



**PAKISTAN  
GOVERNANCE  
FORUM**

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## Gender

### Women & Politics

#### Distribution of Uplift Funds: Women MPAs Term Procedure Cumbersome

Deputy Parliamentary Leader of PML-Q in NWFP Assembly Nighat Orakzai is the only woman MPA elected against reserved seat, who is getting her entire development funds while the rest of her women colleagues from so-called liberal parties could not utilise their entire funds without the prior approval of their parliamentary leaders. It is astonishing to note that the liberal parties claiming to be the champion of democracy and women rights have denied their women MPAs equal rights while the Muttahida Majlis-e-Amal (MMA), considered to be anti-women, had not imposed any restriction on their women MPAs. On condition of anonymity, a number of women legislators elected against the reserved seats from moderate parties complained against the existing procedure of distributing development funds and appreciated the attitude of the MMA towards their women MPAs as well as the bold stance of Nighat Orakzai. Comparing the role of the moderate and progressive parties and MMA, the women MPAs said the MMA parliamentary leader had given full authority to the party women legislators over funds spending issue while the liberal parties had adopted a cumbersome procedure for distribution of development funds only to "discourage, harass and blackmail" them. Nighat Orakzai, however, did not agree with her colleagues saying they (women MPAs) should come forward and challenge their parliamentary leaders as to why they were snatching their constitutional and democratic rights from them. She held her women colleagues responsible for the existing state of affairs as they had not recorded even a mild protest against their parliamentary leaders for their undemocratic behaviour. Orakzai appreciated the MMA leadership for not imposing any curbs on their women MPAs funds but deplored the role of liberal parties. She suggested to all those claiming to be the champion of women rights to first take their own rights from their own political parties. The PML-Q legislator also reminded that she had given Rs3.5 million from her development funds to her parliamentary leader on her own will but when this government made the fund distribution complicated for women MPAs, she clearly told her party leader that it was not acceptable to her and she would utilise her own funds like those of the other elected representatives. The parliamentary leaders of various parties get half of the development funds from their women MPAs, creating unrest and disappointment among them. "Our male colleagues get their funds directly but they have made steering committees and evolved lengthy procedure for us," said a MPA requesting not to be named. Another woman lawmaker pointed to the recently passed resolution in the National Assembly to stop discrimination against women. She posed a question as to whether this resolution had been passed only to show it to international community. Instead of paying lip service, the rulers should practically work to end discrimination and empower their own women legislators to prove their sincerity.

[The News – August 27, 2009]

#### Women Parliamentary Group Proposes Legal Reforms

The Women's Parliamentary Caucus has submitted the set of proposals for the constitutional amendments to the Parliamentary Committee on Constitutional reforms and proposed that all oaths should be amended keeping in view the rights of women enriched in the fundamental rights. The Women's Parliamentary Caucus headed by Speaker National Assembly Dr. Fehmida Mirza has proposed amendments in Article 8, 11, 14, 23, 25, 27, 29 and 37. In its general recommendations, the Women's Caucus suggested that the original 1973

constitution should be basis of all amendments, carry out changes in accordance with and in the spirit of the Charter of Democracy. It also proposed that wherever the word 'He' should be replaced by person or human being, the Chairman should be replaced by Chairperson, all oaths shall be amended keeping in view the rights of women and minorities as enriched in the fundamental rights, remove the concurrent legislative list to ensure provincial autonomy and repeal FCR 1901 to mainstream the tribal areas. It proposed amendments in the article 8 and stated that review of the provisions so that there is no abuse of human and fundamental rights of citizen, formation of Independent Commissions.

[The News - August 28, 2009]

### Women Ministry Gets Female Secretary after 27 Years

After a gap of 27 years, the Ministry of Women Development (MoWD), responsible for bringing about a positive change in the lives of around 80 million Pakistani women and girls, has finally got a female secretary. Sarod Lashari, who joined civil services in 1973, is the third female secretary since the establishment of Women's Division in 1979, as part of the Cabinet Division. The division was upgraded to become Ministry of Women Development in 1989. Since that up gradation, no woman was appointed as the administrative head of the ministry that is supposed to serve the women of the country. Before Sarod, Gulzar Bano served as secretary in 1979 while the other woman who joined the ministry on this post was Salma Ahmed in 1982. After her, the highest decision-making position in the ministry was always headed by men. Number of women at high-level official posts in the MoWD has been increased on the directives of Prime Minister Syed Yusuf Raza Gilani who is looking after the affairs of the ministry in the absence of any minister. Sarod Lashari confirmed that the prime minister made her appointment, as he wanted a female to head the administrative matters of the ministry. She said that women empowerment was high on the agenda of PPP and her appointment was one of its manifestations. She said that the Prime Minister was also taking keen interest in ensuring 10 per cent of female representation across the board in all public sector departments. The MoWD is collecting data of female representation in different federal and provincial ministries and after that we will have a meeting with the Establishment Division to discuss the matter. The Secretary said that this year, the success rate of women in Civil Services examination was 20 per cent. "The representation of women from Grade 17 to 20 is 18 per cent whereas in the MoWD, it is 21 per cent." The ministry has a total strength of 169 persons. Sarod pointed out that the problem area was the representation of women from Grade 1 to 17 that was only 4 per cent. She said that chalking out a strategy to improve this percentage was a priority for MoWD. She further said that the government had allocated Rs85 million non-development and Rs345 million development budget for the ministry for the financial year 2009-10. "Among that, Rs100 million has been reserved for innovative schemes aimed at women empowerment," she said, adding that the MoWD had asked provincial ministries to come up with their proposals under this fund. Highlighting major ongoing projects of the MoWD, she said that construction of 30 Benazir Bhutto Centres for violence victims was one of the major schemes in the pipeline. "These centres will provide free legal and medical help and counselling facilities to the victims," she said adding that in some centres, victims were provided technical training to earn their livelihood on their own. Taking pride in the projects undertaken by Gender Reform Action Plan (GRAP), she said that team of GRAP had successfully gender sensitised high-ranking officials in federal ministries through workshops and training. She pointed out that GRAP had established Gender Development Sections in five federal ministries and have appointed focal persons in all major federal and provincial ministries. "We are in the process of hiring consultants to review the syllabus of specialised training institutes with gender perspective." The secretary said that the ministry was easily accessible for women, as a counter has been set up at the entrance to accept applications and guide people to the right person. She said that 90 per cent of projects of the MoWD were run in collaboration with NGOs with an aim to involve the local community. Responding to a question about the slow pace of work on the ongoing projects under the ministry, she said that to avoid

corruption, it was vital to follow rules and regulations. "I myself believe that with a proactive approach, tremendous work can be done within this system." To make a real change, she said that community would have to work hand in hand with the government. "To achieve the vision mentioned in article 27 of the constitution that allows no discrimination on the basis of cast, creed, sex and religion, the community will have to play its role rather than leaving everything to the government."

[The News - August 7, 2009]

### Undeterred by Conservative Society - Woman MPA from Balochistan Wants Govt to Support Female Sport

Issuing statements on women's right to have access to healthy activities is all quite easy, but taking up the challenge of making it a reality and establishing soccer, as a national level sport for girls is something that requires real guts and determination, a task well accomplished by Balochistan's Provincial Minister Robina Irfan. Daughter-in-Law of Khan of Kalat, Robina started off her journey in 2004 with only three players — all of them her daughters. She formed the first women's football team in Balochistan and campaigned for the same in other provinces. Today there are 36 clubs and teams all over the country. Robina came up against the conservative sections of the society who tried to stop her by using political and social pressures. To convince the school administration for arranging a match, she sometimes had to be in talks for months. But all such hurdles failed to dampen her spirits. She was the one who first called for a women's football team from Balochistan, the most underdeveloped and largely conservative province of the country. She is now serving as a Provincial Minister for Law and Parliamentary Affairs and is still the driving force behind all the 14 women teams taking part in ongoing National Women's Soccer Championship at the Pakistan Sports Complex in Islamabad. As the chairperson of the Pakistan Football Federation's Women's Wing, her constant presence at the ground and relationship with almost all the players goes to show her love for the sport. Though the players appear to lack in training and stamina, Robina is optimistic that Pakistan would one day be able produce quality players. "Majority of these girls are playing out of their love for football, as they have no financial attraction," she said pointing a group of girls warming up at the Jinnah Stadium. If such selfless motivation is backed by infrastructure, facilities and patronage by the federal government, we can also develop a team of international standard."

Robina, who has lobbied for women sports complexes at least in the provincial capitals for the past five years, said that it was vital to promote sports among women. "Keeping in mind the social and cultural realities, there is a need to take special measures to involve women in sports," she said, while pointing out that even men were deprived of such facilities at the provincial level. Apart from lack of infrastructure, the minister said that the extremist mindset was the biggest hurdle in way of women sports. "At least seven players were stopped by their school principals from participating in the championship on the day they had to travel to Islamabad." She said that the principal locked the hostel's gates and called the parents of day scholars at six in the morning warning them not to send their daughters to the championship or their children would not be allowed to appear in the exams. "The enrolment of girls in that school is in thousands, but there is no sports team there." She said that this form of Islam was practiced only in Pakistani society, as all Arab countries had strong women football teams. "Even princesses play on those teams," she said on the sideline of the match between Punjab and Army. Highlighting another major step that could promote women in sports, she said that big organisations should form women's teams to motivate more and more girls to take up sports professionally. "Only four organisations are participating in this championship whereas the sport is of no financial use for players of other 10 teams." Herself an athlete in school, the minister pointed out that if all women Parliamentarians started dedicating part of their development funds for some women related project, the country would not need any donors. "Female

Parliamentarians should come forward and practically support such projects for their presence can make a big difference." In five years, she said that they had succeeded in developing the raw structure of women football in the country despite all the challenges. "It is now up to the federal government to join hands and invest in development of football as it is doing in cricket and hockey."

[The News – August 3, 2009]

## Women & Laws

### NA Bill Outlaws Domestic Violence

In a major move against domestic violence against women and children, the National Assembly passed a private bill, on August 4, aimed to prevent the prevalent curse through quick criminal trials and a chain of protection committees and protection officers. The Domestic Violence (Prevention and Protection) Bill must be passed also by the Senate to become law, which will provide for monetary and other relief to aggrieved persons through protection orders whose violators will be punishable with jail terms and fines to be given to the sufferers.

The comprehensive 28-clause bill, which was moved in August last year and apparently went through a thorough vetting by an 18-member house Standing Committee on Women Development, was piloted by an activist of the ruling Pakistan People's Party (PPP), Ms Yasmeen Rahman, with a party veteran, Shakeela Khanum Rashid, and Chaudhry Mohammad Birjees Tahir of the Pakistan Muslim League-N as co-sponsors. Cheers from all sides of the House marked the passage of the bill before the start of an inconclusive debate on the prevailing power crisis on the second day of the lower house's summer session. Parliamentary Affairs Minister Babar Awan congratulated all parliamentary parties for approving the legislation, which he said was aimed at emancipation of women.

According to the bill, domestic violence includes — but is not limited to — 'all intentional acts of gender-based or other physical or psychological abuse committed by an accused against women, children or other vulnerable persons, with whom the accused person is or has been in a domestic relationship'. Some of such acts could be 'assault' as defined in the Pakistan Penal Code, use of criminal force, criminal intimidation, economic abuse, entry into an aggrieved person's residence without his or her consent, harassment, 'mischief' against property, physical abuse, stalking, sexual abuse, verbal and emotional abuse, insults or ridicule, 'wilful or negligent abandonment of the aggrieved person', wrongful confinement and 'other repressive or abusive behaviour ... where such a conduct harms or may cause imminent danger or harm to the safety, health or well-being of the aggrieved person'.

