), judiciary, lawyers, women machineries/monitoring bodies along with other relevant stakeholders to foster law enforcement.

3) **Preventive Diplomacy**
- Provision of support services (including educational, socio-economic support) to men, women and children vulnerable to acid attacks.
- Awareness, education and training programs to promote gender equity, mitigate conflicts (especially at grass root level) and curb gender based violence, eventually leading to acid or burn attacks.
- Advocacy and lobbying to promote legislation and mechanisms addressing GBV in the country.

4) **Capacity Building Program**
- Identification, documentation, compilation, analysis and sharing of good/best practices, relating to acid and burn violence.
- Transfer of knowledge to enhance local, regional and international capacities to prevent/respond to acid violence, as one of the worst forms of GBV.

5) **Child Protection Program (cross cutting)**
- Ensure that all programs are articulated with a child friendly dimension as around 15\% of notified acid and burn victims are children\(^6\).
- Empower caregivers and stakeholders to address violence against children especially CSA/CSEC\(^7\) and develop a child friendly environment that promotes and enforces child rights in order to prevent acid violence against children.

**The problem:**

Acid violence is a global phenomenon highly present in South Asia, including Pakistan, which consists of throwing acid at someone -usually a woman or a young girl- to disfigure, punish and stigmatise him/her. The effects of acid violence include serious physical and psychological harm - sometimes death- as well as social ostracism. It is one of the worst forms of gender based violence as it is characterised by a long lasting, and worsening effect if not addressed on time and properly. If the recent passage of legislation on women's issues such as the **Criminal Law Amendment Act 2011 (Act XXV)**, on 12\(^{th}\) December 2011 (criminalizing acid throwing, making it a non-bailable and non compoundable offence, imposing a punishment of minimum 14 years to life time imprisonment and 1 million rupees fine) stands for an encouraging step, the **enforcement** of these laws -and thereby their impact to enhance women’s rights- left much to be desired in

---

\(^5\) Law Enforcement Agencies

\(^6\) See ASF database and The State of the Rights of the Child, SPARC 2012

\(^7\) Child Sexual Abuse/Child Commercial and Sexual Exploitation
2012: from January till July 2012, out of the 49 cases of acid attacks that were notified to ASF, 48 generated FIRs that were registered under old and inappropriate laws and too many victims were denied justice as “settlement” was imposed on them.

In general, acid violence occurs as the result of a pre-existing cycle of gender based violence and prevention as well as response to such human rights violation is insufficient or inadequate. State treatment and rehabilitation services are limited and survivors still face extreme challenges in accessing the justice system along with supports services. In fact, due to discriminatory power structures, patriarchy and fear of reprisal or stigmatization, many cases still go unreported.
METHODOLOGY

In order to produce this report on implementation of acid and burn violence related laws, Acid Survivors Foundation relied on various sources of information that included secondary and primary data. Although secondary data related to acid violence in Pakistan is quite limited, ASF has produced a situation analysis on the acid and burn phenomenon in 2008\(^8\), a data analysis and a survivors’ need assessment respectively in 2013 and 2014. A position paper on acid and burn legislation in Pakistan was also developed in 2013\(^9\). Those documents were very useful to contextualize the pilot action that is presented in this report. Additionally, other reports on GBV and especially on VAWG were consulted as per the bibliography included at the end of this document.

The primary data was mostly extracted from ASF database. The organization collects data through its notification unit that comprises a network of agents of change who have joined hands with ASF to counter GBV and acid violence in particular. This network includes survivors themselves, community members, CSOS, NGOs and INGOs, civil society networks, elected representatives, lawyers, law enforcement agencies representatives, media, medical staff, youth. ASF receives information via its field/outreach workers who send monthly notifications sheets to the head office, but also through concerned citizens who send courier, make phone calls, write e-mails, SMS, via certain direct visits to ASF offices, or via press articles that are later on double checked/followed up. The received information is centralized in ASF head office in Islamabad, entered into an excel sheet, compiled and then analysed.

Moreover, focus group discussions and individual interviews were conducted during this pilot experience with police, medico-legal staff and lawyers especially to identify challenges and formulate recommendations.

Collecting data related to acid violence in Pakistan constitutes quite a challenging task in itself as survivors are widely spread all over the country and live in remote rural areas, even if a majority of them -according to the current statistics- come from Southern Punjab. The outreach workers face logistical, financial and security limitations. Additionally, as we will see later in this report, several victims of acid attack never report their case to any hospital or any police station, and community/family members do not always wish to get involved and report such attacks, hence tracing cases of acid violence can become quite difficult.

