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PART II

Statutory Notifications (S.R.O.)

GOVERNMENT OF PAKISTAN
MINISTRY OF LAW AND JUSTICE

NOTIFICATION

Islamabad, the 13th April, 2026

S. R. O. 703(I)/2026.— In exercise of the powers conferred under sub-section (1) of section 8 read with the section 19 of the Anti-Rape (Investigation and Trial) Act, 2021 (XXX of 2021), the Ministry of Law and Justice, on the recommendation of the Special committee is pleased to make the following rules, namely:

(1045)

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[10793(2026)/Ex. Gaz.]

1. Short title and commencement. (1) These rules shall be called the Anti-Rape (Victim and Witness Protection) Rules, 2025.

(2) These rules shall come into force at once.

2. Definitions. In these rules, unless there is anything repugnant in the subject or context,-

- (a) "Act" means the Anti-Rape (Investigation and Trial) Act, (XXX of 2021)
- (b) "audio-visual link" means facilities that enable audio and visual communication between persons at different places including closed-circuit television and video conferencing etc.
- (c) "best interest of the child" means the basis of any decision taken regarding a child shall be aimed to ensure fulfillment of child's basic rights and needs, identity, social well-being, physical, emotional and psychological development;
- (d) "Court" means a Special Court established or designated under Section 3 of the Act;
- (e) "support person" includes a member of the victim's family or a professionally qualified person having expertise in the field of mental health or social work, or a Child Protection Officer or an Independent Support Adviser;
- (f) "witness" means a person who may testify under Article 3 of Qanun-e-Shahadat (X of 1984) and includes a victim or a person who:

(i) has made a statement or has given or agreed or may be required to give evidence or testify in relation to attempt or commission of a scheduled offence; or,

(ii) is in possession of or is required to provide any important information, statement or assistance to a public officer and has agreed to share the information with the law enforcement agency and has agreed to give evidence on behalf of the State; and

(iii) for any other reason, may require protection or other assistance under the Act and the rules.

3. Assistance to victim and witness. (1) A witness shall be eligible for assistance in accordance with section 8 of the Act in connection with his testimony before a Court in the case involving scheduled offence under an order of the Court for special measures, when,-

- (a) he is willing to give evidence but is apprehensive or under stress owing to the nature of the offence or proceedings relating thereto or is intimidated by someone or fears that harm may come to his person, family or property if he gives evidence, and if the Court is satisfied that the quality of evidence is likely to be affected on that account;
- (b) he suffers from a physical disability or mental disorder;
- (c) he is under the age of eighteen years at the time of recording of evidence; or
- (d) he is a victim of a sexual offence.

(2) The court, while making an order under this section, shall consider the following factors, namely:-

- (a) the personal circumstances of the witness including his opinion and belief;
- (b) the behavior of the accused, his family or associates or any other person towards him;
- (c) the nature and circumstances of the offence; and
- (d) any other report with regards to the gravity of the threat to the witness.

(3) The Court shall have the authority to order any concerned officer of district administration or investigation agency to make necessary arrangements for providing all the required assistance to the victim or witness as provided in the law, Act and the rules.

4. Non-disclosure of identity of victims.

(1) The written permission for disclosure of identity shall only be given in accordance with the sub-section (1) of section 26 of the Act on the proforma at Annex-A.

(2) The officer in charge of a Police Station or any other officer concerned shall be required to inform the victim, victim's family or guardian or complainant regarding the non-disclosure of identity in detail, and in case a written permission for disclosure of identity is given, the responsible officer shall get the written permission on proforma as per sub-rule (1) at the time of registration of FIR.

(3) In case there is no written permission given, the officer in charge of the Police Station or other officer concerned shall adopt the following procedure to ensure the non-disclosure of identity, namely:-

(a) omit or substitute all identity details including name, parentage, address, school name, office address etc, of the victim or victim's family which is provided in the information, oral statement or written application for registration of FIR with pseudonyms or name initials etc, from the contents of the original as well as all copies of the FIR;

provided in the oral statement or written application for the registration of FIR in the first case diary maintained under section 172 of the Code and explain the substitution or omission of such details from the FIR for the verification and aid of the Court, prosecutor and other competent authority; and the prescribed procedure may be adopted for other public documents, if applicable, to ensure the non-disclosure of identity.

(4) In case there is no written permission given the Medico-legal certificate or other documents of medical examination or treatment of the victim containing the identity details of the victim may be treated as classified documents and in case a copy thereof is required to be provided in the interest of justice and fair trial, all the particulars of identification of the victim shall be omitted or concealed on such copy and the copy issuing authority shall provide a certificate in this regard on such copy.