The bill gives an aggrieved person the right to approach a first class magistrate's court personally with an application or through another authorised person and the court must fix a hearing within three days and give a decision within 30 days. The court protection orders could prohibit the accused from committing or aiding or abetting domestic violence, dispossessing an aggrieved person of household, give monetary relief to meet expenses and losses as well as for maintenance. The first breach of a protection order will be punishable with imprisonment of up to one year, but not less than six months, and a minimum fine of Rs100,000, which will be paid to the aggrieved person. But a violation for the second or third time, or more, will be punishable with up to two years' imprisonment and a fine of not less than 200,000 payable to the aggrieved person. The offence of breach of a protection 'shall be cognizable, non-bailable and compoundable', and convictions will be appealable before a sessions court.

However, filing a false complaint—which the complainant knows or has reason to believe to be false — in a court will be punishable with simple imprisonment of up to six months or with fine of up to Rs50,000, or with both.

The bill provides that while the federal government will take steps for 'operationalising the provisions' of the new law, each provincial government will constitute a protection committee of two police officers and two women councillors and appoint a protection officer in each tehsil, or sub-district, with duties such as informing the aggrieved persons of their rights and help them in filing their cases.

[Dawn – August 5, 2009]

### Changes Proposed to Domestic Violence Bill

Women parliamentarians and civil society activists at a consultative meeting on August 20 called for debate on the Domestic Violence Bill and suggested changes to it, particularly removal of Section 25. Maliha Zia of the Aurat Foundation suggested changes to the bill along with 'gaps and constraints' from the perspective of the civil society. These limitations varied from specifying the definition of 'aggrieved person' to punishing those who assist others in committing the act and completely removing Section 25. The section states as to how proof must be given while complaining of domestic violence or else the aggrieved will in turn be punished for providing false accusation which would in turn scare away many from filing cases in fear of a reactionary punishment. Ms Zia termed the section as being the most disturbing, saying "it would enhance the Hudood Ordinance". Recommended changes included specifying and re-defining terms such as 'harassment' and 'aggrieved person' which Ms Zia felt should be specific to women, children and vulnerable people as "the word man corrupts the meaning and agenda of the bill." Security and safety of the oppressed will be ensured by changes which state "whoever commits domestic violence of any kind defined within this (Section 4) and not falling under the definitions given in Pakistan Penal Code shall be punishable with imprisonment which shall not be less than six months and/or fine which may not be less than Rs50,000." Ms Zia termed passing of the bill as a "monumental occasion", appreciating those who proposed and went through with it. She said such reforms were necessary to end violence across the country, giving the example of Balochistan where violence in the name of honor has intensified.

[Dawn – August 21, 2009]

### Domestic Violence Bill to Push-Up Divorce Rate: CII

The Council of Islamic Ideology (CII) warned that the Domestic Violence (Prevention and Protection) Bill in its current form will fan unending family feuds and push up divorce rates. On August 3, the National Assembly passed a private bill to curb domestic violence. In a statement, the council expressed reservations on the law, describing it as ambiguous and containing few reforms. It criticised the movers of the bill for not taking into consideration the council's recommendations on domestic violence. The Council was previously embroiled in a controversy over reforms in the Muslim Family Laws Ordinance of 1961, sparking harsh criticism from religious scholars, which forced the government to send the law back to the CII for review. Terming the law discriminatory, the Council said the bill presumed that only women and children could be victims of domestic violence, ignoring the possibility of old, weak and indisposed men would suffer too. The Council was also wary about giving greater role to police in family affairs, warning that it would encourage corruption and bribery and said that the police would trample the sanctity of home. About punishments suggested in the bill to curb domestic violence, the council said the same penalties were already prescribed in the Pakistan Penal Code, Qisas and Diyat and the Family Laws. 'Only non-execution of these statutes has resulted in the alarming increase in domestic violence.' The council criticised that the

National Commission on Status of Women (NCSW) had been authorised to review laws contrary to women's rights, despite the CII being constitutionally empowered to do so under Article 230.

[Dawn – August 25, 2009]

### 3-Year Jail for Sexual Harassment at Work Urged

The National Assembly's Standing Committee on Law and Justice on August 5 recommended a punishment of three years for sexual harassment at the workplace. The law includes punishment for sexual advances, demands for sexual favours and any written, verbal or physical conduct of a sexual nature, which annoys, insults, intimidates or threatens a person at the workplace. The committee met at Parliament House with Begum Nasim Akhtar in the chair and discussed a bill to amend the Pakistan Penal Code (PPC) and the Code of Criminal Procedure. It discussed Section 509 of the PPC, to which a proposed new clause, Article 509-A, would be added to provide the punishment for sexual harassment at the workplace. The committee directed to club Section 509 and 509-A together and ratified the bill jointly. It also took up the Holder of Public Office (Accountability) Act 2009 and approved it unanimously. Under the proposed bill, a special Accountability Commission will be set up for accountability of politicians and bureaucrats that will be headed by a serving or retired judge of the Supreme Court.

[Daily Times – August 6, 2009]

## Women & Economics

### President for Increase in Land Allotment for Female Farmers

President Asif Ali Zardari has advised the Sindh government to increase the limit of land allotment – from 16 acres to 25 acres – for landless farmers, and directed that priority be given to female farmers in the programme. The directive came at a meeting to review progress in the distribution of state land among landless farmers under the 'Women's Emancipation Programme'. Presidential Spokesman Farhatullah Babar said 45,000 acres of land had already been distributed among poor and landless farmers since the programme was launched in November last year. He said 70 percent of those who had been allotted land were women, and the same ratio would persist. Information Minister Qamar Zaman Kaira said around 45,000 acres of barren land would be distributed among 4,196 farmers. He said that all these landowners could acquire fertilisers and seeds through Benazir cards, to be issued in the name of female members of families."

[Daily Times – August 11, 2009]

### Workshop on Gender Reform Action Plans: Gender Equity a Must to End Poverty

Full potential of economic growth and alleviation of poverty in Pakistan will not be achieved until women from all social groups are able to overcome social exclusion, said Rune Stroem, country director of the Asian Development Bank (ADB) on August 21. He was addressing a workshop of Gender Reform Action Plans (GRAPs) stakeholders, organised by the Ministry for Women Development and Decentralisation Support Program of the Finance Division in collaboration with the ADB. Gender equality and development would continue to be a top priority for ADB in Pakistan, said Stroem. He emphasised the need for implementing policy commitments made by the federal and provincial governments. "We remain committed to gender

mainstreaming throughout our operations in Pakistan," he said, launching the ADB's country gender assessment report.

Ghazala Gola, Balochistan Minister for Women Development, said women, particularly in Balochistan and Sindh, were facing severe handicaps. Tauqeer Fatima Bhutto, Sindh Minister for Women Development, emphasised the need for better coordination between donors, federal and provincial GRAPs. She acknowledged the fact that there were many problems with regard to the gender equity in Sindh. "We are doing our best correct the situation," she said. Representatives of federal and provincial governments briefed the participants on GRAP-related projects. GRAPs stakeholders and donors such as GTZ, CI DA, and SDC attended the workshop. Prominent among the participants were Ayub Qazi, Rabia Javeria, Afsar Khan, Shabbir Ahmad and Rehana Hashmi.

[Daily Times – August 22, 2009]

## Women & Technology

### Gender Digital Divide in Rural Areas Discussed

Mobile phones are the most commonly available of Information and Communication Technologies (ICTs) in the rural areas but its availability alone is insufficient to enable rural women to telecommunicate. This was found in a study on 'The Gender Digital Divide in Rural Pakistan' details of which were discussed by Dr Karin Astrid Siegmann of Sustainable Development Policy Institute who led the study at a one-day stakeholder workshop. The workshop was attended by representatives of grassroots-level organisations from Bolan, Tharparkar, Muzaffargarh and Battagram. Dr Karin said that almost half of all surveyed households in the four districts own at least one mobile phone set, reflecting the phenomenal growth of mobile connections in the country during the past decade. She said that according to 40 per cent of all female respondents, they needed permission of their husbands, fathers and brothers to make calls as they largely owned the sets. This indicates that rather than network coverage and the presence of mobile phones alone, socio-cultural factors also determine whether ICTs reach female users in rural areas. The hurdles women and girls face include negative perceptions of their technological skills. A large majority of respondents strongly agreed with the statement that "men have a natural advantage in the use of technologies." Apart from the low regard of women's skill to use technologies, some ICTs themselves have a bad image. While several interviewees see some TV channels as promoting vulgarity, mobile phones are regarded as dangerous in girls' hands, in particular. Mothers fear that their daughters will use mobiles for dating. The role of boys in such socially unacceptable use of telecommunication technology is largely ignored, she said. Cultural norms may also represent an obstacle in the government's efforts to provide affordable access to ICTs to the rural population through telecommunication centres. Apart from the e-literacy issues involved in making telecommunication, computers and internet useful for women and girls in rural areas, they usually cannot move freely outside home. Women mostly do not require permission for listening to the radio or watching TV which are simple to use. The women and men use such broadcasting equipment chiefly for the purposes of both entertainment and information access provides a good platform for contents related to human development and women's empowerment.

[The News – August 26, 2009]

#### Report on Violence against Women Launched

In the year 2008, a total number of 7,571 incidents of violence against women (VAW) reported in the country, out of which 4,416 cases occurred in Punjab, 1,380 in Sindh, 799 in NWFP, 767 in Balochistan and 209 in capital territory of Islamabad. These statistics make part of the annual report of 2008 on 'Situation of Violence against Women in Pakistan', launched by Aurat Foundation on August 12. The report is a collection and compilation of statistics on the incidents of violence against women during January to December 2008. Aurat Foundation launched this report under its national program 'Policy and Data Monitor on Violence against Women.' Chairperson Standing Committee of the National Assembly on Women's Development Bushra Gohar was the chief guest on the occasion whereas Regional Programme Officer Trocaire, Gulcheen Aqil presided over the event. The report says that the level of violence against women, particularly physical violence is touching alarming proportion. According to the statistics mentioned in the document, the number and percentage of the cases of murder and 'honour killing' of women is the highest i.e. 1,897 (25.1 per cent) followed by 1,784 (23.6 per cent) cases of abduction/kidnapping, 846 (11.2 per cent) cases of hurt and body injury and 778 (10.2 per cent) cases of rape and gang rape. The document reports the occurrence of 599 suicide cases, 281 domestic violence cases, 143 attempted murder cases, 208 attempted suicide cases, 172 sexual assaults, 125 custodial violence, 61 stove burnings, 29 acid throwing cases 32 'vanni'/ customary practices and 312 torture cases during last year.

In a review of prevalence of violence against women by province, the report says that highest number of VAW cases occurred in Punjab i.e. 58 per cent where as 18 per cent of cases were reported in Sindh followed by NWFP (11 per cent) and Balochistan (10 percent). However, the report says that it would be misleading to conclude that since 58 per cent cases occurred in Punjab, the ratio of VAW is higher in Punjab than other provinces. The document also reports progression in the number of VAW cases through the year in all provinces. "This might indicate increase in the number of cases however another factor that might have contributed towards this increase could be the increase in the number of newspapers," it says.

According to the statistics gathered primarily through Aurat Foundations Press Clippings Service, the crime rate of VAW is on much higher side in big cities or the main urban centres of the country including federal and provincial capitals. Interestingly, out of 12 districts where at least 150 or more cases of VAW were reported, 8 were in Punjab and 7 of all the 12 districts were city governments. In the end of her presentation, Tahira Abdullah posed 18 crucial questions addressed mainly to the government decision-makers, policy makers, legislators and senior officials. She also criticised the changes made in the draft of Domestic Violence Bill 2009. Highlighting some of the changes, she said that civil society demanded criminalisation of domestic violence, but the part had been omitted from the bill passed by the National Assembly. She said that a few things that had been added like intent of the culprit and penalty for the person who files false complaint would deter majority of women from taking up the issue.

