

GENDER BASED DOMESTIC VIOLENCE AMID COVID-19 IN THE KHYBER PAKHTUNKHWA PROVINCE (KP), PAKISTAN

Noreen Naseer^{*1} Tabassum Majeed², Faiza Bashir³

^{*1}Ph.D. and Assistant Professor at The Department of Political Science, University of Peshawar.

²Lecturer at The Department of Political Science, Islamia College Peshawar.

³Ph.D. and Assistant Professor at The Department of Political Science, Islamia College Peshawar.

^{*1}noreen_naseer@uop.edu.pk, ²tabassumajeed@icp.edu.pk, ³faiza@icp.edu.pk

Corresponding Author: *

Received: October 10, 2024 Revised: November 10, 2024 Accepted: November 24, 2024 Published: November 29, 2024

ABSTRACT

It is learnt from world's history that the endemics have always cause a spike in the incidents of gender-based violence including domestic abuse and sexual exploitation as many households struggled with heightened tensions, economic pressures and confinement at homes. The recent passed pandemic of COVID-19 also posed serious threats to the physical and mental well-being of girls and women all over the world. Hence, this research addresses gender-based violence against women of Khyber Pakhtunkhwa (KP) amid COVID-19, it is found out that they have equally suffered distress and different kinds of violence amid pandemic lock-downs. In this study, we have tried to map and analyze the existing data on Gender-Based Violence (GBV) during COVID-19 in the domestic sphere and assess how the government and civil society responded in provision of essential services to domestic violence victims. Our research has also explored the cases of unreported domestic violence victims too and suggested recommendation to policy makers for future mechanisms to help women in distress in extra-ordinary circumstances.

Keywords: Gender based violence, Patriarchy, COVID-19, Government and Civil Society Responses

INTRODUCTION

The United Nation described the worldwide increase in the domestic abuse and violence as “shadow pandemic” alongside COVID-19. Therefore, it is important to flag that the absence of social security and cover has triggered the vulnerability of informal and daily waged workers that accelerated brawls at home, which mostly resulted in the violence against women and girls. Therefore, violence cases increased by 40% during the lockdown, as many women, children and people with disabilities were trapped within such situation (UN Women, 2020). This had an emotional impact on everyone in the household as well in the community. With COVID-19, locked downs and patients in the family, the workload and responsibilities of majority women increased manifolds. Hence, increase in the unpaid work,

domestic chores, in some cases job and income loss contributed to the stress and anxiety of women. It is also important to mention that women’s mental and physical health was also compromised due to prevailing situation.

If we holistically review different reports and studies, it is observed and recorded that one in three women worldwide have experienced violence amid pandemic (UN Women, 2020). According to data given by the American Journal of Emergency Medicine, the domestic violence against women increased 33% globally (Newman, 2021). Similarly, in Pakistan the situation worsened in the lockdowns too due to COVID-19. The ratio of domestic violence doubled in number due to COVID-19 restrictions in the country (The Dawn, 2021). Along with psychological problems

triggered by COVID-19, economic stress in such extra-ordinary times also contributed to the increase in domestic violence. Unfortunately, domestic violence against women in Khyber Pakhtunkhwa (KP) is rampant but the cases of violence increased amid pandemic. It is reported that during lockdowns around 399 domestic violence cases of women were reported in KP, however more than twenty-five calls every week on police helplines were received (A. Bano, January 10, 2024). Therefore, it can be assumed that with such a high number of murders and calls for help, there were still many cases that went unreported.

There are several reasons and motives recorded behind violence against women in KP; however, her being physically weaker and dependence made her vulnerable, the economic pressures and increased unemployment amid lock-downs due COVID-19, it further provoked the abusers to use violence against young women and girls without support systems. During the lockdown in the country, the cases reported to the Khyber Pakhtunkhwa (KP) police and to the Provincial Social Welfare Department showed 45% rise in the domestic violence (Farooq, 2021). Former Member Provincial Assembly and the General Secretary of Women Caucus in Khyber Pakhtunkhwa (KP), Ms. Ayesha Bano wrote a letter to Inspector General Police of KP about 399 of domestic violence and abuse reported to different governmental and non-governmental agencies in one month of lock-down and requested the police department to help victims trapped with abusers (The News, 2020). In many rural areas of KP, violence against women has become a norm due to acceptance of centuries-old regressive and un-Islamic practices (Qaisrani, 2016).

It is ironic to mention that after twenty years of observations and deliberations by different provincial governments, after immediate crises of pandemic, on January 2021, the KP government has passed the domestic law, which criminalized the domestic violence. It was the longest debated proposed bill and has been approved by the Provincial Assembly, stating that the domestic abuse against women, be it economic, physical or emotional is a criminal offence and will be punished with five years of imprisonment and fine. The law further says that the government will appoint a District Protection Committee

comprising 10 members including a gynecologist, psychologist and a district *khatib* (prayers leader in Masjid) (Government of Khyber Pakhtunkhwa, 2021). However, today the major concern is about the implementation of the law and protection of every woman living in Khyber Pakhtunkhwa.

