

**UPR Submission  
On  
Increasing number of Unsafe Abortion and Post-Abortion Complications in  
Pakistan  
14th Session of the Universal Periodic Review – Pakistan - 2012**

**Introduction:**

1. Peace Foundation Pakistan submits UPR in the context of Violation of Women and girls sexual and reproductive rights. Unsafe Abortion ratio is increasing day by day due to restrictive laws and negative attitude of society. Abortion and post abortion care is called unforgivable sin. Marriage with choice is called revolt against society and religious values. Following detail is reflection of a society where extremists have set laws for women and girls. Jirga system (Dispute settlement system by tribe chief), they use women as sexual commodity. Women are suffering from both side. We have presented some recommendations for sexual and reproductive justice of women.

**Supportive Back Ground of the issue:**

2. Women and girls have assured safety in constitution of Pakistan as well as their rights are guaranteed in social and religious codes. Despite these guarantees, Women sexuality has not place anywhere. Society and state both expects submissive sexual role from women. Domestic and sexual violence, which include rape including marital rape, acid throwing, burning, and “honor” killings are still widespread in Pakistan. “Honor” killings continue to be reported daily. It is also common to see women to be forced into marriages as to ensure unpaid domestic labor. It early marriages and Feudal system work for supremacy masculinity. It is custom that if man needs servant for house hold and agricultural work, he marries. It is therefore there are innumerable sexual and reproductive disabilities are inseparable part of women life.
3. Pakistan has one of the highest rates of maternal deaths in Asia. Each year 30 000 women die due to pregnancy related reasons. Nearly 90% of women deliver at home in the absence of skilled birth attendants. Only 1 in 20 women reaches the emergency obstetric care. Heavy bleeding after giving birth (PPH, postpartum hemorrhage) is the main cause of maternal deaths. 80% of maternal deaths happen during home birth. The abortion rate in Pakistan is 14 in every 100 live births, approximately 890.000 are performed each year. An estimated 11-15% of maternal mortality in Pakistan is caused by unsafe abortions.
4. Pregnant women who wish to have an abortion are forced to visit illegal clinics run by midwives. Women generally do not use contraception because of inaccessibility, financial constraints, and objections by their husbands on religious grounds. Interestingly many men have objections to their wives using contraception but do not object to abortion. Consequently there are a high number of unplanned pregnancies which end in abortions.

- 5. The incidence of induced abortions in Pakistan is high, one abortion taking place for every six pregnancies. The estimated national abortion rate is 29 per 1000 women of reproductive age. The large majority of unwanted pregnancies, especially those ending in induced abortion, occur to relatively older married women who already have several living children. Low economic status of these women compels them to resort to abortion rather than practicing contraception.**
- 6. Abortion services are mostly provided by unskilled traditional birth attendants. They use either dilatation and curettage or IUDs. All these methods are not recommended by World Health organization.**
- 7. Early marriages are common in our society. Marriages are linked with religion and social custom, Parents demands male child as inheritor for their property. Perceptions and attitudes of mothers-in-law, who wield a powerful influence over the reproductive lives of young people, with a widespread tendency towards gender discrimination, son preference, and unhealthy practices in respect of nutrition, childbirth, and breastfeeding.**
- 8. Women of Pakistani society have to follow social and religious values, men are free. Near about all social and civil laws are the creativity of men, interpretation and implementation of laws are in the hands of man. The discriminatory distribution of gender role effects gender identity and freedom. All social standards for ideal society are set for women. Women have to follow all social principles otherwise civilization of society will be destructed. social, economic, cultural, and personal factors such as young age, stigma associated with sexual matters, restrictions on physical mobility of women and girls, minority group status ,disabled populations, inability to pay or experiences or fears of poor treatment affecting people's utilization of formal-sector health services in general, and of sexual and reproductive health services in particular.**
- 9. Jirga is a committee of elite feudal people who settle dispute. They use woman as commodity for sexual satisfaction. They offer woman to pay compensation to opponent party. A number of women killed under the name of honor, all cases settled through jirgas, but could not be registered in the judicial system. Feudal lords allow debts to settle and conflict resolved by trading women among the parties involved in the dispute. Women remain weeping, but no one hears them. They cannot count on any form of legal assistance or external support neither from the police nor from the community leaders, nor from the Parliament members or any other.**
- 10. Abundance of laws for women but repugnant with one another, some time Islamic, some time tribal and some time secular. Further, Citizenship Act, 1951, Qisas & Diyat Act 1997, Hudood Ordinances, 1979 Qanoon-e-Shahadat ,Women Protection Bill". 2010 will be reviewed and advocacy campaign will run for women friendly laws. Parliament passed**

bill to outlaw forced marriages, but still there is no implementation. The punishment for rape ranges from 10 to 25 years in prison and a fine at a minimum or the death penalty at a maximum. The penalty for gang rape is either death or life imprisonment, but sentences were often much less severe. Though in Pakistan Penal Code there are some sections that attempt to address sexual harassment to a certain extent but the terminology is vague.