Representing Aurat Foundation, Naeem Mirza said that the figures mentioned in the report were just the tip of the iceberg, as majority of VAW cases remain unreported. He said that statistics on domestic violence were not representative of the actual situation as it was not possible to collect appropriate data. "According to credible information, 80 per cent women in Pakistan suffer domestic violence in one form or the other, but cases are never reported by families," he pointed out. Gulcheen Aqil said that one of the main reasons of all this suffering was the silence of women. "Experiences of field work show that women have mentally accepted violence as routine matter," she said adding that for a substantial change in the mindset, women need to raise their voices against the menace. Despite opposition coming from majority of the male colleagues, Bushra Gohar said that female Parliamentarians were affectively taking up the women related issues in the Parliament.

[The News – August 13, 2009]

### Gender Based Violence Affects Women's Health

The Gender Based Violence (GBV) resulting from gender inequalities and imbalance of power structures has profound effects — direct and indirect — on a woman's sexual and reproductive health. The conclusion was reached at a three-day Training of Trainers (ToT) workshop held on August 3. The participants of the workshop recommended that comprehensive efforts and mass level awareness was required to address the issue of GBV that happens to affect mostly women. The workshop was organised by the World Population Foundation (WPF) as part of its project on 'Capacity Building of Pakistani NGOs on Gender Based Violence and Reproductive Health.' The project is implemented in six most-exposed-to-violence districts of Pakistan namely Jacobabad, Kashmore, Jaffarabad, Nasirabad, Muzaffargarh and DG Khan. The workshop that was attended by 18 participants was aimed at preparing partner NGOs in the target districts so that awareness can be created at community level and frailty can be wiped out from the grassroots level.

Findings from a recent estimate indicate that 70-90 per cent of women in Pakistan suffer from some form of violence at the hands of patriarchal figureheads. Reinforcing this spiral of violence is the fact that the average age at which girls in Pakistan enter wedlock, is 19 years. This often robs young girls from the opportunity for a smooth transition from adolescence to adulthood. As a result, young girls, after entering wedlock, do not merely experience emotional alienation but are at a greater risk to become victims of violence. Consequently, violence is responsible for 0.9 per cent of the deaths of women aged between 20-49 years in our country annually. Of these most deaths are attributed to rural settings rather than urban.

During the course of the workshop, Programme Manager, WPF, Muhammad Anwar, shared the impact of the GBV and its consequences on Reproductive Health. A representative from District DG Khan told the participants that to tackle the issue of Gender Based Violence and Reproductive Health in the community, their organisation has adopted the innovative practice of training truck drivers for emergency situations which has proved most effective, especially in circumstances where the lives of a mother and her unborn child are at stake. At the conclusion of the workshop, the country representative of WPF distributed certificates among the participants and supported the strategy of sensitising communities at the grassroots level if desirable change vis-a-vis GBV-RH issues to be achieved.

[The News – August 4, 2009]

### Report on Forced Marriages Launched

A 'Baseline Survey on Forced Marriages' was launched by Struggle for Change (SACH) in collaboration with British High Commission on August 21. Khalida Salimi, Executive Director said on the occasion that in households and extended families, only men have a decision-making role on the subject of marriage that

sometimes led to the phenomenon of forced marriages. The survey focused male dual nationals of UK and Pakistan, especially from Mirpur, Bhimber and Kotli. It started in April. Salimi said education was key to preventing forced marriages. "Parents and community should be made aware of HR aspects. Advocacy is needed at all levels of society," she said. She said the survey tried to educate Pakistani nationals living in the UK on the issue of forced marriages. Albert David, head of Consular Section of the British High Commission in Islamabad, said Forced Marriage Units (FMUs) had offices all over the world providing assistance to potential victims of forced marriages.

[Daily Times - August 22, 2009]

## Child Rights

### Child Protection Policy on the Cards

The Ministry of Social Welfare and Special Education has finalized the 'National Child Protection Policy', and submitted its draft to the federal cabinet for approval. Federal Minister for Special Welfare and Special Education, Smaina Khalid Gurki told that the policy has been formulated with the vision of promoting and creating a protective environment for all children that ensures their protection against all forms of violence, abuse, discrimination, neglect and exploitation. She said that the Ministry was endeavouring to introduce a Child Protection Bill to create child friendly society that places children at the centre of the development, reorganize their individuality, respect and value their voice and protect them from violence and abuse. According to the strategies and plan of action of the draft policy included the legal framework, the institutional structure, child protection at local and community level, public awareness, developing the competencies of district protection mechanism, prevention of violence against children in specific situations, child labour, child protection, management information system, budgeting for child protection and highlighting children's issues.

[The Nation - August 3, 2009]

### UNSC Adopts Resolution to Protect Children in Armed Conflict

The UN Security Council (UNSC) has stepped up its efforts to protect children affected by armed conflict by adopting a resolution expanding a list of offenders who are subject to possible sanctions. Resolution 1882, which was adopted Tuesday by the 15-member body unanimously, strongly condemned "all violations of applicable international law involving the recruitment and use of children by parties to armed conflict". It requested UN Secretary-general Ban Ki-moon to include in his list submitted to the Council those who kill, maim, rape or commit other forms of sexual violence against children in wartime. Past lists mainly included those who were accused of recruiting child soldiers. The resolution called on those parties on the Secretary-General's so-called "list of shame" to prepare "concrete and time-bound action plans to halt those violations and abuses". In addition, the resolution "calls upon concerned member states to take decisive and immediate action against persistent perpetrators of violations and abuses committed against children in situations of armed conflict", and to bring them to justice. An important aspect of the expanded listing criteria is the Council's empowerment of the UN on the ground to enter into dialogue with armed forces and groups on action plans to halt these violations and to bring perpetrators to account.

The Council first established a mechanism for monitoring, reporting on and punishing those responsible for the recruitment of child soldiers in resolution 1612, adopted in 2005. "The resolution sends a clear political message to stress that the "obligations imposed by international law to all parties to armed conflict related to children's safety and well-being must be complied with, allowing for no exceptions," said Claude Heller, the Mexican envoy to the UN and chair of the Security Council Working Group on Children and Armed

Conflict. Heller said that it represents a fundamental progress in the child protection agenda as it expands the criteria by which parties in conflict can be included in annual reports that secretary-general produces on this topic. "Therefore, the responsibility of the parties to armed conflict who violate international legislation by engaging in killing and maiming, as well as rape and other forms of sexual violence against children could be a matter under scrutiny by the Security Council," the Mexican envoy said.

[The Nation – August 6, 2009]

#### Child Rights Bill Referred to NA Committee

The National Assembly on Tuesday referred the Bill "The Charter of Child Rights Bill, 2009" to the Select Committee of the House for further consideration. The Bill provides for enacting a charter for the promotion of an enabling environment that is free of violence, abuse and exploitation of children. The bill was moved by Dr Donya Aziz of PML-Q. Minister for Parliamentary Affairs Babar Awan said there is need to look into the Bill thoroughly and requested the Speaker to send it to the Select Committee. Minister for Privatization Syed Naveed Qamar, Minister for Planning and Development and Minister for Law and Justice Muhammad Afzal Sindhu also wanted thorough discussion on the Bill to further improve it. Minister for Tourism Maulana Attaur Rehman proposed that the Bill should also be referred to the Islamic Ideology Council to seek its opinion. Members speaking on the Bill said that the Bill is of paramount importance as the State is responsible for protecting the rights of children and providing them necessary nutrition, health, education and other facilities to make them good citizens. They said that children form fifty percent of the nation's population and there is no law to protect the rights of children. They said the bill should not only be passed but it should also be implemented in letter and spirit.

[The News – August 19, 2009]

## Minorities & HR Issues

#### Minorities' Protection Bill to be tabled in NA'

A bill aimed at addressing concerns of minorities would soon be tabled in the National Assembly, Minister for Minorities Affairs Shahbaz Bhatti told on August 17. He said the draft of the bill would be finalised after consultation with all political parties, representatives of minorities, Islamic scholars and other stakeholders. He said that discriminatory laws against minorities incorporated into the Constitution during General Zia's regime would be amended through the bill. He said General Zia framed laws which were violation of democratic norms and basic human rights and negated the vision of the Founder of the Nation, Quaid-i-Azam Muhammad Ali Jinnah. The Minister said that minorities felt deprived, neglected and insecure because of the laws and felt that they were being treated as second class citizens and not getting equal rights and opportunities in accordance with the vision of the Quaid. He said the proposed bill would promote inter-faith harmony and strengthen national unity.

[Dawn – August 18, 2009]

## Other HR Related Issues

#### Call for Land Reforms to End Labour Exploitation

The problem of bondage is intact as some 1.8 million people are still in the bonded share cropping practices across Pakistan in agriculture sector alone, revealed a research report titled Effectiveness of Interventions for the Release and Rehabilitation of Bonded Laborers in Pakistan. The report was released on August 30

which was done by Zulfiqar Shah and has been published by Pakistan Institute of Labour Education and Research (PILER).

The report in detail discusses the status of bonded labour in brick kiln, agriculture and carpet weaving sectors and also deliberated on status of legislation in Pakistan and interventions by different sectors of the society to release the bonded labour. Agriculture has been identified as the main location of debt bondage in Pakistan with concentration in lower districts of Sindh province. Bonded labour in agriculture is also prevalent in Punjab meanwhile, a recent study confirms the prevalence of debt bondage at least in two districts, Hafizabad and Bahawalpur, in Punjab province. Similarly, in brick kiln, most of the workers are poor who find no other way to earn bread for their families. They also take loans against the promised work before or after joining the work and are not able to wave off the outstanding debts due to low wages they get.

The research pointed out that international organisations do consider bonded labour a contemporary form of slavery that involves an estimated 20 million people all over the world. It is outlawed in the Constitution of Pakistan and the country has ratified many international conventions promising to bring this menace to an ultimate end, yet the practice persists.

The issue of bonded labour cannot be seen in isolation: it is closely linked with the state of human rights and labour rights, especially of rural and agricultural workers, research report says.

The definition of bondage or bonded labour, in Pakistan, generally focuses on debt under which poor workers are coerced into a situation where they are compelled to work against their wishes not for some years but for generations. In many cases, with restricted movements and limited or no freedom of choice.

The latest law in Pakistan, which declared compulsory work against credit as bonded labour, defines the term 'bonded labour' as 'Any labour or service rendered under the bonded labour system.' Though different NGOs claim that about 30,000 bonded labourers have been released in the country during last one decade, the PILER research team has been able to account for only 8,530 people confirmed released by 2007.

According to the report total 8,530, bonded labourers have been released in the brick kiln and agriculture sectors, and a majority (5,166) was released by the joint action of NGOs, judiciary and administration. The NGOs helped or directly filed a petition in the courts of the law, and the judiciary had sent a bailiff to the location or asked the police to recover the bonded labourers. Interestingly all these bonded labourers were released under habeas corpus petitions despite the fact that there is a special law, Bonded Labour System (Abolition) Act 1992, which defines exacting forced labour as cognisable offence. According to the statistics, provided by the government to the National Assembly, only 23 cases were detected under Bonded Labour System (Abolition) Act and the fine collected during this period was merely Rs 6,100. This state of affairs reflects poor implementation of the law. Bonded Labour Fund, established in 2001 has not been utilised and more than Rs 100 million remained with the government unutilised at a time when released Haris (peasants) were living in subhuman conditions in and around Hyderabad.