In rural and remote areas of Khyber Pakhtunkhwa, people are very regressive and support violence against women. The socio-cultural values also normalized violence, therefore amid COVID-19, the violence against women intensified. The Dastak Foundation conducted a study on domestic violence in Khyber Pakhtunkhwa and Punjab, the KP police data of 2020-21 shows that very few cases of murder, honor killing, beating, assault, rape, and kidnapping was registered but we found in the field work that domestic abuse increased but went unreported as many women had no idea who to approach for assistance (Dastak, 2021). It is pertinent to mention that although government did not pay heed to domestic violence happening in the Khyber Pakhtunkhwa, however serious cases of assault were reported by different rights organizations (NET, 2021) and many women were discouraged not to report violence. Thus, our research has explored and discussed both reported and unreported domestic violence victims to assist the policy makers to devise future mechanisms to help women in extra-ordinary situations and times.

Justification of the Research

It is understandable that pandemic is over and there is no serious urgency now, however we felt that women faced several challenges amid COVID-19, hence it is important to raise their issue time and again and bring attention of the governments and policy makers to devise protection mechanisms. In patriarchal society such as KP, majority women are deprived of their basic rights such as education, healthcare and protection of life. They are brutally killed in the name of honor or given in exchange of feuds (Naseer, 2018), only murders are reported in some areas but domestic violence goes unreported, although for the first time in COVID-19, many serious cases of assaults and domestic violence were reported. It is also pertinent to mention that there might be socio-cultural or economic issues, but the political negligence from the government of KP has also contributed much towards violence against women. In our work, we have tried to address the policy makers that for

future they should initiate steps in which the women can report domestic abuse and violence against them in extra-ordinary situations.

Research Methodology

Mixed method is used to conduct an inquiry on increased domestic violence in Khyber Pakhtunkhwa Province. To cover the whole province, we have reached out to districts' police, shelter homes (*Darul Aman*), Social Welfare Department of KP and its helplines. Besides, government institutions, we have also approached non-governmental civil society organizations that were active in assisting victims of domestic violence amid COVID. Hence, primary source of information are the interviews with NGO representatives, government officials and survivors/ victims of domestic violence for which a questionnaire was developed. For secondary data, a desk review of global policy recommendations and evidence papers on domestic violence, articles, and reports were consulted to draw similarity of situation in the context of Pakistan. The data for the research was collected from September 2023 till September 2024. The quantitative and qualitative findings need to be seen in tandem with each other to understand the gaps and opportunities that exist in data collection and responses.

Limitations of the Study

Since, pandemic is over, therefore many records were incomplete, hence some responses were delayed and incomplete, while in some cases, there was a reluctance to share certain bits of information; however, analysis is done on the bases of available and shared data. In addition, some areas in KP are inaccessible, therefore existing data was negligible. Additionally, due to the burden negligence of government officials, there were issues in terms of access to information and experts especially those who are part of the bureaucratic machinery.

Data Collected on Domestic Violence in COVID-19

As mentioned in the limitation of the study, with a scarcity of the accurate data, some districts have no mechanism other than police stations to record and register cases of gender-based violence. In addition, despite the presence of certain

government branches and machinery dealing with women related issues, there is a notable neglect of accurate data on the violence against women by the concerned quarters. The helpline of BOLO 0800-22227 at the Peshawar Social Welfare department for domestic victims failed to provide any information (R. Syed, personal communication, January 10, 2024). Moreover, the response of police department on the issue of increased domestic violence was equally unsatisfactory. The officials interviewed for the study complained about the lack of staff and special force in dealing with domestic violence during the lock-down operations. Due to deteriorating situation in KP, many offices and concerned officials also failed to respond on the queries related to preparation of the government in dealing with gender-based violence amid pandemic as they see national security concerns more important than domestic violence (S. Khan, personal communication, January 15, 2024).

However, available isolated and scattered data from the police, reports from different government and non-governmental organizations revealed an alarming picture of increased ratio of gender-based violence amid the outbreak. Directorate of General Law and Human Rights, KP claimed that they received 399 cases of domestic abuse on their 0800-11180 helpline (Directorate of General Law and Human Rights KP, 2020). Under domestic violence category, KP police reported 29 cases (Khyber Pakhtunkhwa Police Report, 2020), Noor Education Trust received 47 cases (NET, 2020), Da Hawwa Lur identified 15 cases (Da Hawwa Lur Inception Report, 2020), Rozan dealt with 17 victims and received 80 calls (Rozan Annual Report, 2020) while the newly established helpline of Zamong Jwandon received 7 cases (Zamong Jwandon Organization, 2020). In addition, around 70 victims of the gender-based violence were residing in different facilities in the COVID-19 (Mera Ghar, 2020; Government Shelter Homes KP, 2020). During this period, 12 women were killed in the name of honour, while 36 women and girls were murdered in different feuds and property related matters. It is ironic to mention that even during the lock-down, 115 cases of kidnappings and abductions, 80 cases of rape and 48 cases of different sexual violence cases were registered with KP police. The lock-down even failed to deter people from practicing *swara*, hence 2 girls were

