South Asian Experience of Prevention of Sexual Harassment and Abuse in Security Forces

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REGIONAL BACKGROUND

In South Asia, countries such as India, Pakistan, Bangladesh, and Nepal play important roles in international peacekeeping operations, sending sizable contingents to UN missions. While these countries have received recognition for their peacekeeping operations, they have also encountered difficulties in dealing with misconduct by their security forces, including SEA, on both an international and domestic scale. Internally, conflict zones such as Kashmir, Northeast India, and sections of Afghanistan have reported cases of CRSV and other forms of abuse by security personnel, aggravating local tensions. Economic differences, bad governance in particular locations, and complicated social dynamics all make it difficult to prevent such crimes. Regional governments have attempted to improve military accountability, but systemic issues remain in effectively addressing sexual violence. South Asia's role in peacekeeping highlights the need for stronger policies to avoid misconduct and protect civilians at home and abroad.



DEFENSE AND SECURITY SECTORS

Generally, government defense and security sectors include:

- I. National Armed Forces: Army, Navy, Air Force
- 2. Paramilitary or Specialized Forces: Border and Coast Guards
- 3. Uniformed National Police Service
- 4. Paramilitary Police Units (PPUs) for counterterrorism and anti-narcotics operations
- 5. Intelligence Agencies

Country	Service Branches of Armed Forces	Major Police Agencies and PPUs	Notable Paramilitary Force	Major Intelligence Agencies	Military Expenditure (Percentage of GDP in 2020 by SIPRI)
Afghanistan	ArmyAirforce	Afghan National Police (ANP)	N/A	General Directorate Intelligence (GDI)	1.4%
Bangladesh	ArmyNavyAir Force	Bangladesh PoliceArmed Police Battalion (APBN)Rapid Action Battalion (RAB)	 Border Guard Bangladesh (BGB) Coast Guard 	 National Security Intelligence (NSI) Special Branch (SB) 	1.3%
Bhutan	• Army	• Royal Bodyguard (RBG)	• N/A	• Intelligence and Investigation Division	N/A
India	ArmyNavyAir Force	 State Police Agencies Anti-Terrorism Squad (ATS) National Security Guard (NSG) 	 Assam Rifles (AR) Central Reserve Police Force (CRPF) Border Security Force (BSF) 	Intelligence Bureau (IB)Research and Analysis Wing (RAW)	2.9%
Maldives	MarineAir CorpsCoast Guard	Maldives Police Service	• N/A	• N/A	N/A
Nepal	 Army Army Air Service	Nepal Police	Armed Police Force	• National Investigation Department (NID)	1.4%
Pakistan	ArmyNavyAir Force	• Federal, provincial and Territorial police forces	Punjab RangersPakistan Coast GuardsFrontier Corps	Inter-Services Intelligence (ISI)Intelligence Bureau	4.0%
Sri Lanka	ArmyNavyAir Force	Sri Lanka PoliceSpecial Task Force (STF)	Sri Lanka Coast Guard	State Intelligence ServiceSpecial Branch	1.9%

MILITARY INSTITUTIONS AND SECURITY FORCES IN THE REGIONS

How do they address SH & SGBV?

- A similar feature of the subcontinent is that nearly every country has similar laws regarding law enforcement and armed forces due to their common British colonial lineage.
- Apart from Afghanistan (Follows strict Shariah Laws) all the countries have their police act/police service act and army act/armed forces act/national security act.
- None of the acts explicitly mentions any offence related to sexual harassment or committing any sexual abuse during a conflict.
- To address issues of sexual violence committed during the conflict, the state relies on their commitment to international humanitarian law or any domestic laws which was implemented in light of an international legal convention.
- Each force has its code of conduct under which sexual assault, abuse and harassment are serious offences in every country.

WE HAVE ZERO TOLERANCE ON ANYTHING RELATED TO WOMEN. WE ARE FOLLOWING IT; AS A RESULT, IT HAS HAD A GOOD EFFECT AND WE HAVE LESS OF THESE INCIDENTS HERE THAN IN OTHER COUNTRIES. EVEN IN THE MISSION AREA, WE FOLLOW THE ZERO-TOLERANCE POLICY. THE ACCUSED HAS TO SURRENDER EVEN ON THE MINIMUM CHARGES.'