\(^8\) See Situation analysis on acid and burn phenomenon in Pakistan, Mohammad Ali Syed, Valerie Khan, 2008, Acid Survivors Foundation, UN Women.
Nevertheless, the most relevant data to date related to acid violence in Pakistan lies with Acid Survivors Foundation as it is the only organisation in Pakistan that specifically addresses acid violence through a holistic approach. For some indicators the samples and the period may vary (between 2007 and March 2014), but each finding will be contextualized in order to avoid mistakes or distorted interpretations. Needless to say, collecting data and developing techniques to lead evidence based actions, constitutes a process and Acid Survivors Foundation does not claim scientific exhaustiveness. ASF would like to reiterate its commitment to improve its data collection further, in collaboration with other organisations in the world working on acid violence and GBV, so that an international and regional perspective could also emerge.

Last but not least, all exchanges with stakeholders were conducted using positive communicative attitude. This is one of the key characteristics of this pilot initiative: rather than focusing on denouncing, this action tried to engage, mobilize and establish a trust between key stakeholders. While we do not claim that this is the only required and effective methodology, we think it has led to very encouraging results.
CURRENT SITUATION OF THE ACID AND BURN PHENOMENON

Acid violence is not a new phenomenon: it was present in ancient times\textsuperscript{10} and quite spread in Europe in 19\textsuperscript{th} century as a criminal weapon in the “low quarters” of Rome, London and Paris. It is in fact a global phenomenon happening in USA, South America, Africa, Europe, and highly prevalent in South Asia\textsuperscript{11}.

In Pakistan, few cases were reported, but more victims started breaking the silence when civil society, media and government made efforts to reach out to victims and collect data. The statistics, which will be presented later in this document show that acid attacks reporting is on the rise. We are not sure that it necessarily means that more attacks take place: FGDs and individual interviews with survivors, police and communities show that many victims and especially their family DO NOT ALWAYS WANT to report attacks out of fear of reprisal or simply because family members are involved in the attack, or because they are not empowered enough to start legal action. We are therefore inclined to support the idea that we can only conclude that the phenomenon of acid violence has been under-estimated so far, insufficiently researched upon and that it should therefore be taken as a serious issue requesting immediate ACTION.

Discriminatory power structures (such as feudalism), patriarchy and a certain gender ideology that relies on a “sexual division of labor that defines women’s roles in the private arena of home and men’s role in the public sphere\textsuperscript{12} and that confines women to their role as subservient mothers, wives, or daughters\textsuperscript{13},", along with radicalization, terrorism, cheap availability of acid\textsuperscript{14} and defective rule of law, rampant poverty and lack of progressive education, fuel gender based violence that can eventually result in acid attack.

The Government of Pakistan has taken several historical steps to address acid violence in the recent past:

At a structural level:
- Passage of the \textbf{Criminal Law Amendment Act 2011}\textsuperscript{15}

\textsuperscript{10} \url{http://www.newstatesman.com/2014/03/losing-and-saving-face}
\textsuperscript{11} \url{http://www.acidviolence.org/}
\textsuperscript{12} \textit{NCSW Study on Local Bodies System and its Impact on Women}, p 35, p7
\textsuperscript{13} \textit{VAWIP}, Pakistan perspective, SAP-PK, 2006
\textsuperscript{14} \textit{Situation analysis on acid and burn phenomenon in Pakistan}, Mohammad Ali Syed, Valerie Khan, 2008, Acid Survivors Foundation, UN Women
\textsuperscript{15} \textit{Position Paper on Acid and Burn Legislation in Pakistan}, Valerie Khan, F. Mohammad Khan, ASF, March 2013.
- **Inclusion of Burn Victims** as beneficiaries of the Funds for Women in Distress and in Detention in 2012, by the Pakistani government.

Moreover, in ICT (Islamabad Capital Territory) a comprehensive Acid and Burn Crime Bill was tabled in the National assembly on 18th December 2012 but it lapsed and the process must now be reinitiated with the new elected government. It aimed to address other aspects of the crime that cannot be part of a simple amendment in the Pakistani Penal Code: investigation process, trial process (type of court and trial duration), rehabilitation and legal aid services to victims, funding and monitoring mechanisms, regulation of distribution and sale of acid. The comprehensive legislation has been recently resubmitted to the national assembly, by Marvi Memon, a PML-N parliamentarian who has been championing the fight against acid violence, to be tabled.

In Khyber-Pakhtunkhwa, the Provincial Commission on the Status of Women along with the civil society and Women Development Department-KP, media and parliamentarians, reviewed the comprehensive bill in 2012 that was then forwarded to KP law department and sent back to SWD and WED KP. The comprehensive law is still under review and its tabling in the provincial assembly is still awaited.

In Punjab, the comprehensive bill has been submitted to the Women Development Department, discussed with a provincial parliamentarian committee in 2012 and discussed with the Punjab Law Department the same year. Till date however, no comprehensive bill has been tabled in the provincial assembly.

Unfortunately, in Sindh, Balochistan and Kashmir, no further action has been taken with regard to the comprehensive Acid and Burn Crime Bill.

**At an institutional level:**

- Inclusion of the commitment to pass the Comprehensive Acid and Burn Crime Bill and address violence against women, in only respectively two political party manifestos.

