

11 November 2021
To,
The Secretariat of the Forum on Democracy and Rule of Law
OHCHR-UNOG
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Women's Access to Legal Justice: A Call to Action

Dear Members of the Forum on Democracy and Rule of Law,

There is an urgent need to address the lack of women's access to legal justice in Pakistan. The country's courts are unable to function effectively due to over two million pending cases (The News, August 18, 2020). In early 2020, the number of undecided cases in the Supreme Court alone reached a record high of 42,927 (The Express Tribune February 07, 2020). The backlog of cases radically diminishes women's life chances and wellbeing: A large proportion of women face various kinds of oppression and injustices in the domestic and public sphere. They need immediate relief through the courts. The backlog of cases can be cleared if the authorities undertake the following steps:

- 1) Abolish long court holidays: During the holidays, civil law cases are not heard. The courts close for two months in the summer and, ten days in the winter. Many women are involved in issues related to inheritance and family conflicts. The closure of courts for long periods of time creates serious problems for women seeking justice.
- 2) Conduct court hearings of women's legal cases through videoconferencing: This will reduce the chances of harassment of women within and outside the courtrooms by the opposing parties and their lawyers. The action will be particularly helpful in diminishing the feeling of insecurity experienced by victims of sexual harassment and domestic abuse. The measure will also prevent the spread of COVID-19 in over-crowded court rooms where people often don't wear masks.
- 3) Recruit retired judges: There is a shortage of judges to hear cases. Retired judges can hear women's cases on an urgent basis.
- 4) Priority should be given to fixing early hearing dates of cases involving women litigants: Opponents in such cases often create extra problems for women litigants by deliberately prolonging cases and making it difficult for women to obtain justice. Most women do not have the economic resources to bear the high expenses involved in fighting legal cases over a long period of time. Therefore, it is important to process their cases on an urgent basis.

I request you to appeal to the Chief Justice of Pakistan, the Pakistan National Assembly Standing Committee for Law and Justice, and parliamentarians to help implement the above mentioned measures thereby advancing the cause of gender justice.

Best Regards,

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