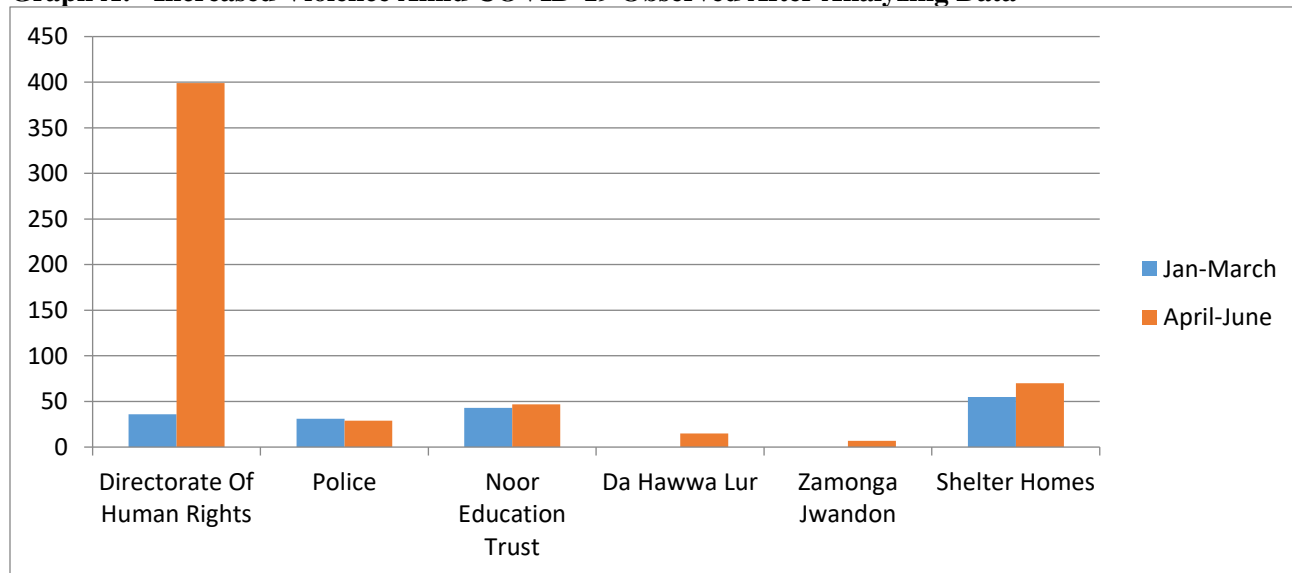
exchanged by their families to settle enmities and disputes (Crime Report of KP, 2020). In addition to available information, different reports are reviewed, visits are paid to the shelter homes and 10 in-depth interviews are conducted with different official, non-governmental organizations, civil society members and victims. It is observed from these in-depth interviews that there was a steady increase in the gender-based violence, although amid lock-down, many facilities were also closed down and were inaccessible due to transport issue. The locals from different districts, including newly merged tribal areas also attested the fact that violence at households has increased in the lock down due to economic and mental stress (S. Bano, personal communication, March 12, 2024).

Unfortunately, government knowing the situation had failed to devise any special measures and mechanisms to curb or put stop to the increased violence against women in KP. The Khyber Pakhtunkhwa Domestic Violence Against Women (Prevention and Protection) Act 2018 was still awaiting in the KP Provincial Assembly. Moreover, there is still dearth of government shelter homes and concerned caretakers complained of shortage of funds and staff. The shelter home in Bannu district is non-functional due to lack of staff and other facilities. In addition, the government of KP lacked strategy to improve

its coordination within communities and Non-Governmental Organizations (NGOs) that were dealing with gender-based violence amid crisis (Social Welfare Department, 2024).

It is observed from the field reflections that during COVID-19, the office of Ombudsperson, different NGOs and women’s groups were playing an active role in identifying and solving problems of women victims in their given capacities. Several NGOs such as Noor Education Trust and Da Hawwa Lur were working closely with local people in identifying the victims and intervening to help and assist the victims (S. Bano, personal communication, March 12, 2024; S. Shah, personal communication, March 13, 2024). Their limited but timely support and interaction with the local communities made a huge difference. From these interviews, one important learning emerged and that is, it is important for the government to prioritize the problem of gender-based violence and involve local stakeholders – communities – NGOs to ensure protection of victims in hard-to-reach areas and local organizations can be ideal partners of the government in identifying and conducting needs assessments surveys on gender-based violence and can be instrumental in devising prevention measures in extra-ordinary situations such as pandemics or any other natural calamity.

