

Azad Jammu and Kashmir State Policy Framework For Empowerment of Women



Social Welfare and Women Development Department
Azad Government of the State of Jammu and Kashmir
Muzaffarabad

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MESSAGE FROM PRIME MINISTER

It is a great pleasure for me to announce the “Azad Jammu and Kashmir State Policy Framework for Empowerment of Women”. The Azad Jammu and Kashmir Interim Constitution Act, 1974 guarantees equal rights to all citizens regardless of their sex, class or ethnic background. The promotion of women's rights is part and parcel of Pakistan People's Party's manifesto and legacy of Muhatrima Shaheed Benazir Bhutto, the first women prime minister of an Islamic State. The Government of AJ&K believes that poverty alleviation is only possible by including women in all the development plans.

We recognize that women which are half of the population lag behind men in almost all walks of life and there is need to take equitable measures to ensure women's participation in the economic, social and political spheres. This participation cannot be possible without ensuring a change in societal attitudes and mindset. The change in community perceptions and norms is not fully possible, if it is not backed by a policy and infrastructural measures. For this purpose the Government of AJ&K ratifies its commitments, legislation and policy measures to prevent all forms of discrimination against women. The policy is based on:-

- Women are an integral part of our society and our commitment to their empowerment is reflected in this policy.
- This policy aims at providing a framework with clearly defined strategies for empowering women in social, political, economic and legal arenas.
- It further asserts the need for a separate state infrastructure for ensuring that these policy commitments are translated into practice for which the Government aims at establishing a separate Women Development Department and strengthening it through additional human and financial resources. We also hope that under the guidance of Minister of Social Welfare & Women Development, these policy objectives would be achieved in a short span of time.

I wish to congratulate the people of AJ&K and particularly the women for this major achievement and look forward for the successful implementation of this policy.

Chaudhary Abdul Majeed
Prime Minister
Azad Government of the State of Jammu
and Kashmir

Message from the Minister of Social Welfare and Women's Development

The AJ&K Interim Constitution Act, 1974 guarantees the equal rights to men and women and supports equitable provisions. The Government of AJK has taken many steps which are landmarks. Amongst them, is the provision of five (5) reserved seats in legislature, currently the Deputy Speaker and Minister for Social Welfare and Women Development are women. The present Government has also identified gender sensitive development as one of its key strategies. It is therefore imperative for the State to provide a broad policy framework to identify the priority areas and key interventions.

The ownership of this policy rests with the stakeholders. It is the outcome of a comprehensive statewide consultative process which was initiated by the Social Welfare and Women Development Department. The consultations spanned over a year and included all stakeholders at State and District Level, thus obtaining the broadest consensus to support its contents. The outcome of this process has been the state policy framework for empowerment of women. I would also like to thank UN Women for their constant support for the process and their valuable technical input into the drafting of the policy.

This policy document contains a vision, goal, aims and objectives, lays down the guiding principles, and gives the key policy measures, specifically addressing the empowerment dimensions in the social, economic, legal and political fields. This has to be read in line with the policy framework which analyses the existing situation and specifies key strategies and actions required at the federal level for empowerment of women. This policy and framework has drawn upon the Pakistan Government National Policy for Development and Empowerment of Women (NPDEW) 2002, National Plan of Action (NPA) 1998 and their reviews in 2009 and 2010 respectively. The recommendations have been updated in the context of the State of AJ&K and the consultations held therein.

Pakistan People's Party led government through legislation and policy making is ensuring protection to women rights and empowerment as per vision of Shaheed Mohtarma Benazir Bhutto. The Policy is a statement of intent of the Government of AJK to specify its measures for the empowerment of women. With the Policy providing the guidelines, the State machinery will ensure within the overall operating framework of the Government that the gender perspective is reflected in all state policies and plans. It is hoped that this policy and its implementation will contribute substantially towards empowerment of women.

Farzana Yaqoob

Minister

Social Welfare and Women's Development

Azad Government of the State of Jammu and Kashmir

Message from Secretary Social Welfare and Women Development

Women constitute nearly 50% of the population of Azad Jammu and Kashmir. Caring for the needs of women, ensuring that they participate in development and are empowered to contribute as equal citizens is the mandate of Social Welfare and Women Development Department. In line with this mandate the department of SW&WD plays a pivotal role in creating an enabling policy environment and opportunities for women particularly the marginalized and vulnerable groups. An appropriate women's empowerment environment and system guarantees a stronger and well developed State of AJ&K. The State policy framework on Women's Empowerment aims at ensuring protection of women against all forms of discrimination with a particular focus on empowering women in economic, social, political and legal spheres.