The research report recommended that since all forms of bonded labour are prohibited under the national and international laws, so the government should strictly enforce all the laws and international conventions in all the sectors. Special attention is required on implementation of Bonded Labour (system) Abolition Act 1992. Bonded Labour Fund, established in 2001, as part of the National Policy and Plan of Action remains initiated to utilize those funds especially for rehabilitation of freed bonded labourers.

[The Nation – August 31, 2009]

## Democracy Watch

### Government Watch — Political Governance

#### Legislative Business

##### Graduation No Longer Prerequisite for Election Candidates

The federal cabinet approved, on August 5, the withdrawal of a condition that required candidates to be holders of graduation degrees to contest elections for the Senate, the National Assembly and Provincial Assemblies. Following a meeting of the cabinet which was presided over by Prime Minister Yousuf Raza Gilani, Information Minister Qamar Zaman Kaira told that the decision to withdraw the graduation condition for elections was made on the basis of an Election Commission summary. "There is no such condition in world democracies. He said other conditions and people-specific laws – such as the ban on a third time election to Prime Minister's office – would be dealt with by the Constitutional Reforms Committee of parliament.

##### NA Amends Bill Giving More Powers to Poll Tribunals

The National Assembly passed, on August 6, the Representation of the People Act (Amendment) Bill, 2008, which seeks to expedite the process of disposal of election petitions by barring tribunals from adjourning election petitions for more than seven days. The bill, moved by Minister for Parliamentary Affairs Babar Awan, empowers election tribunals to stop a winning candidate from performing his functions as a legislator, if the proceedings of election petition were delayed because of him. The tribunals will issue show-cause notices to people delaying proceedings before passing such an order on its own or on application from the aggrieved party. If a petition is not decided in four months, further adjournments sought by any party shall be given on payment of special cost of Rs10,000 for each adjournment. If the tribunal itself would want to adjourn proceedings it would be required to record reasons for such adjournments. Under the new amendment, the Supreme Court will decide appeals against decisions of the tribunals within 30 days.

[Dawn – August 7, 2009]

#### Draft Accountability Act

##### Many Loopholes in Draft Accountability Act

Under the proposed Accountability Act, 2009, recently finalised by a parliamentary committee, an accused can be declared innocent for any wrongdoing committed in 'good faith'. The committee has sent the draft of the Holder of Public Offices (Accountability) Act, 2009 to the Leader of the Opposition and is likely to be tabled in the National Assembly soon.

The clause 26 of the bill about 'indemnity' said: "No proceeding under this Act shall lie against the holder of public office against anything which has been done in 'good faith' or in pursuance of or in exercise of powers vested in him or believed to be vested in him, or intended to be done at the material time by virtue of this office."

The sub-section (2) of this clause said: "No suit, prosecution or any other proceedings shall lie against the federal government, provincial government, chairman of the accountability department, accountability commission or any other member of the accountability commission or any person exercising any power or performing any function under the Act or the rules made hereunder for any act of the things done in 'good faith' or intended to be done under this Act or the rules thereof."

Analysts say that after the approval of the bill by parliament, a new Accountability Commission will replace the National Accountability Bureau. The accountability courts will be closed and corruption cases will be heard by high courts. They said that the proposed commission would remain toothless as it provided 'complete shelter' to the accused. If approved by parliament or implemented, there will be no fear of accountability because an accused in a major white colour crime will be able to get bail and declared innocent by on account of the crime having been committed in 'good faith'. The proposed act says the accused will not be arrested and can be granted bail in case of personal guarantee that he will appear before the chairman of the accountability department, investigation officer and the court. The exiting Accountability Ordinance, 1999, empowers the National Accountability Bureau (NAB) to keep the accused in custody till completion of interrogation.

One of the clauses (clause-24) provides immunity to all accused if their cases are taken up three years after the crime was committed. The clause would also provide complete shelter to those who had already been indemnified under the National Reconciliation Ordinance (NRO) promulgated by Gen Pervez Musharraf. The procedure for the appointment of chairman of the Accountability Commission in the proposed act says that he will be appointed for a three-month interim period and later it would be up to the Prime Minister to confirm or reject his appointment. Analysts say that the three-month interim period might be used to judge the 'loyalty' of the chairman. The procedure for lodging complaints against financial corruption has been made complicated and a complainant can be punished in case the competent authority believes that the complaint was based on wrong intentions. A sub-section of clause 15 said: "In the event that the chairman is of the opinion that a complaint received by him is patently mala fide or has been with an intent to malign or defame the holder of public office, he may refer the matter to the court and, if the complainant is found guilty, he shall be punishable with imprisonment for a term of which may extend to three years or with fine, or with both."

[Dawn – August 24, 2009]

#### PI LDAT Blasts New Accountability Law

The Pakistan Institute of Legislative Development and Transparency (PI LDAT) has expressed its dissatisfaction over the government's draft accountability law and seeks its serious review and re-drafting. In its legislative brief of The Holders of Public Offices (Accountability) Bill 2009, the PI LDAT said, "The bill adopts more restricted model, covering solely holders of political offices, and adopting a narrower definition of corruption." In its recommendations to the legislators, PI LDAT said the bill requires a serious review and re-drafting to ensure compliance with Pakistan's international obligations and best practices, especially relating to the United Nations Convention Against Corruption.

The PI LDAT voiced its concern over the reduced investigatory powers proposed to be given to the future accountability commission, which will have no power of arrest or to freeze assets whereas offences would be bailable. It added, Two important procedural differences arise from the bill. The first is that automatic acquittal of those returning misappropriated assets prior to trial. The second is the removal of plea

bargaining/pardon procedure. Referring to the main highlights of the bill, the PILDAT said besides limiting the accountability regime to holders of political office, the bill redefines corruption to exclude owning unaccounted for property disproportionate to one's means, misuse of authority and the granting of concessions for one's own benefit; introduction of a limitation period of three years for prosecutions; limitation on the powers of the accountability commission to seek information during an investigation both within Pakistan and abroad; removal of powers to freeze and seize assets during investigations; removal of the plea bargaining and pardon process; removal of powers of arrest and the introduction of the availability of bail; transfer of jurisdiction to try offences from a specialist accountability court to sessions courts; and shortening of the disqualification period, barring the holding of limited range of public office for those convicted from 21 to five years.

Having being dissatisfied with the bill, it recommends a number of elements of the National Accountability Ordinance should be reinstated into the bill to provide for robust anti-corruption provision; broader definitions of corruption; retention of a specialist court; lengthening of the three-year limitation period for prosecution of offences; inclusion of sufficient investigatory powers, including the ability to freeze assets; modification of the banking secrecy laws to allow for proper investigation; re-examination of the issue of plea bargain and its inclusion in the bill; and inclusion of a wider ban on holder of public office if he is penalised under the offences covered in the draft law.

It also calls for measures to ensure independence of agencies and to prevent political interference. According to PILDAT, the National Accountability Ordinance, introduced by Gen Musharraf, came to be regarded as a tool through which political opponents were targeted. Despite these criticisms, the NAB has achieved some useful results, recovering over Rs225 billion in a large number of investigations and prosecutions.

[The News – August 29, 2009]

## National Reconciliation Ordinance (NRO)

### Body Set-Up to Decide Fate of NRO

A three-member committee comprising top legal wizards will decide whether or not the National Reconciliation Ordinance (NRO) that extricated President Asif Zardari and others from several corruption and criminal cases be presented before Parliament. Minister of State for Law and Justice Afzal Sindhu told that the committee has been constituted on the instruction of President Zardari and Prime Minister Yousuf Raza Gilani. He said the committee would meet in a couple of days to come out with its decision shortly on how to deal with the NRO and other ordinances. It comprises Afzal Sindhu, Parliamentary Affairs Minister Dr Babar Awan and Attorney General Latif Khosa. Apart from the NRO, it will also review all the 36 ordinances that got the dubious constitutional cover in the Nov 3, 2007 emergency but undone by the Supreme Court in its July 31 judgment. While Sindhu said the committee was set up on Zardari's directives, presidential spokesman Farhatullah Babar told this correspondent the issue of the NRO had not so far been discussed at the president's level. The NRO had amended Section 494 of the Code of Criminal Procedure 1898, which provided that all criminal cases registered between Jan 1, 1986, and Oct 12, 1999, would be examined by the review boards formed at the federal and provincial levels. The cases found to be false and politically motivated by the boards were recommended for withdrawal by the governments. The National Accountability Ordinance (NAB) 1999 was also amended and all NAB cases initiated prior to Oct 12, 1999 — inside and outside Pakistan — were withdrawn and terminated.

[The News – August 7, 2009]

## Federal Cabinet

### 13 Ministries to be Abolished.

Federal government has decided to abolish 13 ministries and departments and merge them into other ministries in pursuance of in accordance with; in prosecution or fulfillment of. conditions slapped by International Monetary Fund (IMF) with regard to reduction of unnecessary expenses. A special committee has been constituted under Shaukat Tareen, Advisor to the Prime Minister on Finance to review the legal and technical matters regarding merger of ministries. The committee will take into consideration merger of ministry of population welfare into ministry of health, ministry of special measures and national commission for human development National Commission for Human Development (NCHD) into Ministry of Social Welfare and Special Education, Higher Education into Ministry of Education, Textile Industry and Petroleum and Natural Resources into Ministry of Industries and Production and Ministry of Parliamentary Affairs and Human Rights into Ministry of Law and Justice. In order to slash expenses it has been decided to merge Ministry of Live Stock and Dairy Development and Postal Services to their parent ministries of Food and Agriculture and Communication. Ministry of Economic Affairs will be amalgamated into Ministry of Finance.

[The News - August 7, 2009]

### Cabinet has More Senators than Constitution Allows

The PPP-led government has committed a constitutional violation by inducting more senators into the federal cabinet than the Constitution allows. The Constitution provides without any ambiguity that not more than one-fourth of the total federal ministers can be taken from the Senate. The Prime Minister Gilani-led cabinet has a total of 57 federal and state ministers besides the advisers or those enjoying ministerial status. At present, 10 out of a total of 39 sitting federal ministers are the members of the Senate, more than one-fourth. The exact wording of the Constitution's Article 92, para 2 is that "the number of federal ministers and ministers of state who are members of the Senate shall not at any time exceed one-fourth of the number of federal ministers". The Constitution does not include the state ministers while maintaining a fixed ratio of the senators in the cabinet, the constitutional experts said.

The senators in the federal cabinet are: Rehmatullah Kakar (Housing and Works), Shaukat Tarin (Finance), Rehman Malik (Interior), Waqar Ahmed Khan (Investment), Justice (Retd) Abdul Razzaq A Thahim (Local Government and Rural Development), Dr Zaheeruddin Babar Awan (Parliamentary Affairs), Babar Khan Ghauri (Ports and Shipping), Mir Israrullah Zehri (Postal Services), Muhammad Azam Khan Swati (Science and Technology), Abdul Raziq (Kashmir Affairs and Northern Areas).

Article 92, clause 1, provides that the President shall appoint federal ministers and ministers of state from amongst the members of the Majlis-e-Shoora (parliament) on the advice of the prime minister. The second para of the same clause is about the ratio fixed between the senators and MNAs in the cabinet, irrespective of size of the cabinet. "It simply gives that the senators cannot be more than one-fourth of the federal ministers (not including the state ministers).