Graph A: Increased Violence Amid COVID-19 Observed After Analyzing Data



Gender Based Violence amidst Pandemic a New Normal

In 2019, KP police data showed an increase in the number of domestic violence cases. Thus, before the pandemic, 217 women were murdered inside their homes and 36 domestic violence cases of serious nature were reported (KP Police Yearly Report of Crimes Committed, 2019). These numbers may not appeal to the imagination as the recorded cases represent only a fraction of actual ones. To many women, barriers to reporting and seeking formal help included shame, social stigmatization, financial burdens, fear of tarnishing family members and fear of retaliation (*badal*). Therefore, due to pressure of civil society and NGOs, Khyber Pakhtunkhwa lawmakers drafted the Domestic Violence Against Women (Prevention and Protection) Act 2018, however religious parties and factions objected to its clauses related to psychological violence, which resulted in blocking of the bill. Again, the women members of KP assembly tried to incorporate the changes and placed it for the house approval but the COVID-19 lockdowns pushed back the bill (A. Bano, personal communication, January 10, 2024). It is understandable that lack of regulation on domestic violence gave abusers a sense of impunity. Although, there are provisions for women's protection in the Penal Code and in the family laws, however they have to be strengthened by specific laws on the domestic violence.

Unfortunately, many women victims perceived this violence against them as a stress buster of their men due to extraordinary situation. Thus, women exposed to violence rarely seek formal help and has accepted abuse as a new normal (R. Bibi, personal communication, May 10, 2024). However, many refused to report on the domestic violence as it is considered very private and linked to honor but even then, 399 cases of domestic violence against women were reported to the Directorate of Human Rights in Peshawar by different departments and civil society organizations. Other heinous crimes such as murder, rape and assault are also reported in the lockdown. It shows that the domestic violence cases have jumped from 36 in 2019 to 399 in the first six months of 2020 (Directorate of Human Rights Report, 2020). According to the police registered cases, 29 cases of domestic violence is reported in the last three months of COVID-19 lockdown, which was again very

alarming as it was a complete lock-down in the month of Ramzan (KP Police Quarter Report, 2020). It is observed from the reports that mostly in urban areas of KP districts, gender-based violence was reported, however there is a dearth of both official and unofficial data on the violence faced by the women in the newly merged tribal districts and other rural areas of the province. In many parts of the newly merged tribal districts, women did not receive information about the pandemic and precautionary measures due to absence of information channels (Fatima, personal communication, March 18, 2024). It is pertinent to mention that women tend to play an important role in promoting hygiene within the household and caring for members, hence it is observed that many women in tribal and rural areas were infected but they had no idea about the prevention mechanisms. In addition, these women had no knowledge about the facilities provided by the government and non-governmental organizations to help them report or seek assistance against the domestic and other forms of violence (Z. Jan, personal communication, March 18, 2024).

Types of Violence Experienced by Women

According to available data from the police, human rights directorate, government shelter homes, non-governmental organizations, several types of violence is experienced and reported by the women and girls in the lock-down. Majority of these women are from the lower strata of section; however, it is understandable that many from the upper and upper middle class also suffered but refused to record or register cases due to many social reasons (Kabir, 2014).

a. Spike in Domestic Violence

Domestic violence, physical assault and beating with minimum damages are common in the Khyber Pakhtunkhwa culture, 8 out of 10 women and girls are the victims of this cruelty (Shah et al, 2012). According to different police and organizations' reports, women beating along with child beating is an accepted norm, thus neither traditional mechanisms nor the state apparatus recognize it as a form of violence. Even in the severe forms of torture by the husbands, fathers, sons, uncles, brothers, male cousins, and in some cases fathers-in-law and brothers-in-laws, there was no law to protect them from domestic abuse. Therefore, the

cases of domestic violence exacerbated in 2020, and amidst pandemic, it spiked up and reported too, although during the lock-down, some government social welfare services and facilities (shelter homes) were closed and difficult to access. However, even then many victims managed to escape and took refuge or reported to the concerned quarters and facilities. In response to a query about reaching out and accessing the facility during lock-down, one of the victims residing in the Mera Ghar shelter replied, "I was suffering from the abuse for long, however during lock-down, my patience wore-off and I had to cross the threshold of fear of leaving home and family to save myself" (J. Bibi, personal communication, May 10, 2024). It means victims approaching facilities or reaching out to seek the assistance might have gone through a long-term abuse and lock-down provided them a window to think and break the shackles of fear of losing their families and relations.

