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Significant decrease in acid attacks cases during 2015

By Myra Imran | March 10, 2016

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Data collected by Acid Survivors Foundation (ASF), Pakistan chapter, shows significant decrease in the cases of acid attacks in the country during the year 2015. According to ASF statistics, total number of reported acid attack cases in 2015 was 69 as compared to 153 in 2014 and 109 in 2013.

In those 69 attacks, 101 persons including 68 women and 33 men, fell victim of this worst form of gender based violence which also includes 31 children. Among children, 17 were girls and 14 were boys. Majority of cases, 52, were reported from cotton growing areas in South Punjab, where acid is used by farmers to treat the cotton seed. South Punjab was followed by central Punjab from where 10 such attacks were reported. Overall, 90 per cent of the total attacks occurred in Punjab.

After Punjab, stands Khyber-Pakhtunkhwa with total four attacks during last year. There were one such attack each reported from Balochistan, Sindh and Islamabad. Surprisingly, 40 per cent of the acid violence victims in 2015 were male. The statistics reveal that currently 100 per cent of the victims report accessing medical services within 24 hours following the attack.

“Nevertheless, no victory against acid violence can really be claimed until this worst form of Gender Based Violence (GBV) is fully eradicated from Pakistan and until an appropriate response is institutionalised and sustained. To this effect, enacting the Comprehensive Acid and Burn Crime Bill at a provincial level especially in Punjab becomes a crucial priority,” said Valerie Khan Yusufzai, Chairperson ASF.

The data says that in total 69 cases, FIR was registered in 48 cases whereas 14 cases were prosecuted and 11 cases were heard in Anti-Terrorism Courts. The FIR was registered under Section 336 of Pakistan Penal Code, which gives life imprisonment to perpetrator, in 40 cases where as three cases were registered under section 302. Conviction was made in 10 cases.

With respect to socio-economic situation of the victims known to ASF, majority, 14, was earning nothing at the time the attack took place where as 5 victims were earning Rs5,000 to 10,000 per month, one was earning from Rs10,001 to Rs15,000 and one was Rs15,001 to Rs20,000.

A position paper formulated by ASF says that the phenomenon of acid violence came under spotlight in Pakistan since 2012 when only 1 per cent of the cases of acid attacks notified by ASF had the initial

First Incident Reports (FIRs) registered under the relevant law (article 336-A and 336-B). In 2013, one year after ASF Pakistan intensively trained stakeholders involved in the execution of law, 71 per cent of the cases notified to ASF were registered under the relevant law. Consequently, convictions have been more numerous, more rapid and more severe since 2013.

The ASF believed that official notification from the government of Punjab in 2013 and 2015 demanding authorities to prosecute cases of acid attacks under the Anti-Terrorist Court (ATC) has actually impacted in a positive manner the victims' access to justice.

In Pakistan, the acid and burn legislation has been proposed after Naila Farhat's case was taken to the Supreme Court of Pakistan in 2009. The court advised Pakistani parliamentarians to legislate on acid and burn violence on the model of the Bangladeshi law.

In view of this decision, the Pakistani civil society initiated an evidence based advocacy and lobbying campaign in January 2010 under the lead of ASF-Pakistan and in collaboration with the then Federal Ministry of Women Development, Federal Ministry of Human Rights, parliamentarians, UN agencies, legal and medical experts, media, the National

Commission on the Status of Women (NCSW) and acid survivors themselves, that initially resulted in the drafting of a comprehensive Acid and Burn Crime Prevention Bill.

The comprehensive bill was submitted to the then Federal Ministry of Women Development in July 2010. However, the Federal Ministry of Women Development did not follow up actively on this comprehensive legislation for acid and burn crime so meanwhile Marvi Memon, tabled a private member bill in May 2010 in the National Assembly that was entitled the Acid and Burn Crime Prevention Bill.

Keeping in view the best interest of the citizen especially the acid attack victims, the Pakistani civil society and other stakeholders opted for an inclusive and consensual three steps legislative apparel with Amendment in the PPC as first step, comprehensive legal mechanism or Comprehensive Acid and Burn Crime Bill as the second and Complementary law for acid distribution and sale or Acid Control Bill as the last step to completely eradiate the menace of acid violence.

On 12th December 2011, those synergic and participatory efforts led to the unanimous passage of Marvi Memon’s private member bill: the Criminal Law Amendment Act 2011 (Act XXV).

“Whilst the Criminal Law Amendment Act 2011 (HURT), Act XXV, specifically makes acid and burn violence ‘a crime against the state’, imposes a 1 million rupees fine on the perpetrator, and grants a punishment of a minimum of 14 years to life time imprisonment, it is also important to address other aspects of the crime that cannot be part of a simple amendment in the Pakistani Penal Code which includes investigation process, trial process, rehabilitation and legal aid services to victims, funding and monitoring mechanisms, regulation of distribution and sale of acid,” said Valerie Khan.

In Islamabad Capital Territory (ICT) the comprehensive Acid and Burn Crime Bill 2012 was tabled in the National assembly on 18th December 2012 but it lapsed. It was resubmitted to the National Assembly by Marvi Memon but no further action was taken by policy makers in this regard.

The Khyber-Pakhtunkhwa government planned to table this comprehensive bill as a government bill in January 2013 but it remained pending all along 2013-2014 as the domestic violence bill became the priority. The process was hence also reinitiated in KP in 2015. In Punjab, the comprehensive bill was submitted to the Women Development Department in 2012 and discussed with the Punjab Law Department, till date, however, no

comprehensive bill has been tabled in the Provincial Assembly.

In Sindh, the comprehensive bill was sent for review to the social department in 2013, the review process is slowly taking place. In Balochistan, the government decided in 2016 to start drafting a comprehensive legislation on acid violence whereas in Kashmir and Gilgit-Baltistan no further action has been taken with regard to the legislation.

“8th March should remind us that Pakistan is close to the solution to eradicate acid violence, one of the worst forms of violence against women although an increasing number of male victims have been notified in 2015. But to achieve this eradication, to be able to fully develop a model that could be replicated by other countries facing this issue, especially at SAARC level,” said Valerie. She hoped that the government of Punjab would show the path since around 90 per cent of the victims come from Punjab, mostly Multan and Muzzafargarh.

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