The other federal ministers are: Makhdoom Amin Fahim (Commerce), Dr Arbab Alamgir Khan (Communications), Ch Ahmed Mukhtar (Defence), Abdul Qayyum Khan Jatui (Defence Production), Mir Hazar Khan Bijarani (Education), Hameed Ullah Jan Afridi (Environment), Makhdoom Shah Mehmood Qureshi (Foreign Affairs), Nazar Muhammad Gondal (Food and Agriculture), Mir Aijaz Hussain Jakhrani (Health), Syed Mumtaz Alam Gilani (Human Rights), Mian Manzoor Ahmad Wattoo (Industries and

Production), Qamar Zaman Kaira ( Kashmir Affairs), Syed Khursheed Ahmed Shah, (Labour and Manpower), Mir Humayun Aziz Kurd (Livestock), Shahbaz Bhatti (Minorities), Dr Muhammad Farooq Sattar (Overseas), Makhdoom Shahabuddin (P&D), Dr Firdous Ashiq Awan (Population Welfare), Syed Naveed Qamar (Privatisation), Haji Ghulam Ahmad Bilour (Railways), Syed Hamid Saeed Kazmi ((Religious Affairs), Samina Khalid Ghurki (Social Welfare and Special Education), Pir Aftab Hussain Shah Jilani (Sports), Najmuddin Khan (States and Frontier Regions), Lal Muhammad Khan (Special Initiatives), Rana Mohammad Farooq Saeed Khan (Textile Industry), Atta-ur-Rehman (Tourism), Raja Pervaiz Ashraf (Water & Power), Shahid Hussain Bhutto (Youth Affairs) and Noor-ul-Haq Qadri (Zakat and Ushr).

[The News – August 30, 2009]

### Council of Common Interests (CCI)

#### Council of Common Interests Reconstituted

President Asif Ali Zardari on August 1 reconstituted the Council of Common Interests (CCI), with Prime Minister Syed Yousuf Raza Gilani as its Chairman. Spokesperson for the President Farhatullah Babar said the president reconstituted the council on the advice of the Prime Minister. Besides the Prime Minister as its Chairman, other members of the council included the Chief Ministers of the four provinces and the nominees of the federal government, including Minister for Privatisation Syed Naveed Qamar, Minister for Communications Dr Arbab Alamgir Khan and Minister for Livestock and Dairy Development Humayun Aziz Kurd.

The Article 153 of the Constitution said the Chief Ministers of the provinces and an equal number of members from the federal government, to be nominated by the prime minister from time to time, would be members of the council. He said the CCI was last reconstituted on July 6, 2006. The 2006 CCI, chaired by the then prime minister, comprised the federal ministers for inter-provincial coordination, narcotics control and states and frontier regions as its members in addition to the four provincial chief ministers. Under the Rules of Business, 1973, the Prime Minister might advise the president for the reconstitution of the CCI and nominate four members from the federal government, he said.

[The News – August 2, 2009]

## Government Watch — Economic Governance

### National Finance Commission (NFC) Award

#### Punjab Seeks Inclusion of PDL in Divisible Pool

The Punjab Government has asked the Federal Government to include the Petroleum Development Levy (PLD) in the federal divisible pool under the upcoming National Finance Commission Award. Punjab Finance Minister Tanvir Ashraf Kaira – attending an NFC meeting in Islamabad – told participants it would be unjustified to exclude PDL from the divisible pool.

[Daily Times – August 25, 2009]

#### NWFP's Three Options for Compensation in NFC

The Frontier government has made three proposals to the National Finance Commission (NFC) to adopt one of them to compensate for the conflict cost in its territory in the war on terrorism. The proposals, documents of which are available with The News, has also demanded 80 per cent share for the provinces in the Federal Divisible Pool (FDP) under the 7<sup>th</sup>.

The three options for a conflict cost compensation are: A) 5 per cent of the total FDP size — Rs 1,255 billion i.e. Rs 62.75 billion, b) 5 per cent of Federal Share Pool size Rs 643 billion i.e. Rs 32.5 billion per annum, c) 2.5 per cent of both provincial and federal pools at the rate of 2.5 per cent of Rs 1,255 billion i.e. Rs 31.37 billion and 2.5 per cent of Rs 643 billion i.e. Rs 16 billion. As the NFC's next session is scheduled for Sept 18-19 in Quetta, the NWFP has entered into a patch-up with the Water and Power Development Authority (WAPDA) on net hydropower profit with the Centre fully on board as a guarantor to the 2005 tribunal decision. "

[The News – September 2, 2009]

## Five-Year Textile Policy

### First-ever Textile Policy Set \$25bn Export Target

The government, on August 12, announced the first ever five-year Textile Policy 2009-14 that aims at taking the country's textile exports from the existing \$10 billion to \$25 billion by the year 2015. A special cabinet meeting chaired by Prime Minister Yousuf Raza Gilani approved the policy. Gilani said the introduction of a quota-free trade regime posed more challenges for the country's ill-prepared textile industry and hoped that the policy would help it overcome the challenges.

Under the policy, the textile sector would enjoy Rs 42 billion in subsidies and incentives during the fiscal year 2009-10. The policy also exempts the textile industry from load shedding and allows it prioritised gas supply. The government has also subsidised the export refinance with a reduced rate of 5 percent and Rs 2.5 billion allocation. The policy allocates Rs 5 billion relief on the existing long-term loans of the textile industry. The policy offers duty drawbacks of between 1 and 3 percent for a two-year period for value-added textile exports to help the sector offset its direct and indirect costs. All textile machinery imports will be zero-rated to encourage new investments. Also, a Technology Upgradation Fund (TUF) will contribute up to 20 percent of capital cost as a grant. For this purpose, the government allocated Rs 1.6 billion, which will increase to Rs 17 billion by 2014.

[Daily Times – August 12, 2009]

### Textile Policy: An Overview

By Mehmood-UI-Hassan Khan

The government has announced its first ever national textile policy for five years. It set the export target of \$25 billion to be achieved within next five years. The policy focuses on export promotion measures, textile and other sectors instead of steps to increase production and revive the ailing industry. It consists of many incentives. Gas and electricity load management, export refinance at low rates and relief on existing long-term loans are the few main incentives of national textile policy. The government claimed it as result-oriented and further that the policy was prepared in consultations with all major stakeholders including exporters, industrialists, investors, agriculture experts, State Bank of Pakistan and other related public and private sectors. It speaks highly about the restructuring and reorganisation of the textile sector. It includes drawback of local taxes refund of past R&D claims and magnetisation of PTA.

#### Existing Challenges

Pakistan textile sector is passing through a difficult time and facing many serious difficulties including severe energy crunch, lack of modern technology, shortage of gas, high cost of production, shortage of

water, global economic recession, skilled manpower and the last, deteriorating law and order situation. Lack of export diversification, value-addition, limited market access creating problems for the exporters. According to FBS last year, Pakistan's total exports were down by 6.7 per cent and textile exports 9.5 per cent mainly because of severe global economic recession.

#### Key Initiatives

- a. Creation of textile investment support fund (TISF).
- b. Technology up-gradation fund (TUF). It will contribute up to 20 per cent of capital cost as a grant. The government allocated Rs1.6 billion, which will increase to Rs17 billion by 2014.
- c. Infrastructure development. The government would provide Rs1 billion for infrastructural development.
- d. Skill development. 0.5 million skilled manpower would be trained during next five years with the help of industry to overcome the shortage of skilled manpower - Rs1 billion allocated for the skill development.
- e. The government would enact a law for the standardisation of value chain to ensure production of quality products.
- f. All textile machinery imports will be zero-rated to encourage new investments.
- g. Rationalisation of tariff structure.
- h. Textile sector would enjoy Rs42 billion in subsidies and incentives during the fiscal year 2009-10.
- i. It exempts the textile industry from load shedding and allows it prioritised gas supply.
- j. The government has also subsidised the export refinance with a reduced rate of 5 per cent and Rs2.5 billion allocation. The policy allocates Rs5 billion relief on the existing long term loans of the textile industry.
- k. It offers duty drawbacks of between 1 and 3 per cent for a two year period for value-added textile exports to help the sector offset its direct and indirect costs.
- l. Technically viable units to be offered loan restructuring, interest rate relief
- m. Pollution problems in cotton would be resolved under cotton standardisation and cotton control.

The following are the salient features of the policy:

a. Market Access and Support: The policy stressed the need to have easy market access to the USA and EU markets. The textile exports and its related items have already badly hit from the ongoing global economic recession. It is estimated that easy market access would increase our exports up to US\$ 2 billion. It remained one of the key reasons for our low turn textile exports.

International marketing strategies plays very important role in achieving the desired targets of exports, capturing of market share, market access and the last not the least increase overall profitability. The government will provide every possible market support to exports so that the target of US\$ 25 billion could be achieved within next five years.

b. Export House Scheme: The announced policy also promised to provide export house facility to exporters which further included marketing insurance scheme and improving Information and communication technology. The government believed these diversified but integrated efforts would pay the dividends in the days to come. The government would establish industrial estates in line with garments and textile cities and would provide all necessary facilities.

c. Support and Facilities: Economics works in integration that is why the policy initiated many meaningful measures to activate the sub-sectors which include fibers, ginning, filament yarn, shipping, weaving and

knitting, non-woven, processing, home textiles, garments, fashion and design, technical textiles, handlooms and handicrafts, carpets. The main focus of the policy is human resource management and optimal utilisation of available resources. The policy promised to support local industries and domestic talent for the promotion of textile exports. It also encouraged women employment support programme, support for disabled and handicapped employees. The government would every possible facility for setting up effluent treatment plant and government would also encourage establishment of storage, warehousing and marketing. Furthermore, Free Trade Agreement (FTAs) would be signed with different countries to seek market access and the government would also help labelling and branding of products to enhance local trade.

#### Missing Connection

It seemed that policy lacked to tackle some important issues:

- a. It failed to provide any concrete measure to boost the exports of textile. There is no fund or measure for resolving the burning issue of energy deficit, lack of value addition and sector consolidation.
- b. It kept silent about the massive flight of human and financial capital from domestic textile industry towards more attractive and profitable regional markets. Even the proposed LTTF facility has little to offer to exporters/investors/borrowers.

#### Mixed Reactions

Many termed the new national textile policy friendly and result-oriented, while others labelled it without any clear-cut vision and strategy to promote exports. Majority appreciated the allocation of Rs.42 billion to support the different packages announced for the first year of the policy. The textile manufacturers appreciating the policy said it had laid down a basis for sound growth of textiles and clothing sector of the country. Chairman Pakistan Readymade garments manufacturers and exporters association (Prgmea) said that it was for the first time that a comprehensive policy been given to textile sector. Chairman Pakistan towel manufacturers association (TMA) stressed the need for implementing the policy in letter and spirit if the required targets set in the policy are to be achieved. Pakistan apparel forum chairman said it was the first serious attempt to sort out issues confronting different segments of textile industry.

[The News – August 17, 2009]

#### Reports and Statistics on Pakistan's Economy

##### Public Debt Swells to Rs8 Trillion

According to the details of fiscal operation for end June 2009 Pakistan's public debt has swelled to Rs8 trillion, equivalent to 57.4 per cent of its GDP, requiring a major chunk of its resources to be utilised for debt servicing. The country's debt servicing and payment of principal amount on loans consumed Rs758 billion during the fiscal year 2008-09. Federal Finance Minister Shaukat Tarin said that the global recession and lower GDP growth achieved by Pakistan resulted in increased debt-to-GDP ratio by end June 2009. He said that the debt-to-GDP ratio might slightly increase in the near future as Pakistan would seek more loans (though on soft terms) from the IMF, WB and ADB as well as the Friends of Democratic Pakistan (FODP). But this ratio is likely to decrease after a year and a half, he added. He was confident that the government would stick to Fiscal Debt and Responsibility Act by restricting debt-to-GDP ratio in the range of 60 per cent.