Member Provincial Assembly and General Secretary of Women Caucus in KP, Ms. Ayesha Bano raised the domestic violence issue in her letter to the Inspector General Police KP. She wrote that the Directorate of General Law and Human Rights has received 399 cases of domestic abuse against women, thus it needs a speedy police action and vigilance in the prevailing situation. In the lock-down, 29 cases are reported to the police by the victims' family members and community elders, and on relaxing lock-down almost seventy women victims of domestic violence took refuge in the government provided facilities and shelter homes. However, several cases are not registered by the Station House Officer to avoid the workload and in many cases; community elders of the area resolved it through reconciliation (A. Bano, personal communication January 10, 2024).

Noor Education Trust, a Peshawar based NGO, running a shelter Mera Ghar reported 47 cases of the domestic abuse, and during COVID-19, they were hosting 2 cases of domestic abuse in their shelter, one victim approached the facility during the lock-down (S. Bano, personal communication, March 12, 2024). Da Hawwa Lur is another organization based in Peshawar and dealing with both women and transgender, they reported 15 women victims from four districts of KP and 10 trans-people are identified in the last three months (S. Shah, personal communication, March 13, 2024). Rozan, which is working all over Pakistan,

their Crises Handling Committee KP shared 17 cases of domestic violence and on help line they have received 80 calls (Rozan Monthly Reports, 2020). Zamong Jwandon another Peshawar based NGO also launched a help line and App under women protection wing to reach out to victim of domestic violence and received 7 cases (Helpline Report Zamong Jwandon, 2020). The cases of violence recorded before COVID-19 with the availability of all sort of government facilities and transport is almost the same. However, the Directorate of Human Rights claims that even with the lock-down and closure of some important facilities, different organisations and officials received formal and informal requests for help from 399 victims (Directorate Human Rights KP, 2020). All this data shows that it was a huge increase in domestic violence and it was also reported except Newly Merged Tribal Districts.

b. Cultural Oppression and Murders

Different acts of violence against women and children were committed under the pretext of defending culture and taking revenge in the rage. In rural parts of the province, crimes against women mostly went unreported due to social restrictions and in cases of honour killings, many families' ends up protecting the perpetrators. During the lock-down, heinous crime against the state such as murders were committed too. According to the official records of KP police, 96 women were killed either in rage, revenge or on demanding right in the property. The unfortunate 17 were killed in the name of honour (*da ghairat Marg*). In the months of lockdown, April, May and June, 36 women and girls were killed, 10 were killed in the name of honour and 12 women and girls took refuge in the shelter homes to save their lives. The first reported case from the North Waziristan was of the three young teenage girls on viral video is significant to mention as it encapsulates physical and psychological violence, cultural oppression and murder in the name of so-called 'honour'. Moreover, it was a first case of honour killings reported by the police in the Newly Merged Tribal Districts (KP Police Annual Report, 2020-21).

c. Abduction, Kidnapping and Elopement

In the COVID-19, KP police registered 281 cases of kidnapping and abductions. During lock-downs

months, 115 cases of kidnapping and abduction were registered. In shelter homes, 102 cases were of runaway/elopement (Department of Social Welfare, 2020). According to police, majority families registered cases of abduction even if it is a runaway or elopement case. The elopement cases are also closely linked to the domestic violence as many girls and women are forced to take such extreme measure when they feel threatened at their home (S. Khan, personal communication, June 17, 2024).

d. Sexual Violence

Women and girl children are also victims of different forms of sexual violence. KP police reported 80 cases of rape and sexual abuse and during lock-down, 48 cases of different sexual violence cases are registered. Victims often include the wives and daughters of migrant labourers. These women and young girl are living in the joint families under the protection of male family members. It is important to mention that in the last five years, 900 cases of sexual violence were reported to KP police (A. Khan, 2020). However, conviction rates remain low due to a lack of evidence and a DNA testing facility. Officials from police and legal departments stated that the primary reason for acquittals is the lack of a DNA testing facility, required for the examination of biological evidence. The process takes months as samples are sent to Punjab, which takes months for testing before sharing the results and during this time, women and girl victims suffer every sort of pressure and stress (S. Khan, personal communication, June 17, 2024).

e. Exchanged for Dispute Settlement

In KP, 2 cases of *swara/vani* (exchanged for dispute settlement) were registered in the police stations of Shangla and Manshera amid pandemic (Crime Reports KP, 2020). The tradition of *swara* is prevalent in various parts of the Pakhtun areas and deeply entrenched in the tribal culture. The custom calls for a girl to be given away in a marriage to an aggrieved family as compensation for a serious crime committed by her father, brothers or uncles. In 2004, the Parliament passed the Criminal Law (Amendment) Act through which various amendments were incorporated in the Code of Criminal Procedure (CrPC) and the PPC under which the practice of giving women in

badal-i-sulah (as exchange of peace) was declared a penal offence (Government of Pakhtunkhwa, 2021)

Response of the Institutions and Organizations in the COVID-19

For this study, several officials from government, police and judiciary are interviewed to understand and record the response and preparedness of the relevant departments in dealing with growing violence against women and girls.