-SENIOR OFFICIAL OF ARMED FORCES BANGLADESH

SOURCE: ARMED FORCES OF BANGLADESH

MOWIP REPORT 2022

GENDER AND SECURITY IN SOUTH ASIA

Gender and women's concerns in South Asia are intricately linked to the region's multifaceted socio-political, economic, and cultural context, where enduring patriarchal traditions restrict women's access to rights, resources, and decision-making opportunities. Gender-based violence, encompassing sexual and domestic violence, persists extensively, with Conflict-Related Sexual Violence (CRSV) presenting considerable issues in conflict regions such as Kashmir, Afghanistan, and certain areas of Northeast India (Bakshi, 2016; Chinkin, 1994). The Women, Peace, and Security (WPS) agenda has seen minimal progress in the region, as peacebuilding and security efforts frequently exclude women's involvement and viewpoints. Economic disparities, political instability, and demographic pressures, including substantial youth populations, intensify gender inequality, obstructing women's empowerment in both public and private domains. Notwithstanding increasing support for gender justice, entrenched impediments within legal, social, and political systems persistently obstruct advancements towards gender equality and inclusive security frameworks throughout South Asia.

TOP SOUTH ASIAN COUNTRIES AS TPCC IN UNPKO

Country	Male	Female	Total Police and Troops	PTCC Ranking
Nepal	5430	689	6119	I
Bangladesh	5395	471	5866	3
India	5384	143	5427	4
Pakistan	2495	106	2601	7
Sri Lanka	287	32	319	33
Bhutan	192	27	219	46

- Source: Contribution of Uniformed Personnel to UN by Country and Personnel Type (July 2024)
- Source: Uniformed
 Personnel Contributing
 Countries by Ranking (July 2024)

COMPLIANCE WITH UNSC RESOLUTION 1325

Four Pillar of Implementation:

- I. Prevention:
- Mainstream a gender perspective into all conflict prevention activities and strategies, develop effective gender-sensitive early warning mechanisms and institutions, and strengthen efforts to prevent violence against women, including various forms of gender-based violence.

2. Participation:

• Promote and support women's active and meaningful participation in all peace processes as well as their representation in formal and informal decision-making at all levels.

3. Protection:

• Strengthen and amplify efforts to secure the safety, physical or mental health, well-being, economic security and/or dignity of women and girls; promote and safeguard human rights of women and mainstream a gender perspective into the legal and institutional reforms

4. Relief and recovery:

• Promote women's equal access to aid distribution mechanisms and services, including those dealing with the specific needs of women and girls in all relief recovery efforts

OVERVIEW OF SOUTH ASIAN COUNTRIES TO ADOPT NAP

Country	Status of NAP Adoption	Details
Nepal	Adopted	First NAP from 2011-2016. Second NAP from 2022-2025
Afghanistan	Adopted now Defunct	First NAP in 2015
Bangladesh	Adopted	First NAP from 2019-2025
Sri Lanka	Adopted	First NAP from 2023-2027
India	-	-
Pakistan	-	-
Bhutan	-	-
Maldives	-	-

Country	National Legal Framework	Ratified CEDAW
Afghanistan	N/A	Yes
Bangladesh	 The Penal Code, 1860 The Nari-O-Shishu Nirjatan Daman Ain, 2000 The Domestic Violence (Prevention and Protection) Act, 2010 	Yes
Bhutan	 Constitution of the Kingdom of Bhutan 2008 (Article 9 (17) and (18) Penal Code of Bhutan (Sections 205 and 206) 	Yes
India	 The Sexual Harassment of Women at Workplace (PREVENTION, PROHIBITION and REDRESSAL) Act, 2013 The Indecent Representation of Women (Prohibition) Act, 1986 The Indian Penal Code, 1860 	Yes
Pakistan	 Pakistan Penal Code, 1860 Protection against Harassment of women at Workplace Act, 2010 harassment Women Protection Act 2006 	Yes
Maldives	Law No: 16/2014 (Prevention of Sexual Abuse and Harassment Act)	Yes
Nepal	 Sexual Harassment at Workplace (Elimination) Act, 2071 (2014) The Criminal (Code) Act, 2074 (2017) The Constitution of Nepal Article 38 (3) 	Yes
Sri Lanka	Penal Code 1883	Yes

SEXUAL VIOLENCE, ABUSE AND HARASSMENT IN THE SECURITY SECTOR

- Publicly available information on CRSV, SEA, SGBV, and SH related to the security forces of South Asian states is a rare commodity, underscoring the urgent need for more transparency.
- The military and security sector remain classified domains, and these institutions, by their very nature, prevent any incident from being publicised.
- Yet there are individual cases and several internal conflicts where sexual violence, abuse, and harassment have taken place.
- In internal conflict situations, security forces are involved in SEA, SGBV, and CRSV. In contrast, SH is likely seen within the troops during peacetime.