The interest payment on domestic debt touched new heights (Rs558 billion) while debt servicing on foreign loans consumed Rs79 billion. The payment of principal amount of loans also consumed Rs121 billion. The external debt and liabilities have touched \$52.883 billion while domestic debt went up to Rs3.9 trillion, according to the latest reconciled figures. The official sources said that that debt-to-GDP ratio was on the rise as it touched 57.4% of GDP by end June 2009. The medium term strategy adopted by the government under the IMF programme will add to external debt over the next couple of years. The government in the federal budget 2009-10 had allocated a sum of Rs779.55 billion to retire foreign and domestic debt.

The rising trend in external debt is mainly attributed to massive depreciation of rupee against dollar as public debt surged by Rs52 billion with depreciation of rupee against dollar. According to details of other spending, the country's defence expenditure went up to Rs329 billion by end June 2009 against budgetary allocation of Rs296 billion, showing an increase of Rs33 billion. Total expenditures stands at Rs2502 billion in 2008-09 against total revenues of Rs1821 billion, showing fiscal deficit of Rs679 billion or 5.2 per cent of GDP. Pakistan missed its envisaged fiscal deficit target by 0.9 percent of GDP, as it went up to 5.2 per cent of GDP compared to set target of 4.3 per cent for 2008-09. The government bridged the financing gap by generating Rs149 billion through external financing and Rs530 billion through domestic financing. The privatisation fetched Rs1.2 billion by end June 2009 against envisaged target of Rs25 billion.

[The News – August 14, 2009]

### Donors' Financial Assistance & Economic Governance

#### IMF Approves Extra \$3.2bn for Pakistan

The International Monetary Fund (IMF) Executive Board on August 8 agreed to increase its lending to Pakistan by an extra \$3.236 billion to fund immediate spending and help the government provide assistance to nearly three million Internally Displaced Persons (IDPs) following security operations in Swat and Malakand.

According to an announcement by the IMF, Pakistan and the international organisation had also agreed on a schedule to increase electricity tariffs in the course of the ongoing fiscal year and eliminate tariff differential subsidies in the next fiscal year as per the agreement reached between Pakistan and the World Bank as well as the Asian Development Bank. The board reviewed the progress made under last year's \$7.6 billion stand by arrangement for Islamabad and noted the steps the government was taking to stabilise the economy in the face of difficult security challenges and global economic conditions.

The IMF also approved the extension in the financing arrangement until the end of 2010, which was originally approved for 23 months on November 24, 2008. Islamabad would also benefit from the proposed allocation of Special Drawing Rights, which would supplement its reserves. According to the IMF, the board also approved Pakistan's request for a waiver for the non-observance of two end-June 2009 structural performance criteria on submission to parliament of legislative amendments to (i) enhance the effectiveness of the State Bank of Pakistan in banking supervision; and (ii) to harmonise the income tax and sales tax laws and reduce exemptions for both taxes. The board also approved Pakistan's request for a waiver for non-observance for the end-June quantitative performance criterion on the fiscal deficit.

[Daily Times – August 9, 2009]

### WB Okays \$250m for Poverty Alleviation

In recognition of track record and performance of Pakistan Poverty Alleviation Fund, the World Bank's Board of Directors has approved \$250 million for poverty reduction project (PPAF-III) for next five years. Addressing a media briefing on August 6, Chief Executive Officer (CEO) PPAF Kamal Hyat, highlighted the fact that the World bank funding is based on the consideration PPAF's output, lowest administrative cost, effectiveness of outcomes and impact on the poorest at the grassroots level. He said that where as PPAF-I (1999-2004) focused on growth and PPAF-II (2005-09) went to national scale, the thrust of PPAF-III (2009-2013) will be on integration and depth in terms of scope and activities. Kamal Hayat said it would capitalize on its achievements of last ten years with respect to empowering poor people with increased incomes, improved productive capacity, quality of life and better access to services to achieve sustainable livelihoods and reduce poverty. He said that it will increase its focus on inclusion of poor people - including women, youth and ultra-poor households - in community organizations and strengthen their participation in all community decision-making processes. "PPAF-III would focus on five key areas of social mobilization and institutional building, livelihood enhancement and protection, micro-credit access, basic services and infrastructure and project implementation support" he added.

[The News – August 7, 2009]

### Britain Reiterates \$1 billion Aid Pledge

The UK on August 28 praised Pakistan's role in the war on terror and the military offensive in Swat, and said national consensus in the country against the Taliban had been the key to the success of the operation. The acknowledgement came at a meeting between President Asif Ali Zardari and British Prime Minister Gordon Brown, at 10 Downing Street - where talks focussed on bilateral, regional and international issues, economic stabilisation of Pakistan and an upcoming meeting of the Friends of Pakistan forum. The leaders agreed to progress strategic dialogue between their countries, and vowed to "upgrade" bilateral relations in politics, economy and culture.

[Daily Times – August 29, 2009]

### Argentina to Invest \$3.5bn in Pakistan

Federal Minister for Investment Waqar Ahmed Khan has said that successful military operation in Swat and adjoining areas and end of Taliban's leadership has sent positive signals to the global community that law and order situation is quite better now. He was talking to Ambassador of Argentina to Pakistan Radolfo Martin Sarvia, who called on the Minister, at his chamber in the cabinet block on August 11. The Ambassador told the Minister that his government intended to invest \$3.5 billion in different economic sectors in Pakistan. Apprising the Minister of details of the projects, the ambassador said that Argentina was keen to launch a gas pipeline project in collaboration with China. Moreover, the Argentinean government would install 40 modern CNG pumps in all big cities on the pattern of South Korea and Singapore. "We will also bring 800 new CNG buses to Pakistan." He said that we are building a high tech modern hospital near Polyclinic Hospital in Islamabad which will be equipped with all modern facilities (machinery, advance laboratory, and world renowned physicians and surgeons). Moreover, Argentina would also establish oncology department in Polyclinic Hospital for exclusive treatment of cancer patients. The Minister highly appreciated these initiatives and assured the ambassador of his full cooperation. He also offered the Argentinean government to invest in agro farming, livestock and infrastructure development projects.

[The News – August 12, 2009]

## Benazir Income Support Programme (BI SP)

### BI SP Beneficiaries to Get Relief on Electricity, Gas Bills

Benazir Income Support Programme (BI SP) beneficiaries would get 200 units of free electricity and natural gas. Chairperson BI SP, Farzana Raja told that work has been initiated to facilitate tens of thousands of poor families who are registered under the programme. Initially 2.2 million registered families will get the benefit and more families will be included after completion of poverty survey and the network will be expanded to around five million families. BI SP will hold meetings with Ministry of Water and Power and Ministry of Petroleum to devise a mechanism to benefit as many poor families as possible, she said. After finalizing all the procedure, the summary will be sent to the Prime Minister for approval, she added. The door to door poverty score card survey is being conducted in 16 poorest districts of the country. Every citizen of the country can get benefit from the programme as it is initiated by taking government, opposition and all political parties on board, she added. These families will further get the accident and health insurance from the programme and also technical and vocational training will be imparted to make them self reliant, Farzana added. Moreover, the Benazir smart card will be issued in those districts where the poverty survey will have been completed, she informed. Talking about the targets achieved by the programme, she said that the BI SP has reached to most of the families in very short time with the purpose to empower women and alleviate poverty from the country while a similar programme initiated in Mexico took eight years to get required results, she added. Answering a question, she said the payment for regular programme was stopped due the verification process of Internally Displaced Persons. However, those who did not get money will soon receive the amount at their given addresses, Farzana added. She said that BI SP being a large scale poverty alleviation programme is appreciated for its transparent procedure. Terming her recent visit to US a successful, she said, United States would provide financial assistance worth US\$ 175 million to BI SP annually under Kerry Luger Bill to alleviate poverty from the country and provide a social safety network. She said that UN Secretary General Ban Ki Moon has termed BI SP a model programme and emphasized for sharing the experiences with other countries to benefit people living below poverty line across the world besides South Asia.

[The Post – August 24, 2009]

### President Promulgates BI SP Ordinance

President Asif Ali Zardari on August 21 promulgated Benazir Income Support Program (BI SP) Ordinance, 2009. Zardari promulgated the Ordinance in exercise of the powers conferred on him by Article 89(1) of the constitution. Upon the commencement of the ordinance, the BI SP would stand established for carrying out the purposes of the ordinance, the ordinance's text says. The objectives of the programme would be to enhance financial capacity of the poor and their dependent family members; formulate and implement comprehensive policies and targeted programme for the uplift of underprivileged and vulnerable people; and reduce poverty and promote equitable distribution of wealth especially for the low income groups, according to the text. It also says there would be a council of the programme with the president as its chief patron and the prime minister as its executive patron.

[The Nation – August 22, 2009]

### US to Provide \$175m Aid to BI SP Annually: Farzana

Chairperson of Benazir Income Support Programme (BIS) said that United States would provide financial assistance of worth \$175 million to BI SP annually under Kerry Logger Bill. She said that US government is interested in supporting the BI SP in order to alleviate poverty in the country. She termed the visit to the United States successful and said that it would pave the way for foreign investment in different sectors.

## Governemnt Watch – Local Governance

### Federally Administered Tribal Areas (FATA) Reforms

#### Far-Reaching FATA Reforms Unveiled

President Asif Ali Zardari announced political, judicial and administrative reforms for the tribal areas, allowing political activities in FATA, setting up an appellate tribunal, curtailing arbitrary powers of political agents, giving people right to appeal and bail, excluding women and children from the territorial responsibility clause and envisaging audit of accounts by the auditor general. The President announced the reforms package that had been worked out in consultation with all stakeholders and approved a day earlier in a meeting. Prime Minister Yousuf Raza Gilani attended the meeting. Presidential spokesman Farhatullah Babar said that President Asif Ali Zardari announced major legal and political reforms in the tribal areas to extricate them from a century of bondage and subservience and usher them into the mainstream of national life, describing it as a gift to the nation and the tribal people on the nation's 62nd Independence Day. He said the reforms envisaged extension of the Political Parties Order of 2002 to the tribal areas and changes in the century-old anachronistic Frontier Crimes Regulation (FCR) to make it responsive to human rights. After amendments to the law approved on August 12, the powers of arbitrary arrest and detention without the right to bail had been curtailed, he said.

'The FCR was a draconian law under which there was no provision of appeal, wakeel or daleel (lawyer or reasoning) against the orders of the executive,' the spokesman said. The tribesmen were subject to the whims of administration officials as people were arrested and kept in jail for years without trial under the FCR, he said. A person could be sent to jail for three years without trial. The jail term could be extended indefinitely. Under the territorial responsibility clause, women and children were being jailed.

The administration will have no arbitrary powers of arrest as checks have been placed on them. The accused shall be brought before the authority concerned within 24 hours of arrest. They will have the right to bail. Women and children below 16 years of age shall not be arrested under the Collective Responsibility Clause of the FCR. The changes lay down a time limit for disposal of cases.

A major initiative was in the field of judicial reform. The package envisages setting up the FATA Tribunal with powers similar to those of the high courts. The tribunal shall have powers of revision of orders and judgments of the appellate authority. The funds received and disbursed by political agents would be audited by the Auditor General of Pakistan.

[Dawn – August 14, 2009]

#### President Lifts Tribal Area Political Activity Ban

Pakistan lifted a ban on political activities in its tribal regions on August 14, in the hopes it would reduce the grip of the Taliban there. Pakistan's seven semiautonomous agencies have never been politically and administratively integrated into the rest of the country – a vacuum that observers say has allowed lawlessness and an al-Qaida- and Taliban-led militancy to thrive there.