Ombudsperson Response

Ombudsperson deals with work-place harassment and women property cases. Amid COVID-19, workplace harassment lessened with the lockdown and closure of offices but Ombudsperson Rukhshanda Naz received several cases of domestic violence on a hotline for harassment victims. Due to such situation, the office of Ombudsperson took a lead, arranged a series of webinars with the assistance of UN-Women Pakistan to engage government officials, parliamentarians, NGOs, activists and people from academia to deal with the menace of gender-based violence. In a briefing, she flagged that 399 cases of domestic violence are reported to the Directorate of Human Rights on their helpline, police received 23 complaints and 9 calls for help are received by the Ombudsperson. In response to COVID-19 lock-down, the office of Ombudsperson also took-up the issue of needy women with the Provincial Disaster Management Authority to deal with them on priority bases (R. Naz, personal communication, March 10, 2024).

Social Welfare Department Response

The mandate of Social Welfare Department, KP is huge. Presently, they are dealing with zakat, ushr, social welfare, special education and women empowerment, and they had to deal with a new challenge in the form of pandemic that was adversely affecting poor, disable and women. It is ironic to mention that in the beginning, government declared Social Welfare as non-essential department; however, later included to assist the government in the implementation of *Ahsas* program. This department is also looking after shelter homes all over KP. In the present crises, they formulated and adopted all the government SOPs regarding the safety of residents living in the

shelter homes. Although, it did create problems for many victims as well staff while taking new cases in the shelter homes due to funding issues (R. Raheel, personal communication, March 11, 2024). To deal with pandemic situation, Social Welfare Department revived the BOLO Helpline 0800-22227 at provincial level for the victims of Gender Based Violence (GBV), persons with disabilities at the Directorate of Social Welfare and Women Empowerment KP. However, the staff associated with helpline failed to provide any substantive data to gauge and assess its utility in the COVID -19 crises.

Police Department Response

In 2019, 36 cases of domestic violence (women were seriously injured and hurt) were registered at different police stations of KP, and more than 100 minor cases of domestic violence were resolved by the Station House Officer through reconciliation but government failed to devise a policy to stop future aggression against women living at homes with their abusers. The situation did not improve amid lock-down, in last three months, 29 cases of gender-based violence and assaults were reported to the police. These cases were of serious injuries, or else like many other cases, police would have tried to resolve it through reconciliation. In conversation with high officials of police, it is observed that many take domestic violence and abuse as a part of pandemic depression. They were adamant that for minor issues, we cannot put men in jail and they feel that men are equally affected by the pandemic. It reflects their lack of understanding, seriousness, sensitivity and preparedness in dealing with gender-based violence at homes (Yearly Report of Crimes Committed, 2019).

During conversations with different police officials and reviewing the available information, nothing is done on emergency basis to address the issue, except activating two women desks at Peshawar, which were once a part of *Aitebar* project. Police Assistance Lines (PAL) formed in 2014 are operating in different districts, however it is dealing with reporting of theft, lost items, extortion, police character verification, CNIC verification, vehicle verification, police security clearance, and legal advice. Another initiative taken by the police with the assistance of communities was an establishment of the Dispute

Resolution Councils (DRC) in 2014. The Dispute Resolution Council is a public service project of the Khyber Pakhtunkhwa police, which is based on the spirit of the *Pakhtunwali* code to resolve the local issues and petty disputes through reconciliation by elders under the supervision of local police. However, due to pandemic, many DRCs (mostly comprises elders and seniors in the community) were not meeting to identify or report women's issues and problems including gender-based violence. It means that they do have a mechanism but it failed to deliver the desired results (Police Assistance Lines Reports, 2020-21).

Judiciary and Legal Cell Response

During the lock-down, several special courts with special member on duty were deputed to deal with all sort of criminal cases. In conversation with judicial officers, they mentioned that domestic abuse such as beating, physical torture, mental stress and many other offences including spousal rape is not a criminal offence, and therefore sometime it is difficult for the judiciary and related cells/departments to provide relief to the victims. The official from the Peshawar High Court mentioned that domestic abuse is widespread and it had increased in the lock-down. However, the level of abuse, by its nature, degree and repetition that amounts to persecution depends on the facts given in the case by the investigating officer (Human Rights Cell High Court, 2020).

In response to the prevailing situation and issue of women's protection, the judicial officers mentioned that judiciary is committed to improve the access of women to justice system. Therefore, in 2019, it is decided that more than 1042 courts will be set up and will be dedicated to tackle the violence cases of women, hence it is high time to make these court functional. The new courts will operate in the existing courthouses but will hold domestic violence hearings separately from other cases to enable victims to testify in confidence. They mentioned that at the Judicial Academy of Peshawar High Court, a facility of radio Meezan was started in 2013 and it imparted knowledge about the fundamental rights and women rights, however it was shut down in the same year due to lack of funds, and it needs to be revived to educate women. Similarly, during Chief Justice Dost Mohammad Khan's tenure, the project of mobile courts to facilitate women in the rural areas was

devised but it was shelved due to lack of funds and politics on women bodies, however in this crisis, it can be materialised too (A.G. Durrani, personal communication, April 10, 2024).