Over the years the state of AJ&K has been carrying out various programs for women's development with the support of different agencies. The department has taken multiple initiatives for women's economic and social empowerment. Now there is a dire need to develop approaches for women's development and empowerment in line with principles of Convention on Elimination of All forms of Discrimination against Women (CEDAW) best practices and national women's empowerment strategies.

Laws and policies play a pivotal role in providing an environment conducive for women's empowerment and ensuring women's rights. The state of Azad Jammu and Kashmir has embraced this challenge and responsibility for framing and approving the "AJ&K State Policy Framework for Empowerment of Women". The process of drafting and developing the policy was initiated in June 2011 and was finalized in February 2012 after a series of consultations with all stakeholders. I am very grateful to UN Women for supporting us throughout the process and Ms. Aamina Adham for providing technical input in designing the policy. UN Women has also committed to support the State of AJ&K in implementing the policy for which we are very grateful. I am also thankful to Law Department for such speedy and valuable input for legal and technical clarities. The final notification of the policy was issued on March 22nd 2012. I would like to congratulate everyone on achieving this landmark success. I am also grateful to all stakeholders for their valuable contribution in policy making process and for their valuable input into the draft.

This policy framework for Women's Empowerment is a long term commitment of the State of AJ&K to ensure the rights of women. It respects and upholds the State of AJ&K's vision for women's empowerment. On behalf of the SW&WD Department I would like to assure all stakeholders that we would uphold this vision and implement the policy to the best of our capacities.

In the end, I want to thank all the government and non government organizations and development funding partners especially UN Women who have worked with great energy, zest and enthusiasm for making this policy possible and we now look forward for their continuous support in the implementation of policy.

Mahmood Khan
Secretary Social Welfare and Women Development
State of Azad Jammu and Kashmir

1. Vision

Achievement of:

- a) Gender equality;
- b) Social, political and economic empowerment of women at all levels;
- c) A just society where women and men enjoy equal opportunities.
- d) Elimination of deprivation and exploitation of women.

2. GOAL

Empowerment of women of AJ&K, irrespective of caste, creed, religion, or other consideration to create equality of opportunity for the realization of their full potential in all spheres, especially social, economic, legal, personal and political life.

3. POLICY OBJECTIVES

- 3.1 To ensure the equal participation of women in all political processes and to enhance women's representation in all elective bodies.
- 3.2 To ensure equal opportunities for women in all spheres including economic, legal, political and social life with specific focus of rural and poor women, women with disabilities, and women in vulnerable situation.
- 3.3 To provide women access to quality health care system in all rural, urban and remote areas including mental health, occupational health and safety and sexual and reproductive health with a focus on maternal and adolescent health.
- 3.4 To expeditiously and substantially enhance women's literacy rates, improve attainment levels of women at all levels of education (both academic and professional) to reduce the gender gap, and to reorient existing curricula by making them gender sensitive. Enabling equal access to vocational guidance, training and employment in all rural, urban and remote areas.
- 3.5 To strengthen the legal systems to eliminate all forms of discrimination against women in their daily lives, mobility and livelihood under the pretext of cultural and informal judicial systems.
- 3.6 To take affirmative action for ensuring the participation of women as equal partners in development and decision-making processes in the community and society. Redressal of patriarchal customs, societal attitudes and community practices by building and strengthening partnerships with private sector, civil society and women's organizations, through advocacy and behavior change communication.
- 3.7 To create employment generation for women in the formal and informal sector; facilitating through matching public investment policies, access to markets in AJ&K and abroad, skill enhancement and training. To remove inequalities and imbalances in all sectors of socio economic development and ensure women's equal access to development with special focus on women's role in agriculture.
- 3.8 To remove inequities and imbalances by mainstreaming a gender perspective in development planning, implementation, monitoring and evaluation processes coupled with promoting resource allocation particularly through gender responsive budgeting at state and district level.

4. GUIDING PRINCIPLES

The Policy shall be guided by:

- 4.1 non-discrimination and gender equity at all levels.
- 4.2 priority of the poor women; especially in rural and isolated areas, minority women; girls and women in vulnerable situations/circumstances.
- 4.3 recognition of the value of women's worth and work and their contribution in all spheres of life.
- 4.4 women as equal partners in development and agents of change in economic, social and political processes.
- 4.5 developing multi-sectoral and inter disciplinary approaches for women's development, with horizontal and vertical linkages at every level.
- 4.6 mainstreaming gender issues through integration into all sectors of national development and to include the private sector as well.
- 4.7 ensuring implementation of gender sensitive laws and policies to support eliminating all negative social practices.