Major Regional Conflicts

- I. Kashmir Insurgency
- 2. Maoist Insurgency
- 3. Insurgency in the NER
- 4. CHT Insurgency
- 5. Sri Lankan Civil War

SEXUAL VIOLENCE, ABUSE AND HARASSMENT IN THE SECURITY SECTOR

- Sri Lanka's state forces committed sexual assault habitually when stopping civilians at military checkpoints against captured female combatants (<u>Cronin-Furman, 2017</u>).
- The Parliament of India, under the Armed Forces (Special Powers) Act 1958 (AFSPA), has conferred the Indian armed forces special powers to maintain order in 'disturbed areas' and has granted them impunity from prosecution (Valluri, 2024).
- Sexual violence and abuses by the Indian army are rampant in the states where AFSPA is in force, with countless instances surfacing over the decades.
- Recently, a case has been registered against a Wing Commander of the Indian Air Force by Jammu and Kashmir police following allegations of sexual assault by a junior woman officer at a New Year party on the night of December 31, 2023 (<u>The Hindu</u>, 2024).

"IN 2003, I WAS A YOUNG FLYING OFFICER IN THE PAKISTAN AIR FORCE, TRAINING UNDER A SUPERVISOR WHO WAS NOTORIOUS FOR MAKING ADVANCES ON WOMEN. HE LIVED UP TO HIS REPUTATION. DURING MY ONE YEAR AT THE AIRBASE, HE INAPPROPRIATELY TOUCHED AND MADE INDECENT COMMENTS AND SEXUALLY EXPLICIT JOKES TO ME AND MY FEMALE COLLEAGUES. ALTHOUGH I WAS NOT PHYSICALLY ASSAULTED, THE PSYCHOLOGICAL TRAUMA FROM THESE EXPERIENCES WAS UNBEARABLE."

-QURATULAIN FATIMA

FORMER FLIGHT LIEUTENANT IN PAF AND POLICY PRACTITIONER

SOURCE: AL JAZEERA, 2018

BEST PRACTICES: SELECTIVE COUNTRY EXPERIENCES ON SAFE AND INCLUSIVE ENVIRONMENTS

CREDIT: MONUSCO ON X (TWITTER)

CREDIT: HER CIRCLE





INDIA'S SECURITY AND DEFENSE SECTOR

Women in Uniform

- India's peacekeeping contributions include the celebrated all-female Formed Police Unit (FFPU) in Liberia, which was highly praised for curbing sexual and gender-based violence (Pruitt, 2013).
- India has contributed significantly to UN peace missions but falls short in gender representation. Women constitute only 1.6% of India's total troops in UN missions, against the UN target of 11%. (Source: <u>UNPK-TPCC</u>)

INDIA [CONTD]

Legal Measures:

- The <u>POSH Act</u> (Prevention of Sexual Harassment of Women at Workplace Act, 2013) applies to all workplaces, including the armed forces. Each armed forces branch has Internal Complaints Committees (ICCs) to address sexual harassment complaints.
- Criminal Law (Amendment) Act 2013 includes provisions that penalise sexual harassment, voyeurism, stalking, and other forms of violence, with a particular focus on acts committed by those in positions of authority (such as members of the armed forces).
- Unlike other sectors, armed forces don't allow conciliation in sexual harassment cases due to military discipline considerations.
- Criminal courts rather than military tribunals handle cases of rape or murder by military personnel.

INDIA [CONTD]

Exemplary Punishment of Harassment:

- In 2023, the Indian Army launched an investigation into a complaint of sexual harassment made by a woman Army officer against a Brigadier under whose command she was serving in Uttar Pradesh. The woman officer's complaint has been referred to an Internal Complaints Committee (ICC) as per the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act of 2013, commonly known as the PoSH Act (<u>Chhina, 2023</u>).
- In 2019, a major general serving in the Assam Rifles in the northeast of India was dismissed without pension over a case of sexual harassment involving another serving officer (<u>Hindustan Times, 2019</u>).

PAKISTAN'S SECURITY AND DEFENSE SECTOR

Women in Uniform:

- Women's participation in Pakistan's armed forces has been increasing but remains limited, with only 4% of the total force comprising women and even fewer in leadership or combat roles (<u>The Express Tribune, 2022</u>).
- Women have been part of UN Peacekeeping missions, contributing to Pakistan achieving the UN's 15% female staff officers goal. However, they still face systemic discrimination and a lack of career advancement opportunities within security forces (<u>Saeed, 2022</u>).