- Establishment of the first and only government **provincial board** for medical and psychological care of acid survivors in Punjab in December 2012.

- Signature of a partnership agreement (PIDSA), between ASF, Italian Cooperation and the Pakistani government to establish a Burn Center in Multan along with the **first public rehabilitation center for acid burn victims (a first in the world)** in April 2012.

- Inclusion of comprehensive legislation on acid violence as a priority agenda in several Pakistani government institutions (PCSW\(^{17}\) in KP\(^{18}\), NCSW\(^{19}\), MoLJ and HR\(^{20}\) in ICT) in 2013.

- Suo-moto action of Chief Justice Iftikhar Chaudhry, in **November 2009**, who consequently advised/requested Pakistani parliamentarians to legislate on acid and burn violence on the model of the Bangladeshi law.

---

16 PPP manifesto 2013, ANP manifesto 2013  
17 Provincial Commission on the Status on Women  
18 Khyber-Pakhtunkhwa  
19 National Commission on The Status of Women  
20 Ministry of Law and justice and Human Rights
- **Peshawar High Court Decision** demanding the immediate ban of uncontrolled open sale of acid in KP in 2013.

At a functional level:

Victims are more aware of the need to pour water on themselves right after the attack, they reach hospital earlier than before: the majority of the patients attended by ASF reached the hospital within 24 hours after the attack, whereas it could be 2 to 3 days, or even weeks in 2007.

The network of volunteers, agents of change, media, doctors, artists and youth contacting ASF to contribute to countering acid violence also keeps on increasing, hence ASF reaches out to more survivors and gets a more accurate data. Meanwhile, success stories among survivors are now emerging to be presented as role models to inspire other victims of violence.

The concept of psycho social support as a key empowerment tool is also progressively gaining ground: trainings are requested/proposed by organisations and manuals shared; universities are now acknowledging the need to develop local capacities to address psychological needs of the population.

However, the medical structures are not resourced enough and nurses insufficiently trained for the adequate treatment of survivors. Very few have access to emergency medical services and the state does not provide enough specialised acid burn treatment or rehabilitation facilities. Under defense budget, 3 Burns Centers have been established at Combined Military Hospital (CMH) Kharian, National Engineering and Scientific Commission (NESCOM) hospital Islamabad and Pakistan Ordnance Factory (POF) Wah. While Burn Wards exist in some public sector hospitals (8 were identified so far), they can hardly qualify as proper burn treatment facilities. Three notable exceptions in terms of high quality facilities in public sector are the Burn Centre, Karachi and Burn Care Centre at PIMS, Islamabad and the new Burn Center in Multan. Till date, the only rehabilitation center available in the country for acid and burn survivors is a private one ran by Acid Survivors Foundation.

Lastly, even if this document highlights an encouraging trend, levels of awareness amongst police, prosecution and the judiciary remain limited\(^\text{21}\), and it is still extremely challenging for victims to access justice.

Overall, acid violence prevails in the country and victims still face huge medical, social, legal and economic challenges to re-integrate mainstream society after the attack.

\(^{21}\) See *Position paper on Acid and Burn Legislation in Pakistan*, ASF, March 2013.
THE PILOT PROJECT

This pilot initiative was part of a project supported by Australian Aid that fed into Acid Survivors Foundation’s program titled Communication For Change. It proposed to conduct a national awareness/sensitization campaign by a) training and informing key stakeholders such as victims, law enforcement agencies, judiciary, lawyers, medical staff, youth, community members, relevant government institutions about the new Criminal Law Amendment Act 2011, Act XXV to foster effective implementation of law and consequently contribute to curbing acid violence in the country, an atrocious form of gender based violence b) Developing and pilot testing a new communication strategy in which these key stakeholders are engaged in becoming human rights defenders through their official responsibilities c) Monitoring, documenting and disseminating a creative process to enhance effective implementation of law so that it could later on be replicated, adjusted, up-scaled for other pro women legislation. In fact, in the larger realm of human rights and women’s empowerment process, pro women legislation is proving to be a significant path towards expanding Pakistani women’s rights.

Though this pilot initiative, ASF aimed at the following outcomes:

**Outcome 1:** Enhanced access to justice for victims of acid violence as FIRs registration and court proceedings increase in the country thanks to the direct mobilisation of stakeholders.

**Outcome 2:** A model for effective implementation of pro women legislation is available for capitalisation at local, national, regional and international level.

**Outcome 3:** Awareness about acid violence and the need to implement pro women legislation is enhanced in the country, which strengthens the support network for women’s empowerment in the country.

To achieve those, the following activities were conducted:

**A1. Sensitisation of Law Enforcement Agencies, key stakeholders on acid violence in Pakistan and on the new Criminal Law Amendment Act 2011 (Act XXV) and the impact of effective implementation of pro-women legislation.**

**A1.1. Meetings with IGP in Punjab, KP, ICT, Sindh, Balochistan.** These meetings focused on training and sensitizing the “orders givers/ decision makers”, but also on engaging them as “acid violence fighters/ human rights protectors” who would later on be recognised for their outstanding contribution to effective law implementation. They
were provided with all material related to the law and were “positively followed up” during the project to discuss the progress of action. Their role was to ensure that the police officers, their staff, were informed about the law and implemented it.