5. POLICY PRESCRIPTIONS:

5.1 Poverty Eradication and Economic Empowerment of Women

Growing economic uncertainties and natural calamities due to climate change have created a scenario where the nations and people are facing poverty. Disparities in social indicators are widening all around the world and as a consequence, the incidence of poverty has increased precipitously giving poverty a distinctly feminine face. Women's poverty is linked, inter alia, to deprivation of basic facilities, exploitation of their labor, absence of control over resources and lack of access to public goods and services.

Women are nearly fifty percent of the population yet they make up for less than fifteen percent of the labor force. Training and skill development facilities for women are minimal; they work primarily in labor intensive tasks and face market exploitation. Emphasis on economic growth and development without focus on human centered development has sharpened structure in terms of women's access to employment and decent living. The Government thus recognizes the need to focus on inclusive development where women empowerment plays a pivotal role in galvanizing sustainable development process and move towards an equity based society. The following key policy measures are therefore to be undertaken:

- i. recognition of women's valuable contribution to the economy of AJ&K in both the formal and informal sector by generating statistics and data.
- ii. creating women's access to resources and productive assets; particularly for rural and poor women in the informal sector in urban slums and rural areas women with disabilities.
- iii. strengthen women's presence, position and role in all formal employment; by building capacity of women, safe working environment and transportation, equal remuneration for equal work, and opportunities of livelihood which also accommodate women oriented work patterns.
- iv. Ensuring women's access to micro credit, social safety nets and promoting effective utilization and expansion of existing institutional mechanisms for agriculture and extension services, livestock, entrepreneurship and access to markets for women.
- v. Maximize for the benefit of society on women's concern for a sustainable environment, notably their efforts to ensure healthy food, clean water and air for future generations

by ensuring women's participation in disaster relief and reconstruction process, natural resource management,

- vi. Mandatory assessment of the impact of development and environment projects, programs and policies on women.
- vii. Conserving women's indigenous knowledge related traditional medicines, natural resource management practices, local foods or food preservation techniques.
- viii. Ensuring that all development planning, implementation monitoring and evaluation mechanisms are gender sensitive.

5.2 Political empowerment of women:

As this Government recognizes women's political role that's why the Government has fixed a quota of five (5) seats for women in the AJ&K Legislative Assembly. The system has functioned as an important instrument for women's political empowerment and its most significant impact has been in entrenching the concept of women's political participation and representation as a norm rather than an exception. As yet very few women participate in general elections and in mainstream political life.

Furthermore equitable distribution of power-sharing and decision-making at all levels is dependent on Governments' undertaking statistical gender analysis and mainstreaming a gender perspective in policy development and program implementation. Equality in decision-making is essential to the empowerment of women. The following key policy measures will be taken in this regard.

- i) removing hurdles to women's political participation by effective implementation of existing legal provisions, and by removing procedural obstacles.
- ii) strengthen representation and decision making of women in the political process; providing training, monitoring, supporting and strengthening networks including representation of women in parliamentary committees and other decision making bodies and establishing a network of women politicians.
- iii) engaging male parliamentarians and politicians in supporting gender equality in decision-making.
- iv) strengthen and promote effective participation of women in the political process; issuance of CNIC, voter registration, safe and conducive environment for women to vote and policy measures to ensure that women are able to cast their vote.
- v) proactively increasing women in decision making positions in public and private sector.
- vi) enabling women's access to all forms of information, resources and services

5.3 Social Empowerment of Women

A. Education

Azad Jammu and Kashmir historically has a relatively high literacy rate (estimated at 64% in 2010). Nonetheless the gender gap is visible at all levels; from primary till post graduate and professional education. The number of women professionals; doctors, engineers and doctorate qualified are also minimal in AJ&K despite the fact that gender equity has always remained the main target of educational plans and policies of Government of AJ&K. Various large scale public sector programs as well as those supported by international development partners have focused on primary enrollment. There is need to combine these efforts with developing a cadre of female teachers at all levels in order to enhance female's enrolment and participation rates at all tiers of education. To address these problems, measures to be taken are:

- i) elimination of gender gap in access to education and Integration of education into wider strategies for overcoming poverty and inequality; integration of advocacy training and capacity building measures with all social sectors for bringing about an attitudinal shift towards girl child.
- ii) placing emphasis on primary and secondary education; provision of teachers and schools at community level, engaging parents in school management, availability of proper infrastructure, facilities, equality of access and quality education particularly in rural areas and urban slums.
- iii) affirmative action to support girls in higher education, vocational trainings, professional and technical education.
- iv) revision of curricula and text books at all educational levels for gender sensitization related to current professional requirements.
- v) ensure effective implementation of legislation and policies pertaining to education including allocation of resources.
- vi) create mechanisms for effective partnership between government, civil society and private sector at all levels for policy making, implementation of programs and effective monitoring and evaluation.
- vii) initiating awareness campaigns-especially in the media and in schools through textbooks- to promote the positive benefits of an equal sharing of responsibilities, decision-making and power between family women and men inside and outside the home with focus on gender sensitive men and caring fathers and husbands.