11. **Morbidity from unsafe abortion is very high in Pakistan. The estimated number of women who experience serious health complications each year as a result of unsafe abortions is almost 197,000.**
12. **There are a high number of women having clandestine abortions and who remain invisible because they do not present themselves at hospitals for treatment. Rural poor women who suffer serious complications after abortion but who do not obtain hospital treatment mainly due to their lack of access to a medical facility and their inability to afford the costs of treatment.**
13. **Women are facing discrimination in family law, property law, and the judicial system .There is ambiguity in legal status of human sexuality and abortion. Number of women security bills and provision of penal codes but reproductive and sexual rights are ignored**
14. **Pakistan was regulating century old provisions of the Penal Code of 1860, which had been developed by India and British. Abortion was crime under this code. Since then Pakistan conceived law in 1990 and passed it in 1997. This law retains same features of old laws.**
15. **Hindus and Christians in Pakistan, as religious minorities, already suffer discrimination in an Islamic society. For the ‘Scheduled Castes’ there is double discrimination, because they are victimized within the Hindu community by the Hindus themselves. Official statistics claim that Scheduled Castes consist of 0,25% . Abduction of girls, forcefully marriages of non Muslim girls and forcefully change religion to Islam for marriage are common issues for Non Muslim women and girls.**

#### **Recommendations:**

16. **The state must repeal all discriminatory laws against women - Hudood Ordinance, Qisas and Diyat, Law of Evidence and all such other laws without further delay.**
17. **The state must implement Articles 10 and 14 of Pakistan’s constitution, speak about the protection of life, liberty, equality and the rights of people. People demanded to consider women as men in forthcoming bills, laws and acts.**
18. **The state should insert provisions in the act “ Prevention of Anti Women Practice” that women can enjoy her bodily rights.**

19. The State has passed many laws, but it must take steps for comprehensive implementation mechanism. Lack of political will to curb the malicious practice, a number of human rights violations and subversion of women's rights in the name of Karo-Kari, Watta-Satta and Wannu are still pervasive in our society.
20. The State must announce Reproductive Health Policy through which women have options for carrying or termination Women Protection Bill 2010, anti custom against women bill that women can terminate unwanted pregnancy.
21. The state must ban unskilled and unqualified people who are offering services for abortion. The State must recommend those methods of abortion which are recognized by WHO.
22. The state must respect rights of women to choose life partner, freedom to decide for carrying pregnancy or not. Couple must have choices, whether or not, how and when to have children.
23. The state must provide Family planning services with the aim of safe abortion services to women and girls. Medical care for post-abortion complications must be available and of higher quality.
24. The state should announce gender friendly policies budget, equal representation in all govt. run institutions.
25. The State must introduce law to protect Non Muslims girls from abduction, forcefully to change religion and forcefully marriage.
26. The State should introduce law to save girls who are abducted and black mail by abductors. They catch Photos and Videos and black mail.
27. There is olden law against child marriage, it was promulgated in 1929. It is unclear. It suggests one thousand fine and three months permissions, but it is unclear about nullification of child marriage.
28. The state must ensure easy process of getting divorce from husband. State should bound law enforcement agencies to bound husband to pay monthly expenses of little child.
29. Religious leader recites holy verses as wed lock, They do not fill wed lock form complete do not write conditions between wife and husband , They do not register wed lock form in municipal. The state must announce punishments in penal code.

30. The state should increase capacity of government institutions and community infrastructure for the implementation of Section 174-A of Criminal Procedure Code (Cr.P.C).
31. The state must bound Government officials and community functionaries, including judges, lawyers, magistrates, doctors, police officials, religious leaders, public representatives, human rights' activists, NGO, CBO and CCB representatives at Tehsil and district level receive enhanced knowledge and understanding about human sexuality and women sexuality in particular.
32. The state must accept Sexual and Reproductive Rights of women in society. Police, judges and other institution must be bound to treat women as human, implementation of law with out any gender bias.
33. .The state must call to end Jirga system, State must declare Jirga system of dispute settlement is repugnant to law and parallel to courts. Govt. must take action against all jirgas.
34. The State must formulate policies to institutionalize Gender justice and protection programs and improve present facilities. The State must run legal aid centers to help women who have been forced to leave their home, gender justice committees to help women get their rightful share of inheritance.

**Reference:**

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