Legislators Response

In the last five years, there is an increase in violence against women in the province of KP. Almost 900 cases of sexual assault, 1100 murders, and more than 1000 cases of rape were registered; however, KP is without legislation on domestic violence and abuse, which always ended up in the heinous crimes against women (A. Khan, 2020). While in conversation with a legislator from KP Provincial Assembly, she stressed on implementation of domestic violence law in letter and spirit. The legislator from KP also pointed out that the Social Welfare department was without a minister for a very long time, therefore it was also a barrier in passing of many legislations related to women, girls and children (A. Bano, personal communication, January 14, 2024). From in-depth interviews with legislators, it is observed that they have no rapid response or mechanism to deal with any crisis's situation of women. Although, women members like Ayesha Bano and Shagufta Malik were active in the relief activities in their areas and helping out the victims of domestic violence.

Non - Governmental Organizations Response

The response of several non-governmental organizations in KP was not only immediate but it also extended rapid assistance to the government in dealing with the domestic violence issues in the COVID-19 situation. There were many NGOs working in KP that are dealing with advocacy against gender-based violence, however few of them responded quickly and provided support to the victims amid pandemic.

Noor Education Trust (NET)

A Peshawar based NGO that is working on gender-based violence since last seventeen years. Their shelter home, *Mera Ghar* (my home) support women survivors of violence, thus provide safe shelter, psychological, medical and legal aid to victims. During COVID-19, They hosted 10 women in their shelter and reached out to 59 cases of different nature and violence. In the lock-down, they provided support to 91 victims of different

nature complaints including rape (S. Khattak, personal communication, April 10, 2024).

Da Hawwa Lur

Da Hawwa Lur is a Peshawar based non-profit organization working for the rights and empowerment of women, girls and trans-people in the Khyber Pakhtunkhwa. It provided ration, hygiene kits and sanitary napkins to 100 women and 100 trans-people in different districts of KP. Amid this uncalled pandemic, free tele-counseling service *Aoo Baat Karain – Kyunkay Baat Karna Zarrori Hae* (let's talk because it's important to talk) was provided to women, girls and trans-people. Through tele-counselling, 23 persons reached out to them for help, among them 13 are women and 10 are transgender. Women called the help-line for psychosocial support, and guidance regarding legal help, all these problems can be linked-up to domestic abuse. The trans-people reached out to them for financial help and protection against their abusive partners and property owners. The Hawwa Lur responded by referring their cases to psychologists and legal desks (S. Shah, personal communication, January 14, 2024).

Zamong Jwandon

The Peshawar based organization Zamong Jwandon, started by a group of young students from Peshawar and is headed by Wafa Wazir. The main aim of the NGO is to stop violence against women, children and transgender; and facilitate complainants of gender-based violence. Amid COVID-19, it launched an official website with the aim to break the silence and stop the violence. They have received 7 cases related to domestic abuse, forced marriage, child custody and assault, which was referred to relevant departments for action and support (W. Wazir, personal communication, April 12, 2024).

Recommendations

Several recommendations and suggestions are discussed with officials from different departments, organizations and community members regarding the issue of gender-based violence in extra-ordinary situations such as pandemic.

Government and Institutional Response Required in Recognizing & Dealing with Gender Based Violence

1. All the officials interviewed agreed that there is a need of recognition of gender-based violence at the national level. Therefore, lobbying is required to form a women ministry at apex and at provincial level that specifically can deal with the matters related to women.

2. There is a dire need of implementation all legislations related to women and domestic violence; and in extra-ordinary situation, special legislation is also needed to create deterrence against abuser at home. In addition, more communication is needed between the civil society organizations, non-governmental organizations and women parliamentarian to work as a pressure group and compel sitting governments to implement laws regarding women's issues.

3. There is a need for strong advocacy with lawyers and judges to establish proposed 1042 courts functional for violence against women along with mobile courts to provide fair and speedy justice. For awareness and legal advice, the *Meezan* radio shall be started to help women.

4. For contact and reach, there is a need of establishing help desks under the Ombudsperson and Social Welfare Department all over KP including tribal districts for women. In addition, shelter homes shall be established (both government and private) all over KP to provide shelter to the women and girls victims in other areas too. In this regard, different IGOs and NGOs can also assist the government. In emergency situation, an alternative shelter can be provided to women victims at health care centers like Rural Health Centers and Basic Health Units in different districts.

5. There is a need of relaxing policies towards tribal districts to allow and facilitate civil society organizations in newly merged tribal areas. It is important that civil society intervene, sensitise and educate tribal women about their legal and social rights. It is ironic that no official data is available on gender-based violence in these militarised districts.