A2. Training and sensitisation of law enforcement, medico-legal staff on the new Criminal Law Amendment Act 2011 (Act XXV) and the impact of effective implementation of pro women legislation.

A2.1 Trainings of bar associations: Rawalpindi, Karachi, Lahore, Peshawar, Multan, and Quetta. Lawyers are important stakeholders in the field of law implementation: the training focused on interacting with the bar association to a) facilitate the dissemination of legal information b) enhance the local capacity to counter gender based violence, registration of fake or irrelevant FIRs c) strengthen legal fraternity’s mobilization to provide legal aid to acid attack survivors.

A2.2 Training of medico-legal officers and police officers in Quetta, PIMS, Nishtar, Civil Hospital. These are usually the first actors whom a victim has to interact with after the acid attack. The training focused on ensuring that FIRs and medico legal reports were correctly drafted and on engaging these stakeholders as “women rights defenders”.


A3.1 Radio campaign in the 5 provinces (Punjab, Sindh, Balochistan, Khyber Pakhtunkhwa): culture sensitive messages were broadcasted to insist on the kind of FIR to be registered and the punishment/fine that a perpetrator risked, to underline the deterrent effect of the new law.

A3.2 TV campaign at national level: culture sensitive messages were broadcasted to ensure that legal information was disseminated to the population and government institutions at large, the communication also insisted on the punishment/fine for such action.

A3.3 Award ceremony to celebrate progress in effective implementation of pro women legislation such as Criminal Law amendment Act 2011: An official event was to be organized at the end of the project to launch the report that would assess and present the process pilot tested through this project. The whole event would be organised in collaboration with youth groups, women rights’ watch dog bodies, policy makers, civil society, and would be the occasion to officially acknowledge the stakeholders who have facilitated this law implementation and encourage others to pledge to extend this cooperation to other pro women legislation.


A4.1 Production of a project analysis report related to the implementation of Criminal Law Amendment Act 2011 (Act XXV). Based upon focused group discussions (beginning/end of project) and a comparative data analysis, the report would document the process developed to engage and monitor various stakeholders in/for improving law implementation, present the lessons learnt and assess the outcomes.
A.4.2 Printing and Dissemination of the project report. The report would be shared and disseminated among donors at national, regional and international level, government institutions such as provincial social welfare departments, Women Development Departments, Ministry of Interior and Ministry of Law, Justice and Human rights. It would also be shared among various civil society networks, including ASF's international alliance.
FINDINGS/ANALYSIS

a) Geographical distribution (overall acid attacks)

<table>
<thead>
<tr>
<th></th>
<th>Punjab</th>
<th>AJK</th>
<th>FATA</th>
<th>Balochistan</th>
<th>ICT</th>
<th>KP</th>
<th>Sindh</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>55.8961%</td>
<td>0.949%</td>
<td>0.5694%</td>
<td>1.5184%</td>
<td>9.49%</td>
<td>1.5184%</td>
<td>2.7521%</td>
<td>26.76%</td>
<td></td>
</tr>
<tr>
<td>589</td>
<td>1</td>
<td>6</td>
<td>16</td>
<td>10</td>
<td>16</td>
<td>29</td>
<td>282</td>
<td></td>
</tr>
</tbody>
</table>

The data shows that the vast majority of acid attacks occur in Punjab (around 55.89%), followed by Sindh (2.75%), then by Balochistan and KPK equally (1.51%). It is however important to note that ASF knows that 30 more cases should be added to the current figures in KPK: during a demonstration in front of the press club in Peshawar, acid was thrown on the crowd in 2010 and 30 people were injured, but none of them could be traced when the notification was conveyed\(^{22}\) to ASF head office, therefore none of them was entered in the data base.

Districts of Southern Punjab present the highest numbers of acid attacks with 104 attacks notified from Multan, 87 from Muzaffargarh, 72 from Rahim Yar Khan and 70 from Bahawalpur. In Sindh, the highest number of attacks is in Karachi (15).

Overall, Southern Punjab and more precisely the “Siraiki belt”, also called “cotton belt”, concentrates the highest number of acid attacks. A study from EDACE (Enhancing Democratic Accountability and Civic Engagement Programme) states: “The economy of Southern Punjab is predominantly rural-agricultural...It produces 84.8% of the cotton output of Punjab... Concentration of farm land is high, with a strong hold of feudalism and the \textit{thana katchery} culture associated with it... Dependence on the vagaries of agriculture and slow rate of industrialization keeps unemployment rate high\(^{23}\). ASF situation analysis conducted in 2008 actually showed that there was a strong correlation between the agricultural practice of growing cotton and the prevalence of acid attacks. In this region, acid is widely used and sold to treat cotton seeds with diluted acid to later on plant and replant them. Acid is cheap and sold with no check and balance at grass root level.