Since the days of British colonial rule, the region's 4 million people have been ruled by government-appointed agents in concert with tribal leaders. They are subject to tribal laws that allow for detention

without trial and communal punishment among other unpopular measures. Although tribal regions have representatives in Parliament, until now they could not run on party lines. Babar said that the announcement did not reduce the powers of the political agent or modify the laws, but would mean that political parties could campaign there and represent the region in the national parliament after the next elections in 2013. Since 2001, the border region has become a haven for militants behind surging violence in both Pakistan and Afghanistan. Visiting Western officials have called on Islamabad to integrate it with the rest of the nuclear-armed country as a means of reducing militancy there. Meanwhile, Interior Minister Rehman Malik appealed to the militants to surrender to the government, urging them to "say goodbye to terrorism and start a new life" in televised comments to the media. The call could be a sign the government is seeking to exploit any potential weaknesses in the militant movement since Taliban leader Baitullah Mehsud was reportedly killed in a CIA missile strike on August 5. US and Pakistani officials believe he is dead, though his followers contend he is still alive.

[The News – August 14, 2009]

## Autonomy of Northern Areas

### Autonomy Package for NAs Approved

In a landmark decision, the government approved, on August 29, a self-governance reforms package for the Northern Areas aimed at giving it full internal autonomy, but without the status of a Province, and changed its name to Gilgit-Baltistan. The PPP, PML-N and PML-Q have supported the decision, but most nationalist parties rejected the package as a 'gimmickry of words'. They contend that the region was an integral part of Jammu and Kashmir and any change in its administrative status betrayed a tacit shift in the government's stand on Kashmir. Amanullah Khan, chief of the Jammu and Kashmir Liberation Front (JKLF), said the move had robbed the Northern Areas of a special status, virtually converting it into the country's fifth province.

Prime Minister Syed Yousuf Raza Gilani briefed after obtaining approval from the cabinet for the 'Gilgit-Baltistan Empowerment and Self Governance Order 2009', which will replace the Northern Areas Legal Framework Order of 1994. Under the order, Gilgit-Baltistan Assembly will formulate its own Rules of Procedures, while legislation on 61 subjects will be done by a council and an assembly in their respective jurisdictions. In reply to a question, Mr Gilani said the Council did not need the parliament's shelter as it will have its own Rules of Business, while a boundary commission has also been set up. Elections for a new Assembly and a Chief Minister will be held in mid-November.

Qamar Zaman Kaira, the Federal Minister for Kashmir and Northern Areas, will act as Governor till a new system is put in place. He said the order would now be sent to President Asif Ali Zardari for final consent before its implementation. The Legislative Assembly will have 24 directly elected members, six seats for women and three for technocrats. In order to empower the Council and the Assembly on financial matters, there shall be a Council Consolidated Fund under Article 54 of the Constitution, and Gilgit-Baltistan Consolidated Fund under Article 55. A detailed item-wise budget shall be presented before the Gilgit-Baltistan Assembly and shall accordingly be voted upon under Article 56. Qamar Zaman Kaira said a 'supreme appellate court' shall be headed by a chief judge who will be appointed by the Chairman of the Council on the advice of the governor. Other judges shall be appointed by the chairman on the advice of the governor after seeking views of the Chief Judge, Mr Kaira added. The number of judges has been increased from three to five and the tenure of the present judges of the Supreme Judiciary has been protected in

the draft. The new set-up will have a public service commission, a chief election commissioner and an auditor general.

[Dawn – August 30, 2009]

### Baltistan Division Notified

The federal government has issued notification of a new division in the Northern Areas. The Baltistan division includes Skardu, Ghanche districts. According to the notification, the administrative chief of the new division would be a BPS-19 Commissioner whose appointment would be made by the federal government. The officials said that functioning of the new administrative set-up would not take a long time as 60 new vacancies had been created to run the affairs of the division. A BPS-18 Deputy Chief Planning, Additional Advocate General, two Assistant Commissioners and other administrative officers would be appointed soon. Earlier, the Northern Areas Legislative Assembly had passed a resolution unanimously to declare the two districts a new division, which the federal government approved.

[Dawn – August 17, 2009]

### Local Government System 2001

#### Centre Wants New Local Government System

The Centre plans to bring a uniform local government (LG) system throughout the country instead of different classifications of governance as proposed by the provinces. Besides, the sources disclosed that the new LG system may be finalised shortly after the return of Prime Minister Yousuf Raza Gilani from his recent visit to Libya. Gilani had forwarded the Local Government Ministry's summary to the Presidency which President Asif Zardari referred to the Law and Justice Department for a vetting a month ago. In Charge Minister for Law and Justice Afzal Sindhu told that although the provinces are totally free to change the LBs systems within their jurisdictions, the federal government wants to ensure a uniform mechanism. The Minister explained that the provinces need the nod of the President on the local government system by December 31 and after that time, they can go with whatever arrangements they want to adopt."

According to sources in the Federal Local Government Ministry, Punjab, Balochistan and the NWFP have already furnished their respective proposed legislation to alter the present system whereas Sindh has yet to present the same to the Centre. About the appointment of administrators, the Minister said it is purely a question to be asked from the provinces. The Minister said that the federating units have to take a decision about the timing for appointment of the administrators. He further said that, "definitely, we will incorporate in the summary about forming a uniform LG system in all the provinces, and other points what the president, our government, wants to include in it".

The MQM, PPP's strong ally, has already rejected changes in the existing system which is also under Constitution's Schedule 6 till December 31, 2009. The Commonwealth, through a letter to four chief ministers and the federal government became the first international body that opposed appointment of the administrators.

[The News – September 1, 2009]

#### Local Govts Reject New System in Peshawar

The district and town councils of Peshawar rejected the government's decision to replace the local government system and announced to launch a protest campaign against the move. Members of the district and four town councils, who met in the District Council Hall, with Razaullah Khan in the chair, also rejected the appointment of administrators. They unanimously adopted a resolution in favour of the local bodies and asked the government to announce schedule for new LG elections. As the council resumed discussion on the second consecutive day, majority of the members focused on the empowerment of people that the LG system brought, saying that it was functioning successfully but the government was scraping it at the behest of bureaucracy. They asked the government to reform the system instead of scraping it altogether while the woman members demanded raise of the women quota from 30 to 50 per cent.

[Dawn – August 6, 2009]

#### Quetta Convention Seeks Continuity of LG System

Participants of the 'National Convention on Local Government System' demanded of the federal government to continue with the LG system by holding elections after completion of its tenure. The convention was held at the Quetta District Nazim office, which was attended by nearly all district, Tehsil and UC Nazims of Balochistan and some others. Addressing the participants, former chairman National Reconstruction Bureau (NRB) Danial Aziz said that the present local government system gives protection to the rights of citizens. Criticising the proposed appointment of administrators after the completion of the present LG tenure, he said that they would not an alternative of the present LG system. Pakistan Muslim League-Quaid leader MNA Marvi Memon said that they would continue raising voice in support of the present LG system.

[The News – August 14, 2009]

#### FAFEN Recommends Referendum to Decide LG System's Fate

A national referendum to ascertain the opinion of the people on the future of the local government system is the only democratic solution, recommends the Free and Fair Election Network (FAFEN). Citizens should be consulted through a referendum because provincial governments' plans for rolling back the system seem to be out of sync with what citizens want. The provision for holding a referendum was envisioned by the framers of the 1973 Constitution to ascertain public opinion on issues of national importance. The President, in his discretion, or on the advice of the Prime Minister, has the power to refer any matter of national importance to the public through a referendum in the form of a question that can be answered either by "Yes" or "No" (Article 48(6)). Given the ongoing divisive debate about the future of local government, FAFEN recommends a national referendum with a simple series of "Yes" and "No" questions about ending or reforming the local government system.

FAFEN's recommendation is based on the preliminary findings of a District Government Performance Evaluation Study. The study indicates that a majority of citizens, local representatives and civil servants oppose scrapping the local government system. Instead, they want improvements in the existing system to enhance the quality of democratic governance in Pakistan. The study reveals significant support for direct elections for Nazims and Naib Nazims, party-based local government elections, and maintaining or increasing reserved local government seats. On the other hand, study participants mostly reject the reintroduction of magisterial powers for District Coordination Officers (DCOs, formerly Deputy Commissioners) and the revival of the 1979 Local Bodies System.

FAFEN conducted the study in 30 districts in all four provinces between June 1 and July 15, 2009, in order to assess the performance of the local governments between 2005 and 2009. The four-year performance of district governments was measured against a set of democratic governance indicators including accountability, responsiveness, representation, public participation, integration, efficiency, outputs and transparency.

#### Key Findings and Recommendations

FAFEN's study in 30 districts clearly shows that a majority citizens and local representatives want the continuation of the local government system and support reform, but oppose rollback of the system. Interestingly, a majority of members of the civil service (bureaucrats) interviewed under this study also hold similar views, supporting amendments to the Local Government Ordinance geared towards improvements.

- § An overwhelming majority of FAFEN survey respondents (79%) oppose the revival of the Local Bodies System that was introduced in 1979.
- § A considerable two-thirds majority of all respondents (69%) favor direct elections to the offices of District and Tehsil Nazims and Naib Nazims, while only 28% of respondents support the current indirect system of elections for these positions.
- § Among elected representatives, almost three-fourths (72%) oppose the restoration of magisterial powers for DCOs, as do 60% of citizens and members of civil society. Only 39% of civil servants/bureaucrats reject the idea of restoration of judicial powers in executive hands.
- § Support for party-based local government elections comes from all three categories of respondents, but opinions are more evenly divided on this issue than on others, with 54% supporting party-based local government elections and 42% opposing this reform.
- § Almost three-fourths of FAFEN survey respondents (73%) want to maintain or increase reserved local government seats for women, peasants, and workers.

In light of these preliminary findings, FAFEN recommends to federal and provincial governments and members of Parliament and Provincial Assemblies the following:

- § Hold a national referendum to ascertain public opinion as to whether they want the local government system to continue. Based on the result of the referendum, amend the Constitution to explicitly provide for the third tier of the government in the country.
- § Reform the local government system with the aim of enhancing the empowerment of people in line with the democratic spirit. Any attempt to dissolve local governments in favor of provincial power would have serious negative implications on the already skewed balance of powers and poor state of development. It would significantly undermine citizens' participation in democratic processes.
- § Reform in the local government system through a consultative process and in line with public pronouncements of major political parties about strengthening the participatory form of democracy. Unless all stakeholders are consulted – including citizens, political parties, civil society, local councilors, elected representatives at national and provincial levels, representatives of socially, economically and politically marginalized segments of society and media –any reform in the local governance system will lack legitimacy and public trust.
- § Abolish all modes of indirect election at the national, provincial and local levels.

- § Hold local elections on political party basis. Political parties are central to a robust democracy. Unless political parties are strengthened and structured close to people, democracy cannot take roots.
- § Do not give executive officers magisterial powers, which would undermine the independence of the judiciary that is insulated from all executive and political influences.
- § Maintain or increase representation of women, peasants, workers and minorities in local government institutions and enhance their ability to participate meaningfully in decision-making processes through amendments in the Local Government Ordinance.
- § Review distribution of powers among the three tiers of the local government in order to inculcate efficiency and checks and balances.
- § Make District and Tehsil Nazims answerable to the district and teshil assemblies, respectively.
- § Integrate the participation of national and provincial representatives in the decision-making at district and teshil levels, especially at the level of the formulation of development visions.