PAKISTAN [CONTD.]

Legal Measures:

- National legislation such as the Pakistan Penal Code (PPC) and the <u>Protection Against Harassment of Women</u> at the Workplace Act (2010) addresses harassment but is often inadequately enforced, especially within security institutions.
- Internal grievance redressal mechanisms, such as those handled by the <u>Judge Advocate General (JAG)</u> Branch and Courts-Martial, are available but often insufficient due to structural biases and lack of specialised GBV training.
- Initiatives like <u>'Hilal for Her'</u> magazine, which promotes women's participation in peace and security, fail to address the crucial harassment prevention issue.
- Although training programs exist for Pakistan's security personnel, gender perspectives, particularly in preventing harassment, are often missing. Specialised gender-responsive training for peacekeepers is improving, but significant gaps remain in regular military training.

PAKISTAN [CONTD.]

Promising Initiatives:

- Positive steps include establishing women-only police stations, Women Police Councils, and the Tahaffuz Markaz, which offers legal aid and support for women facing harassment or abuse. (<u>Source: Government of the Punjab, Pakistan</u>)
- However, these initiatives are limited in scope and often lack the necessary infrastructure, resources, and training to make a substantive impact.

WOMEN IN PEACEKEEPING: BANGLADESH'S TRENDS

Servic	Participated		Participated		Participated		Participated		Participated		Participated		Participated		Participated		Participated			Curre Deple			SL.Mission Category1.FPU2.IPU/UNPOL/Secondment			Person 1260 66	Femal	e: Total e Police keepers
e	SO/UN MO	Contin gent	Total	SO/UN MO	Contin gent	Total	<u> </u>	TOTAL		1326	(till August 2021)																	
		J			•		Mis	Mission Category				Person																
Army	38	341	379	16	106	122			MONU	SCO-1	82																	
Navy	17	06	23	05	00	05		FPU	MINU	SMA-1	32	146																
Air	06	104	110	04	08	12			MINUSMA-2		32																	
Force	00	104	110	04	00	١Z	IP	O & UN Job	UNPC	L	7+1	8																
Total	61	451	512	25	114	139				-	TOTAL	154																

Figure: Presently deployed Female Police Peacekeepers

WOMEN PEACEKEEPERS: GENDER IMBALANCE

TROOPS - JULY 2021

	UN MILITARY EXPERTS ON MISSION (UNMEM) AND STAFF OFFICERS - JULY 2021													
Country	UNMEM					STAFF OFFICER (SO)			COMBINED UNMEM and SO				Number of women to	
	Men	Women	Total	%F	Men	Women	Total	%F	Men	Women	Total	%F	reach 18%	
JULY-2021	942	244	1186	20.6%	1703	333	2036	16.4%	2645	577	3222	17.91%	3	
JUNE-2021	918	244	1162	21.0%	1733	336	2069	16.2%	2651	580	3231	17.95%	2	

Month	Men	Women	Total	%F	Number Of women needed to reach 8%
JULY-2021	62034	3452	65486	5.27%	1787
JUNE-2021	62147	3494	65641	5.32%	1758

Over 1000 troops

Over 100 Military Observers & Staff Officers

Country		UNM	NEM		SO				COMBINED UNMEM and SO				Number of women to
country	Men	Women	Total	%F	Men	Women	Total	%F	Men	Women	Total	%F	reach 18%
Ghana	26	19	45	42.2%	55	26	81	32.1%	81	45	126	35.7%	0
Ethiopia	87	8	95	8.4%	78	27	105	25.7%	165	35	200	17.5%	1
India	34	7	41	17.1%	84	17	101	16.8%	118	24	142	16.9%	2
Pakistan	37	2	39	5.1%	78	21	99	21.2%	115	23	138	16.7%	2
Nepal	33	8	41	19.5%	95	17	112	15.2%	128	25	153	16.3%	3
Bangladesh	34	1	35	2.9%	111	25	136	18.4%	145	26	171	15.2%	5
Rwanda	27	7	34	20.6%	64	7	71	9.9%	91	14	105	13.3%	5