6. It is important to form police assistance lines and desks with women officers all over KP to facilitate women victims in approaching police and security apparatus. It is important that community members and civil society organization can also easily

approach the facility. Thus, community-oriented policing that was introduced in the reforms shall be put to practice to bring community, civil society and police together in dealing with violence against women.

7. It is important to empower local councilors and women councilors, they played a very important role in resolving family issues, domestic abuse and other women related issues. It is pertinent that special funds shall be allocated to the counselors to handle sensitive cases of domestic abuse.

Coordinated Community Response Model

brings together the police, civil society and local communities to jointly take responsibility for and develop solutions to local safety and security

1. KP needs a coordinated community response model to engage the entire community in efforts to develop a common understanding of violence against women and to change social norms and attitudes that contribute to violence against women. It shall include law enforcement bodies, civil society, health care providers, child protection services, educators, local businesses, the media, employers, and faith leaders. *Jirga* is present in the communities and working informally, however it shall include women, civil society and all other bodies dealing with protection of women.

2. To make local communities' gender sensitive, trainings and short courses shall be imparted and accept the presence of women members. It is possible and doable as in most of the rural areas of KP, women from NGOs are working within the community and somehow, they are accepted in male dominated spaces, and if some program on awareness is conducted within these communities, then it might help in curbing violence if not altogether in eliminating it. Awareness and advocacy programs can easily be done directly or indirectly. The direct methods can include one to one teaching, counseling, or group-based teaching. Indirect methods can involve the use of media, pamphlets, and radio talk shows.

3. NGOs can form committees of both men and women with the assistance of community elders in different districts. They can train these committees on women's rights, in seeking help for victims and assisting them in accessing different facilities.

Conclusion

The crises of COVID-19 and increased violence against women was a learning for the dwellers of Khyber Pakhtunkhwa (KP). Hence, it is pertinent to implement the recommendations to deal with any crises and issue in KP through local actions and responses. From the field work, it is learnt that by engaging civil society organizations, communities and government, we can easily over-come any crises efficiently. The small local NGOs and local people can deal, report and seek help in cases of gender-based violence in their spaces. The local NGOs have better accessibility and have understanding of local norms and tradition; hence they can be effective in dealing with domestic violence cases. In addition, due to extra-ordinary situation, they are also aware of their limitations and would have better idea to tackle the issue.

References

- Bureau Report (2021). KP Finally Legislates to Criminalize Domestic Violence. *Dawn News*. Retrieved from <https://www.dawn.com/news/1601824>
- Directorate of General Law & Human Rights KP (2020). *Briefing Report 2020*, Peshawar, KP
- Government of KP (2021). *The Khyber Pakhtunkhwa Domestic Violence Against Women (Protection and Prevention Bill) Act, 2021*. Peshawar, Khyber Pakhtunkhwa, Pakistan.
- Khan, A. (2020). In K-P, Women bear the brunt of violent crimes, *Express Tribune*, accessed from <https://tribune.com.pk/story/2171540/1-k-p-women-bear-brunt-violent-crimes/>
- Kabeer, N. (2014). "Violence against Women as 'Relational' Vulnerability: Engendering the Sustainable Human Development Agenda, UNDP Report.
- Khalid, Rabia, A. and Asma (2021). COVID-19 and Domestic Violence in Pakistan: An Analysis of the Media Perspective. *Journal of International Women's Studies*, 98-114.
- Police Department KP (2019). *Yearly Report of Crimes Committed in 2019*, Government of Khyber Pakhtunkhwa, Peshawar.
- Police Department KP (2020-21). *Police Assistance Lines Reports*, Peshawar.
- Social Welfare Department KP (2020). *Annual Report 2020*, Government of Khyber Pakhtunkhwa, Peshawar.
- Shah et al (2012). Death in the Home: Domestic Violence Against Women in Khyber Pakhtunkhwa, *Ayub Medical College Journal 2012*; 24(1), Abbottabad, Pakistan.
- Qaisrani, A. S. (2016). Socio-economic and Cultural Factors of Violence against Women in Pakistan. *Sustainable Development Policy Institute (SDPI)*, Islamabad.
- Rozan (2020). *Annual Report on Domestic Abuse and Violence in Pakistan*, Islamabad.
- Report by Dastak Foundation, (2020). *Increased Domestic Violence against Women in Pakistan amid COVID-19 Pandemic*. Published by British High Commission.
- UN Women (2020). *THE FIRST 100 DAYS OF COVID-19 IN ASIA AND THE PACIFIC: A GENDER LENS*, United Nations Publications, https://reliefweb.int/sites/reliefweb.int/files/resources/ap_first_100%20days_covid-19.pdf
- UN Women (2020). *The Shadow Pandemic: Violence against women during COVID-19 (2020)*. Retrieved from <https://www.unwomen.org/en/news/in-focus/in-focus-gender-equality-in-COVID-19-response/violence-against-women-during-COVID-19>