In fact, after giving several worrying statistics, the same EDACE study states: “Deprivation reflected in poverty, unemployment, illiteracy and sectarianism are the main drivers of conflict in South Punjab”\(^{24}\). ASF FGDs show that conflict is frequently interlinked with financial disputes: those financial disputes (that can be disguised as dowry, land, re-marriage issues or other forms of domestic issues) are reinforced by poverty. FGDs and IDIs confirm that most of the acid burn victims have experienced a long cycle of violence BEFORE being attacked with acid. The need to


focus on conflict mitigation, which includes economic empowerment/livelihood as a preventive strategy to counter acid violence must therefore be acknowledged.

With the passage of time, acid attacks geographical distribution has spread and “new areas” such as FATA appeared on the map with new trends of attacks: FATA perpetrators targeted a religious sect while threats were conveyed by terrorists to “girls”: who would not wear hijab in AJK and in FATA.

a) Sex segregation of acid attack victims from 2007 till 2013 (overall acid attacks)

The data shows that a majority of the victims are female: at least 519 out of 949 victims, hereby confirming the fact that acid violence is also a form of gender based violence. In Pakistan, most cases are perpetrated by males (only 3 cases of acid attacks perpetrated by females have been reported so far in Pakistan). However, a significant proportion of males (277 out of 949) also fall victims to acid violence. Among both sexes, children and even transgender are present. In its next data edition in 2014, ASF will be in the position to provide a gender-segregated data. Overall, around 15% of victims of acid attacks are children.

The need to address discriminatory, patriarchal mindsets and reinforce implementation of article 25 of the Pakistani Constitution is also re-confirmed; a participant in the FGDs stated: “Had that violence been mitigated earlier, acid violence may have been prevented; had women and girls availed another status in society, nobody would be in the position to victimize them in such a terrible manner, with such impunity…”

Furthermore, a significant number of cases could not be segregated sex wise (153 cases are unknown); this lacuna will have to be considered while devising a mechanism to monitor acid violence in the country (reporting and collecting/entering data).

b) Average income of survivors treated by ASF? (Purposive sample).

As mentioned earlier, the impact of poverty on acid violence is undeniable: 80% of the survivors earn less than PKR 8000 per month. Again, the majority of acid burn victims belong to rural, feudal areas; many victims are illiterate, unemployed and unskilled. Those socio-economic factors have to be addressed to foster access to health, justice and socio-economic services in case of attacks or in case of threat of attack. They are crucial elements for the reintegration of victims in the societal mainstream and must be taken into account while developing policies and legislation.

e) Number of acid attack year wise since 2009 till March 2014?

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of attacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>43</td>
</tr>
<tr>
<td>2010</td>
<td>55</td>
</tr>
<tr>
<td>2011</td>
<td>150</td>
</tr>
<tr>
<td>2012</td>
<td>110</td>
</tr>
<tr>
<td>2013</td>
<td>143</td>
</tr>
<tr>
<td>Jan-March 2014</td>
<td>49</td>
</tr>
</tbody>
</table>
The data clearly shows the increase in the number of cases being reported in Pakistan since 2009. Data prior to 2009 was not segregated year-wise. While conducting FGDs and individual interviews most participants highlighted that an increasing number of victims were now willing to “break the silence”, since awareness and social as well as political disapproval of acid violence had been fostered in the country. This “silence breaking” phenomenon has been confirmed by the increasing number of volunteers joining ASF network to support victims, participate in ASF action and notify/report cases. However, caution must also be present in the communication strategy implemented to address acid violence: during trainings and awareness campaigns aiming to reinforce the deterrent effect, ASF made sure that rather than the effect on victim, the severity of the punishment was highlighted.

This increasing trend of acid attacks, as stated earlier, shows that acid violence is a phenomenon more extended than some stakeholders may have thought, and it consequently calls for further, stronger action to ensure better protection against GBV and acid violence at a provincial and national level.

f) Total number of reported cases of acid attacks from 2007 till 2013?

The total number of acid victims notified to ASF between 2007 and 2013 amounts to 949. This does not include the 49 cases reported from January till March 2014. It is crucial to note that this figure only stands for the tip of the iceberg: hospitals receiving acid attack victims do not propose a gender segregated data and their data entry indicators are too vague to be relied upon, without risking any duplication. Consequently, till date, no data related to the hospital attendants, which however constitutes a major source of information. Further cooperation to address this obstacle must also be envisaged between civil society, LEAs and government institutions.

g) How many patients treated by ASF since 2007 till 2013?