5. **Courts to take special security arrangements** (1) The Court may direct for special security arrangements to be taken to prevent the victim or witness from being seen, identified, threatened, intimidated, insulted or assaulted, photographed or videotaped while coming to the court to give evidence, attending the court and at the time of leaving the Court:

Provided that the video recording or photography may be done with the authorization of Court in interest of justice and in furtherance of the provisions of the Act:

Provided further that the special security arrangements under sub-rule (1) shall be in a manner that the victim or witness continues to see or be seen by the Court, the prosecutor, the legal representatives acting on behalf of parties in the proceedings or any other person appointed by the Court for this purpose, in the interests of justice.

(2) The Special security arrangement inter aliam include,-

(a) Clearance of public gallery outside the Court to allow the victim or witness to enter and leave the Court without being identified and intercepted without lawful authority;

(b) Using reserved or special routes within the premises of the Court not open to the public; and

(c) assigning a pseudonym or initials of name to refer to the victims or witness.

(3) During the proceedings, the Courts shall make arrangements for screens, curtains, opaque shields or additional room virtually connected to the court room, to prevent the victim or witness, who is under witness protection, from being seen by the accused or the general public.

(4) In case the victim or witness is unable, due to witness protection or safety concerns to attend the trial in person, the Court may examine the victim or witness as provided under Article 164 of Qanun-e-Shahadat, 1984.(X of 1984).

(5) The Court may allow a support person of the same gender to accompany the victim during the course of trial.

(6) In case of a child witness the Court may take additional measures to ensure gender and child sensitive environment in the best interest of the child which may include but is not limited to:-

(a) child friendly physical environment;

(b) child accompanied by the guardian;

(c) separate room, connected to the court room via audio visual -link, for the child to relax and testify away from the accused;

(d) usage of communication aid to help the child testify;

(e) using the language with which child is acquainted and

(f) any other measure that the Court deems fit to help the child testify without duress, undue influence or coercion.

6. **Examination of victims and witnesses through audio visual link** (1) Whenever, in the course of a trial or other proceedings under the Act, it appears to the Court that the evidence of any witness or victim is necessary for the ends of justice, and such witness or victim is unable to attend the court proceedings in person due to some unavoidable circumstances, security concerns, apprehension of disclosure of identity, unreasonable delay, expense or inconvenience, the Court may, on application or on its own motion, allow the examination of such victim or under sub-rule (1), the following protocols shall be adopted; namely:-

- (a) examination and cross-examination through visual link shall be held at a place approved by the Court.
- (b) proceedings by way of audio-visual link shall be conducted as judicial proceedings and the same courtesies and protocol shall be observed, and all the relevant provisions of the Code and Qanoon-e-Shahadat 1984 (X of 1984) shall apply.
- (c) Court shall appoint a coordinator for the witness to monitor the audio-visual link proceedings, in the following manner; namely:-
 - (i) if such witness or victim is present within the jurisdiction of the Court, it may issue a commission to a subordinate Magistrate of First Class to act as the coordinator;
 - (ii) if the witness is present at any other place within the territories of Pakistan, the coordinator shall be the judge of the Court or any judicial officer not below the rank of Additional Session Judge of the concerned district of permanent or temporary residence of the witness, subject to the availability of the audio-visual link, and in case of non-availability of internet or audio-visual link, the coordinator shall be nominated by the Registrar of the concerned High Court for any other nearest districts;
 - (iii) if the witness is present outside Pakistan, the Court through the Registrar of concerned High Court shall coordinate with the Ministry of Foreign Affairs to nominate an official of the respective Embassy, High Commission or Consulate of Pakistan or the presiding judge of the district of residence of the witness, to act as coordinator as well as make necessary arrangements for audio-visual link examination of the witness;
 - (iv) if witness is confined in a jail or any other correctional facility as a convict or otherwise, or is in Dar-ul-Aman etc., the Superintendent of the