B. Health

Health is considered as one of the fundamentals and hence health sector investments are viewed as part of pro-poor expenditure. The health care system of AJ&K is over-burdened and the quality of health services is greatly compromised. Overall, the Government has made limited gains in improving women's access to health care services in Government Health Care facilities including family planning, maternal and neonatal care, emergency obstetrics as well as community-based sanitation. Advocacy and implementation of the life cycle approach, with improved health care and nutrition programs for girls and women, promotion of ante and post-natal care, sexual and reproductive health, curbing the spread of HIV/AIDs, remain a challenge to better health.

The following measures will be taken to address the issues related to women's health:

- i) provision of quality health care and ensuring gender sensitive and patient centered services at district level; focusing on adolescent sexual and reproductive health, maternal health and addressing the spread of HIV/Aids and drug abuse, through setting up of counseling and rehabilitation clinics.
- ii) ensuring preventive and affordable primary health care provision and reproductive health services for women;
- iii) ensuring provision of quality health cover including for the mental health and well-being of women in line with the recommendations outlined in the International Conference on Population and Development (ICPD) Program of Action (PoA).
- iv) ensuring prevention of diseases and promoting reproductive health through awareness raising

and attitudinal change, non-coercive measures for family planning and promoting health services of people particularly poor women.

C. Law & Access to Justice

Women are prevented from enjoying existing rights because of the prevalence of negative customary practices and attitudes; a general ignorance about rights and poor access to, and procedural problems in the justice system, and a generally poor implementation of the law. Other rights are denied because the absence of law. Moreover, affirmative provisions of the Constitution are seldom implemented to establish real and substantial equality. Furthermore the pro women legislation needs to be implemented; women and communities as well as the duty bearers need to be aware of these laws, institutional mechanisms need to be in place and implementation enforced. For this purpose urgent action is needed to start addressing the multiple challenges in this area.

Key policy measures to be undertaken are:

- i) eliminating negative customary practices by increasing knowledge of community regarding women opportunities under the law and of law itself, to access judicial relief and redress.
- ii) implementation of the code of conduct on sexual harassment at work place.
- iii) encourage and further strengthen women's active participation in peace and conflict resolution at all levels of society.
- iv) enhancing the role of the media as a means of behavior change communication on women's issues and for a positive portrayal of women in all media.

6. POLICY IMPLEMENTATION

Implementation of the State Policy Framework for Empowerment of Women will be the responsibility of the Government of AJ&K through all state departments and district offices. The Department of Women Development will be the coordinating body supported by the Planning and Development Department.

6.1 Institutional Arrangements/Mechanism

A) Women Development Directorate:

The current Social Welfare and Women Development Department (SW&WDD) has the mandate to ensure women's empowerment. The implementation of the Policy framework for Women's Empowerment will necessitate functioning of a strong and revitalized Women Development Department (WDD) with sufficient human and financial resources so that it can establish itself as an independent department in order to play an effective role as catalyst and for coordinating and monitoring.

B) State Commission on Status of Women (SCSW)

The State Commission on Status of Women as per mandate will have watcheye responsibility for overseeing the effective implementation of policy and its consequent impact. The SCSW will serve as the repository of information on women and will disseminate the same through linkages with various research and academic institutions. It will also ensure that all legislation is gender sensitive.

6.2 Coordination

As the State focal machinery, the WDD will have linkages with other line department through designated focal points. A gender Mainstreaming Working Group of the gender focal points will be established to ensure that women's concerns are incorporated in all issues.

A Gender Mainstreaming Committee of all secretaries under the Chief Secretary will meet biannually to review the implementation of the policy framework.

6.3 Monitoring

For monitoring impact of effective policy implementation, SCSW in coordination with WDD will coordinate with the Bureau of Statistics(Government of Pakistan), research and academic institutions, to ensure collection of accurate information, desegregated by gender, age Social-economic class and region and its analysis by relevant agencies.

Section Officer
Social Welfare Department