Since 2007 ASF has reached out and provided support services to 176 acid burn survivors. Since a data of 949 victims has been identified and since very few other organisations provide support to survivors, it seems that only 18.54% of the victims have had access to comprehensive support services after the attack so far. This percentage is clearly insufficient and proves that a major part of Pakistani citizens affected by one of the worst forms of domestic violence do not exercise their fundamental constitutional rights. Initiatives such as the Burn Hospital and Social Rehabilitation Centers in Multan are key elements of the state response to acid/burn violence, but progress is too slow.

h) Number of FIRs initially registered (without ASF intervention) under the right acid and burn violence related law in 2012 and in 2013?

One of the key criteria set by ASF Pakistan to assess and monitor the level of law implementation related to acid and burn violence, was the number of FIRs (First Investigation Reports) registered UNDER THE RELEVANT LAW, without ASF initial intervention. The registration for FIRs constitutes one of the major obstacles that victims face to access justice.

25 Situation analysis on acid and burn phenomenon in Pakistan, Mohammad Ali Syed, Valerie Khan, 2008,
Acid Survivors Foundation, UN Women
26 Acidsurvivorsofdepartment.pakistan.facebook.com.PIDSA
In 2012, only one FIR was initially registered under the right acid and burn violence related law, without ASF intervention.

In 2013, the data shows a clear improvement in this regard.

**PROSECUTION in 2013**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total prosecuted</td>
<td>52</td>
<td>36%</td>
</tr>
<tr>
<td>Unknown</td>
<td>80</td>
<td>56%</td>
</tr>
<tr>
<td>Didn't pursue</td>
<td>3</td>
<td>2%</td>
</tr>
<tr>
<td>Accidental</td>
<td>7</td>
<td>5%</td>
</tr>
<tr>
<td>Suicide</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td><strong>The victim died</strong></td>
<td><strong>Sec 302</strong></td>
<td><strong>40%</strong></td>
</tr>
<tr>
<td><strong>The victim survived</strong></td>
<td><strong>Sec 324</strong></td>
<td><strong>27%</strong></td>
</tr>
<tr>
<td><strong>The victim survived</strong></td>
<td><strong>Sec 336</strong></td>
<td><strong>31%</strong></td>
</tr>
<tr>
<td><strong>The victim survived from fire burns</strong></td>
<td><strong>Sec 322</strong></td>
<td><strong>2%</strong></td>
</tr>
</tbody>
</table>

Out of 143 acid attack cases, the total number of FIRs registered in 2013, reached 52. Out of those registered FIRs, 37 (71%) were registered under the relevant laws without ASF’s initial direct intervention (section 302 and 336 of the PPC). Hence, the data shows an improvement of 70 points between 2012 and 2013 in the registration of relevant FIRs for acid and burn violence. This clearly demonstrates an improved performance from police and medico legal officers along with a stronger knowledge from lawyers to address acid violence as one of the worst forms of GBV.

Another important area of concern related to acid violence is the death rate among prosecuted cases (purposive sample). An improved outreach activity by ASF and therefore a better follow up of victims whose case has been prosecuted demonstrates that in 2013, the death rate related to acid violence reached 40%. This contradicts the initial impression of stakeholders (including ASF) that acid violence rarely killed, and this further underlines the urgent need to address acid violence in the country.

i) **Convictions**

Overall, the average conviction was of 6 to 10 years imprisonment before 2011, it is now around 20 years in 2013.

Before 2011, the average duration for an acid attack case to be concluded was around 3 years, in 2013, many more cases are closed within 6 months even at the level of court session

Overall, in 2013, 7 convictions for acid attacks were registered and all those convictions were given under the new law.

In 2013, out of those 7 convictions, 5 of them resulted from acid violence cases registered in 2013 under the right law. It therefore seems that in 2013, the majority of the convictions were achieved as a consequence of a speedy but yet reasonable trial timeframe.
Those results show that there is an increasing trend from the Judiciary to respond in an appropriate manner to acid and burn victims, and that acid crimes are indeed considered as a horrific form of violence requesting severe punishment.

Many other cases registered in 2013 are still under trial though and we hope that statistics in 2014 will show even more significant achievements related to dispensation of justice to victims of GBV in Pakistan.
WHY AN EXAMPLE OF GOOD PRACTICE?

Outcomes.

Outcome 1: Enhanced access to justice for victims of acid violence as FIRs registration and court proceedings increase in the country thanks to the direct mobilisation of stakeholders.

As the data highlighted, between 2012 and 2013, INITIAL FIRs registration, INITIAL court proceedings under the right law increased from 1% to 71%. Average duration of trial in case of acid attack seems also shorter in 2013 compared to previous years.

Outcome 2: A model for effective implementation of pro women legislation is available for capitalisation at local, national, regional and international level.

This report itself documents the process and will be distributed, shared with stakeholders involved in the project and made available on line so that other organisations and countries can access it and capitalise upon it if they wish so.

Outcome 3: Awareness about acid violence and the need to implement pro women legislation is enhanced in the country which strengthens the support network for women's empowerment in the country.