- concerned jail or in-charge of the correctional facility or Dar-ul-Aman shall produce the witness before the judge as mentioned above in condition (ii) whenever required who shall make necessary arrangements for the audio-visual link examination of the witness; or
- (v) if the witness is hospitalized and is in a position to give evidence, the concerned Sessions Judge shall issue a commission to a subordinate Magistrate of First Class who shall act as a coordinator and the in-charge of the concerned hospital shall provide all the necessary support required for the audio-visual link examination of the witness, keeping in view the health condition of the witness;
- (d) the coordinator of the witness shall be responsible for the identification of the witness, supervision of proceedings, making necessary arrangements for the audio-visual link, recording of evidence and to prevent any coercion, duress or manipulation with witness testimony during the examination;
- (e) the Court or the prosecutor shall provide, through electronic means, copies of the previous statements of the witness and relevant documentary evidence to the witness prior to the examination for refreshing memory, exhibition of documents and for the purpose of confrontation during examination;
- (f) in case of any difficulty in understanding the language of Court by the witness or otherwise, the coordinator shall arrange a translator or interpreter, who, on closing of the statement of witness, shall furnish a certificate to that effect, duly signed digitally;
- (g) if possible, the audio video record of examination may be saved in the computer data at the Court and the saved audio and video record may be kept intact till decision of the case and any appeal;
- (h) the court as well as the coordinator shall ensure that the witness is not coached, tortured or prompted by any person, and the witness, if willing, may be allowed to engage a counsel for assistance or to remain present with the witness, when the evidence is being recorded.
- (3) The Court may, if practicable and in the interest of justice, opt not to adopt any of the above prescribed protocols and may adopt any other protocols towards its satisfaction in case the witness to be examined is a public servant or a professional who has performed official duty relating to the case and is not the victim or eye-witness of the case.

7. **Restricted entry to the court room.** on application by the prosecutor or legal representative of victim or witness or investigative officer through public prosecutor, the court may pass an appropriate order in terms of the proviso to section 352 of the Code, or direct that the public generally, or any particular person, shall not have access to the room of building used by the Court.

8. **Reporting criminal proceedings.**-The reporting of the identity of a victim and witness of scheduled offence or the identity of the members of his family shall be prohibited in print, electronic, social or any other media platform, if the court is satisfied that the quality or voluntariness of the evidence of the person concerned shall be compromised by it.

9. **Anonymity of persons involved in proceedings.**- (1) In any proceedings to which this Act applies, where a person is or is likely to be required as a witness, the Court on the application of any party or of its own motion, may issue an order for the preservation of the anonymity of the witness or of any person who might be identified in the evidence of the witness, and to ensure that his identity is not disclosed in, or in connection with, the proceedings.

(2) Unless otherwise stated, an order made under sub-section (1) may include the following directions; namely:-

- (a) the name, address, and identifying details shall be withheld;
 - (b) the witness may use a pseudonym;
 - (c) no question is asked at the trial that might lead to the identification of the witness or his address or any information from which his identity or address might reasonably be identified, without the express permission of the court; and,
 - (e) no person shall publish or communicate to any other person the identity, address, or other identifying details of the witness, or any other information from which his identity or address might reasonably be identified, where it is known that, or in such a way as it may be concluded that he is or was a witness in the case, save where it is necessary for the proper lawful conduct of the proceedings.
- (3) The Court shall not make an order under this rule unless it is satisfied that
- (a) an order is necessary to;
 - (i) ensure the safety of the witness or any other person, or to prevent any serious damage to property; or
 - (ii) prevent real and significant harm to the public interest;

- (b) the effect of the order, in no circumstances, shall prevent the accused from receiving a fair trial; and
- (c) the importance of the testimony of the witness is such that in the interest of justice the witness ought to testify, and either:-
 - (i) there is a genuine risk that the witness may not testify if the order is not made; or
 - (ii) there may be a genuine risk of real and significant harm to the public interest if the witness were to testify without such an order being made.

(5) An order made under this rule shall be known as a 'Witness Anonymity Order' and shall remain in force during the period specified in the order unless the order is sooner revoked or any other order is made.

ANNEX - A

*(See Rule 3 & Section 26 of the Act)***Informed Consent Proforma for Disclosure of Identity**

FIR No. _____, Dated: _____, U/s _____

Police Station: _____

I, (name) , S/o / D/o / W/o, (parentage/husband name) , being the Victim / Victim's guardian/relationship (only in case victim being dead, minor or of unsound mind) , do hereby declare that:

1. I have been informed of the right and protection available regarding the non-disclosure of identity and identification details of the victim or victim's family including the name, parentage or address etc. as per section 26 of the Anti-Rape (Investigation and Trial) Act, 2021, (XXX of 2021)
2. It is also in my knowledge that I am not bound to give permission or consent to the disclosure of the identity of the victim or victim's family; and
3. I am aware that it is made punishable up to three years imprisonment and fine under section 376A of the Pakistan Penal Code 1860 (Act XLV of 1860) to disclose the identification details of the victim or victim's family without this written permission or consent.

Keeping in view the above, I hereby, voluntarily and without any force, duress or coercion, give permission or consent or authorization to the disclosure of identity of the victim or victim's family where-ever required for investigation, trial or otherwise.

Dated: This _____ day of _____, _____

(Signature and Thumb impression)

(Complete Name)

CNIC or Passport No.

[No F.1(1)2026-AR]

ALI HAIDER CHATTHA,
Section Officer (AR).