50-99 Military Observers & Staff Officers

Country		UN	MEM		SO				COMBINED UNMEM and SO				Number of women to
Me		Women	Total	%F	Men	Women	Total	%F	Men	Women	Total	%F	reach 18%
Zambia	13	5	18	27.8%	23	10	33	30.3%	36	15	51	29.4%	Activate wij
Kenya	14	3	17	17.6%	32	10	42	23.8%	46	13	59	22.0%	Go to Settings to
Egypt	38	1	39	2.6%	41	18	59	30.5%	79	19	98	19.4%	0
Indonesia	15	4	19	21.1%	35	7	42	16.7%	50	11	61	18.0%	0

1 mar

Country	Men	Women	Total	%F	Number Of women needed to reach 8%
Ghana	1591	245	1836	13.3%	0
Ethiopia	4652	591	5243	11.3%	0
United Republic of Tanzania	1302	99	1401	7.1%	14
Rwanda	3820	265	4085	6.5%	62
Uruguay	964	54	1018	5.3%	28
Indonesia	2309	129	2438	5.3%	67
Italy	1108	42	1150	3.7%	50
Nepal	4814	178	4992	3.6%	222
Chad	1384	41	1425	2.9%	73
Burkina Faso	1049	28	1077	2.6%	59
China	2102	56	2158	2.6%	117
Bangladesh	5652	122	5774	2.1%	340
Pakistan	3509	49	3558	1.4%	236
Morocco	1639	22	1661	1.3%	111
India	5140	52	5192	1.0%	364
Egypt	2023	0	2023	0.0%	162

BANGLADESH ARMED FORCES' EXPERIENCE

I.Awareness and Understanding

- 2. Code of Conduct
- 3. Policy and Guideline
- 4. Interactive and Regular Refresher Training
- 5. Accountability
- 6. Supervision by the AF leadership
- 7. Reporting Mechanisms
- 8. Prevention

NEPAL'S SECURITY AND DEFENSE SECTOR

Steps Taken:

- Nepal was one of the first countries to adopt a NAP on UNSCR 1325 and 1820 (2011–2016), focusing on addressing CRSV and protecting women during and after conflict. (Source: 1325 National Action Plan)
- The NAP emphasised addressing sexual violence committed by both state and non-state actors during the Maoist insurgency (1996-2006) and ensuring justice for survivors, but it is ineffective in practice.

NEPAL [CONTD.]

Flawed Initiatives:

- In 2014, Nepal's legislature adopted the Commission on Investigation of Disappeared Persons, Truth and Reconciliation Act (TRC Act), which was struck down by the Supreme Court in 2015 because it failed to meet Nepali and international legal standards, mainly by providing amnesties of severe crimes. (Source: HRVV, 2024)
- Many perpetrators of CRSV within security forces have not been held accountable due to political protection, inadequate investigation mechanisms, and a lack of survivor-centred approaches in legal processes. (Source: Global Survivor Fund)

WHY IS MAPPING SH BY THE SECURITY FORCES IN SOUTH ASIA CHALLENGING?

Conflicts in South Asia are significantly influenced by their colonial histories and the processes of nation-building that followed independence. In this complex process, women's bodies have emerged as national identity and communal honour symbols in South Asian nations. Conflicts in the region include interstate disputes, settler tensions, and ethnic and religious conflicts. Recent reports on ethnic violence, such as the case involving Manipur, suggest that the latter may have been significantly state-sponsored. Conflicts in South Asia include the Sri Lankan Civil War, the Nepalese Civil War (1996-2006), and Bhutan's Lhotshampa Expulsion (1990). Mapping sexual harassment in security forces is challenging due to the hierarchical and insular nature of these institutions, where power dynamics can discourage reporting. Victims often fear retaliation or damage to their careers, making them hesitant to come forward. Additionally, cultural norms within security forces may minimise or dismiss such claims, leading to underreporting and lack of transparency.

WHY IS MAPPING CHALLENGING [CONTD.]

- Lack of acknowledgment and documentations
- Social stigma and gender inequalities
- Under reporting
- Difficulty in accessing areas of conflict and subsequent lack of coverage

Source: Sexual Violence Research Initiative (SVRI)

MAJOR CHALLENGES TO ADDRESS SEXUAL VIOLENCE, HARASSMENT AND ABUSE

Gendered Obstacles which are Prevalent

- Legislative Institutional Gap
- Patriarchal Norms and Gender Inequality
- Weak Institutional Accountability
- Underrepresentation of Women in Security Forces
- Insufficient Gender-Sensitive Training

- Limited Access to Justice for Victims
- Cultural Reluctance to Engage in Gender Reforms
- Mistrust between Communities and Security Forces
- Inadequate Protection for Whistleblowers and Survivors
- Cross-border and Refugee-related Sexual Violence

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