The support network to counter and reduce acid violence is tangible: judiciary decisions are tougher and judges try to provide relief more quickly to the victim (the trial lasted approximately 6 months for 5 out of 7 convictions given in 2013). Media are increasingly reporting cases and facilitating victims' identification and contact for provision of support. More lawyers are joining ASF network for pro bono legal and advocacy services. An increasing number of youth is also joining ASF group of volunteers. The results related to the increased quality and quantity of registered FIRs in itself shows that the social and political disapproval of acid violence has gained momentum.

More precisely ASF has selected the following criteria to qualify this pilot project as an example of good practice.

Criteria.

Relevance: the pilot project was relevant as it focused on one of the major needs highlighted in 2008 and reiterated in 2013 by acid attack survivors: effective implementation of law. The project was designed according to the recommendations from LEAs themselves, gathered by ASF field and higher management teams. The criteria selected to assess the pilot action were also the ones identified in collaboration with LEAs during trainings and consultations. This bottom to top and beneficiary focused approach appears to have been a good choice. The action was limited, short, focused and simple hence relatively easy to evaluate.
Effectiveness: The project was outcome based and the initial steps and meetings with all stakeholders underlined the expected outcomes of the pilot experience. This was actually part of the mobilisation strategy: they were asked to join ASF in generating the expected change.

The activities were sufficient, not over-ambitious (small numbers of participants and selection of key provincial districts with regard to acid and burn violence) and adjusted to the local context: there was no problem for rescheduling meetings with government representatives as per need and constraint and since we focused on law implementation, all key stakeholders linked to the legal execution process were on board.

The impact has been reached as we were also prudent from the beginning: we expected an improvement, not a miracle. Additionally, we knew that a first piloting initiative would only set the basis for further action.

Quality of action heavily relied on ensuring that all training and sensitisation sessions were conducted in collaboration with a lawyer, specialised in criminal law, who had experience in helping acid attacks victims. Local languages were used and ASF representatives were always present to facilitate the linkage with the legal and social perspectives. Pre and post assessment questionnaires were conducted before delivering training to verify that the knowledge had been transferred. Finally, as mentioned earlier, while talking to LEAs representatives, ASF implemented the “polite persistence” methodology; the point was not to attack LEAs but rather to present the problem in a tangible manner: figures, case studies, sometimes survivors were present and requested guidance, help to change the situation. Challenges faced by LEAS were heard and collaboration was established to address gaps. This enabled trust building and achieving results.

Efficiency: the positive communication that generated effective mobilisation from LEAs ensured value for money, high police officers personally contacted their staff to ensure that police station would be given orders to give priority consideration to cases of acid attacks, they also facilitated the distribution of information leaflets; moreover, volunteers were engaged among lawyers, suggestions given during the training will be used for further advocacy campaign instead of conducting another baseline. Reports have been compiled after each consultation/meeting to ensure that those advocacy points are archived for future intervention.

The overall project was Aus $100,000 and lasted 12 months, all activities have been conducted and results have been delivered as anticipated; budget realignment was requested for one activity to ensure maximum impact when needed. The production of IEC material was complemented by a TV/radio awareness campaign, and those deliverables can still be used after the project (designs are available with ASF), social media also ensure that posters are there on line and media keep on reporting cases after acute sensitisation. Students from universities can use some extracts of those material to make some presentation.

Finally, relevant policies are in place and implemented in ASF to ensure transparent and good financial management, the project financial audit, along with event reports, 6 monthly report and MOVs are part of this transparency policy.

Those elements of organizational and operational management are essential to ensure the trust of other stakeholders as it is a part of an institutional credibility.
Sustainability: the strength of this pilot action and the reason why we document it is because it is replicable. The budget we are talking about is not a very big one and even if some challenges remain, proving to the concerned stakeholders that progress was effectively achieved will only mobilize them further to cooperate. In view of the increasing statistics, this tripartite collaboration must actually intensify. The report is clear enough to describe how the project was designed and conducted, it is conceived as a user friendly guideline for other groups, organisations to use. In fact, it seems that this initiative along with the ones related to swara, vani or anti sexual harassment law for example, proves that one can work with government institutions to foster law enforcement.

The concern for sustainability is at the heart of this pilot initiative. This report, for example, will be shared on line and sent to institutions to ensure that this knowledge can be shared on a long term basis. The training sessions and the development of the network of agents of change guarantee action to counter acid violence beyond this project. The on-going linkage with new and traditional media also facilitates the projection of this good practice and will, we hope, also encourage the government, more citizens and donors to support us for the next steps until we achieve our goal.
CONCLUSION

The report describes an improvement in enforcing a law that aims to address one of the worst forms of GBV: acid violence. It confirms our belief that structural, institutional and functional barriers can be fractured in order to foster justice, equality and women’s empowerment. It would however be extremely naive to consider that our task is over. Indicators show encouraging results but this is not sufficient: figures also confirm increasing reports of acid attacks, and this has to stop. Furthermore 35% of prosecution in 2013 still means that 65% of the aggrieved victims were not provided Justice: the constitution does not allow it, our country cannot afford it and our conscience should not tolerate it. It is therefore crucial that we acknowledge the challenges to be overcome and continue working together to eradicate acid violence in Pakistan. To this effect, the chapter below formulates recommendations gathered during this project and during other actions. Please join us!
RECOMMENDATIONS

- The legislative framework of Pakistan must evolve: repealing discriminatory laws, passage of pending legislation related to human rights and development of new necessary legislation to ensure gender equity is essential, developing Human rights, GBV and child protection policies constitute three other priorities.

- The Parliament should explicitly lay down responsibilities of the Federal government through comprehensive legislation in terms of providing medical treatment and other necessary support to burn victims for living a dignified life. In the post-18th Amendment situation, the Parliament can still enact in relation to Islamabad Capital Territory (ICT) and other Federal Areas including cantonments and garrisons. A comprehensive Federal legislation could serve as a model for the provincial assemblies and governments to follow.

- Other aspects of the acid and burn crime phenomenon should also be tackled via comprehensive legislation: investigation process, trial duration, monitoring and funding of response to acid survivors by the state.

- The Poison Act 1919 is inadequate and flawed; and has failed to deliver the desired results. It has a limited scope and provides light sentences. It has not been improved in any meaningful manner since 1919. It provides a weak monitoring and implementation mechanism.

- As explained in this report, there is a need to work on changing mindsets: a huge National Interest Campaign must be run to promote the concept of gender equity, equality along with implementation of article 4, 8, 25 and 35 of the constitution of Pakistan. This would have to include and present a new religious discourse as well and a strong coordination with civil society, traditional and modern media.

- Education curricula must also be reviewed and include the notion of equality, peace and tolerance, propose new role models and reintroduce forgotten ones.

- Ensuring women’s political empowerment at all levels is also crucial to counter the gender ideology that confines women to a second citizen’s status and that stops her from fully exercising her constitutional rights.

- Projection of formal court decisions punishing violence against women, rather than the crime is also necessary at grass root level to support the deterrent effect and nourish the social as well as political disapproval of acid violence and GBV.

- Parliamentarians may use their influence through their legislative oversight function to ensure that the Federal and provincial governments prioritize in their heath policies the provision of adequate and timely medical facilities to victims of burn violence. Currently, the health policies put little emphasis on accessible treatment facilities and rehabilitative programs for burn victims.

- In their policies, the Federal and provincial governments should establish priorities and criteria for treating and rehabilitating burn cases, especially in terms of building good
quality facilities in areas where burn cases mostly happen (including areas prone to terrorist attacks where bomb blasts victims are numerous), providing specialized emergency services, cost of treating burn patients, ambulance services and post treatment care in terms of managing disfigurements, trauma and psychological impacts. The example of Multan is a good approach to be followed.

- Lack of evidence is a serious problem in formulation of policies regarding violence on women including burn incidents. The relevant parliamentary committees at the Federal and provincial levels should demand the government departments to carry out research, collect data and maintain databases for informing policy processes as well as policy relevant research. To this effect, stronger tripartite partnership with Government, civil society and donors may be envisaged. The establishment of a coordination body for data collection is a must.

- A national programme should be launched in order to train paramedic staff, doctors, clinical psychologists and psychiatrists in the area of burn treatment and care. This can help overcome the shortage of human resource in the area of burn treatment. Under this programme, appropriate manuals and Standard Operating Procedures (SOPs) should be prepared and adopted by health ministries, departments and hospitals.

- There should be effective coordination between the Federal and provincial governments to avoid duplication and ensure efficient utilization of structures, facilities and resources.

- A national programme to reinforce awareness and increase knowledge among youth, police, judiciary, lawyers and medico-legal officers, para-legal and communities should be conducted with relation to pro women and girls’ laws, especially at local level.

- Projecting heroes of LEAs, judiciary, highlighting examples of effective law implementation, promoting meritocracy for career purposes of LEAs, along with disseminating examples of good practice is also vital to change mindsets among police and among population.

- Integrate Gender Indicators into local policies and action plans.

- Organise local elections and practice gender sensitive budget especially at local level on an urgent basis.

- Implement the recommendations of UPR and institutionalise the monitoring and promotion of human rights via establishing the NCHR, NCRC, via extending PCSWs to all provinces in the country and ensure that relevant resources are not only allocated and approved but effectively transferred to the concerned bodies. This will foster democratic accountability and reinforce the implementation of the Citizens’ constitutional rights.

- Implement 10% quotas related to women’s presence in government institutions, ensure that women obtain 33% quota in local body elections and access decision making bodies at high rank position, promote women’s being awarded tickets during elections, cancel and declare null and void elections for areas in which women were barred from voting.

- Foster cooperation with NADRA and other government institutions to enable women to obtain ID cards.

- Reactive Fund for Women in Detention and Women in Distress.

- Sensitise media to project perpetrators in a negative way, not in a sensational manner, and concentrate on the punishment rather than the victim; project and insist on success stories.

- Document and share examples of good practices.