[The Nation & [www.fafen.org](http://www.fafen.org) – August 11, 2009]

### Commonwealth Opposes Dissolution of LGs

The Commonwealth is opposed to the dissolution of Local Governments (LGs) and the appointment of administrators at district and tehsil levels. Expressing serious concerns over the LGs fate, it has also asked central government and the four provincial chief ministers to adhere to the commitments, Pakistan has mad on international for a for an elected democratic set up at the grass roots level. An official letter of the Commonwealth Local Governmnet Forum (CLFG) written to the four CMs and copied to Federal Ministries says, "our concern arises from the announcement that elected councils are to be dissolved in August 2009 and that it is envisaged not to hold local elections in the foreseeable future, but to instead appoint administrators in place of elected Nazims and Councillors". It maintains that it would be an unfortunate development, which would be contrary to the spirit of the Aberdeen Agenda". The letter adds that the Commonwealth "fully respects the right of the Pakistani Governemnt and the provincial governments to effect changes in reforms in local government structures and legislations in accordance with their legal jurisdictions".The letter reminded that Pakistan, together with all other commonwealth countries, had adhered the Commonwealth principles on Good Practice for Local Government and Good Governance (The Abredeeen Agenda).The letter said the CLFG has on number of occasions, most notably in late 2008, provided technical advice to the Pakistan government system in local government system.

[The News – August 8, 2009]

## Election Watch

### EC Proposes Transparency Reforms in Electoral Process

The Election Commission of Pakistan has proposed reforms to ensure greater transparency in elections, strengthen the commission and enhance confidence of stakeholders in the electoral process. The salient features of the proposals were explained by EC Secretary Kanwar Mohammad Dilshad at a presentation made to Parliamentary Affairs Minister Dr Babar Awan here on August 24. The Commission has suggested eight amendments to the Constitution, 16 to the Representation of People Act, 1976, 10 to Senate Election Act, 1975 and four to Electoral Rolls Act, 1974. Three amendments have been proposed to the Presidential Election Rules 1988, two to Political Parties Order, 2002, and one to Delimitation of Constituencies Act, 1974.

[The News – August 25, 2009]

## FAFEN Terms ECP's Electoral Reforms Unimpressive, Insufficient

Free and Fair Election Network (FAFEN) on August 27 billed the Election Commission of Pakistan's proposed electoral proposals as cosmetic, charging these would not reform complex legal and administrative edifice of the electoral process. In its commentary on the ECP's 49-proposal lengthy document - a conglomeration of over 30 NGOs - FAFEN believed the proposed electoral reforms were in fact small amendments to the electoral process, lacking reform vision. FAFEN called on the ECP to reopen consultation process in this connection. It proposed formation of a parliamentary committee on electoral reforms to consolidate, clarify and improve upon the election laws in order to ensure the independent functioning of the Election Commission. The existing constitutional, legal and administrative system for the conduct of elections is inadequate to meet internationally accepted standards of electoral freedom, fairness, neutrality and transparency, FAFEN noted. The system, it emphasised, needed comprehensive reforms to enhance the quality of future elections as a prerequisite for democracy to take firm roots. The proposals submitted to Prime Minister on March 11 this year lacked the vision to address critical legal and administrative issues to raise the standard of electoral process in Pakistan, the Fafen report said. These proposals - with the exception of the one dealing with candidates contesting in multiple constituencies - did not qualify as electoral reforms, but rather were an effort to correct minor errors and make cosmetic alterations to the existing legal and administrative framework governing elections, it maintained.

The ECP reforms, it pointed out, failed to take account of most of the recommendations forwarded to it by various stakeholders, including political parties as well as national and international election observation groups, despite promises and commitments. It emphasised that adequate powers should be given to the ECP to take action against partisan caretaker and local government officials to enforce all election laws. The election laws and regulations should include specific provisions to protect and empower presiding officers to use their magistrate first class powers to ensure law and order on the election day, it proposed. The election law should strengthen provincial election commissioners and district assistant election commissioners to enable them to support presiding officers in their efforts to bring about security and law and order at the polling stations. Presiding officers must be empowered to limit the entry of unconcerned people to the polling stations. ECP officials, rather than judicial officers, should be responsible for vote consolidation at the constituency level. Judges should be responsible only for hearing challenges to the ballot consolidation process, along with other election petitions regarding election results. The ECP's proposed electoral reforms do not provide an overall vision for reform of the complex legal and administrative structure of the electoral process, as is required. Instead, the ECP report suggested 49 small amendments to the electoral process. For instance, section 85 on page 58 proposes that the radius for prohibition of canvassing in or near polling stations should be changed from yards to meters (i.e. from 400 yards to 350 metres). While the report focuses on such small details, it entirely neglects major issues of importance to the electoral process, such as the validity of the electoral roll, the report said. It is inconceivable that a one-year electoral reform effort could fail to put forward a clear procedure for verifying, rectifying, and updating the voters list on a regular basis and before each election, Fafen wondered.

The ECP report touched upon many topics and suggested minor adjustments to many laws. Yet the cumulative effect of the proposals was profoundly incomplete and did not provide a holistic vision of reforms that integrated and rationalised the many laws and regulations relevant to elections. National and international stakeholders had offered comprehensive recommendations that had apparently been ignored, FAFEN noted. The report also said the proposals also could not suggest recommendations for changes in

the law and the policy, which were vital to fortifying the independence of the Election Commission. With regard to core pre-election themes, the report does not touch upon voter registration and addresses only minor campaigning issues. The report also does not offer any proposals related to training election officials. Post-election themes of by-elections and electoral petitions are also neglected, FAFEN said. The ECP report, FAFEN noted, was silent on election day security, enforcement of election laws at polling stations, ballot box security and ballot box seals, secrecy screens, spoiled, challenged and tendered ballot papers, ballot counting and consolidation and announcement of results.

[The News - August 28, 2009]

#### ECP Likely to Make CNIC a Must for Voters Again

The Election Commission of Pakistan (ECP) is expected to declare Computerised National Identity Card (CNIC) mandatory to cast vote in the next general elections and the condition, in all probability, will be kept intact unlike the previous two polls. ECP officials recently held a meeting with the National Database Registration Authority (NADRA) high-ups and reviewed its registration pace and other arrangements in this regard. The ECP has indicated it is going to make CNIC mandatory to cast vote in the next general elections and voters' lists will also be upgraded accordingly. The ECP was working on other electoral reforms as well which would be announced along with the CNIC condition. The ECP had withdrawn the CNIC condition for voters before 2002 and 2008 general elections after facing the objection that it would deprive a majority of people of their right to franchise. Now to ensure that the coming elections should be held under this condition, President Asif Ali Zardari has given August 2010 deadline to NADRA to complete the process of registration of the whole adult population of the country. Political parties and candidates, after losing elections, often complain of rigging through bogus votes. The foreign observers and media have also been highlighting such irregularities. The CNIC has not yet been used as an exclusive identification document in any of the general elections held in the country. It is believed that making the CNIC mandatory for registration would eliminate duplication and other inaccuracies in the voters' lists. 'Based on the 1998 census (plus 3.7 per cent increase in population since then),

NADRA has so far issued 73 million CNICs to the adult population of Pakistan. It makes 83 per cent of the country's total adult population,' a senior officer of the authority said. By making CNIC mandatory to get registered as voter, NADRA would be able to achieve the 2010 deadline, he added. The service delivery gap, however, has been identified in registration of female and the poorest of the poor. NADRA Deputy Chairman Tariq Malik said: 'Nadra has added 13.75 million potential voters since Feb 2008 Elections.' Regarding registration of female voters, he said it had increased after introducing steps like waiver of CNIC photograph condition in Fata and other backward areas. He said the waiver for women was possible because the CNIC had multiple identification features other than the photograph. Now the prints of both thumbs and fingers of both hands are taken at the time of receiving an application for verification of card holder's identity. Malik said the authority had also opened women-only National Swift Registration Centers (NSRC). He said that when we opened first women-only NSRC in Mardan, few months back, 3,000 women turned up for registration on the first day. Besides this, he said, Fridays were reserved for women registration and the Benazir Income Support Programme (BISP) also played a vital role in the increase of women registration. He concluded by saying that NADRA has issued more than nine million free CNICs since Prime Minister Yousaf Raza Gillani's direction in this regard issued on June 24, 2008.

[Dawn - August 30, 2009]

## Judicial Updates

### Special Committees to Monitor Anti-Terrorism Courts

A full court meeting held at the Supreme Court (SC), on August 3, decided to form committees to monitor the Anti-Terrorism Courts (ATCs). Justice Javed Iqbal, Justice Sardar Muhammad Raza Khan, Justice Khalilur Rehman Ramday and Justice Mian Shakirullah Jan were appointed as monitors of the committees, which would examine the ATCs in light of the SC ruling against military courts in the Sheikh Liaquat Hussain case. The meeting also decided to request all High Courts to constitute separate committees for quick disposal of anti-terrorism cases through special courts and appeals. Chief Justice of Pakistan Iftikhar Muhammad Chaudhry would directly supervise the committees formed at both the SC and High Court levels. The meeting also unanimously resolved to reduce vacation time to improve the disposal rate of pending cases. The full court of Justice Javed Iqbal, Justice Sardar Muhammad Raza Khan, Justice Khalilur Rehman Ramday, Justice Mian Shakirullah Jan, Justice Tassaduq Hussain Jilani, Justice Nasirul Mulk, Justice Raja Fayyaz Ahmed, Justice Chaudhry Ijaz Ahmed, Justice Ghulam Rabbani, Justice Muhammad Sair Ali, Justice Mahmood Akhtar Shahid Siddiqui, Justice Jawwad S Khawaja and Justice Anwar Zaheer Jamali also decided the adjournment of cases would be strictly discouraged to ensure speedy justice. The meeting also decided to impose a registration cost to discourage the filing of frivolous and false cases. It resolved to categorise cases under criminal and civil categories, adding certain categories would be accorded priority. It said special benches would be constituted to continuously hear categorised cases. The full court also resolved to improve the quality of the apex court's work to serve as a role model for subordinate courts.

[Daily Times – August 4, 2009]

### Qazi Faez Sworn-In As BHC chief Justice

Barrister Qazi Faez I sa was sworn in as the Chief Justice of the Balochistan High Court on August 5. Acting Governor Mohammad Aslam Bhootani administered the oath. Chief Minister Nawab Aslam Raisani, provincial ministers and senior lawyers attended the ceremony. President Asif Ali Zardari appointed Mr I sa as the Chief Justice of the BHC in consultation with the Chief Justice of Pakistan Iftikhar Muhammad Chaudhry and the Acting Governor of Balochistan.

[Dawn – August 6, 2009]

## Opinion Surveys/Polls

### 71pc Want Musharraf to Pay for Crimes: Survey

Around 71 per cent Pakistanis want "harsh or mild punishment" to former president Gen (Retd) Pervez Musharraf for his unconstitutional steps on November 3, 2007, said a survey conducted by Gallup Pakistan. "About 52 per cent favour harsh while 19 per cent support mild punishment to the former president, and 15 per cent favour no punishment and the remaining 14 per cent did not give a view," said the survey launched by Gilani Research Foundation. A nationally representative sample of men and women from across the country were asked "recently the Supreme Court has termed the enforcement of emergency on November 3, 2007 illegal". Some people believed Musharraf should be punished for this, while some believe he should not. When asked the punishment should be harsh, mild, or none, Majority, 52 per cent, said he (Musharraf) should be punished harshly and 19 per cent believed he should be given a mild punishment for this crime. Fifteen per cent of the respondents did not support punishing Musharraf for enforcing emergency on November 3, 2007 while 14 per cent did not give any response. The survey findings also showed that while

there are no significant differences in views on punishing Gen (ret'd) Musharraf across gender and age, there are notable differences across political affiliations.

Those intending to vote for the Pakistan Muslim League-Nawaz, the MMA, the JUI and the ANP have higher support for punishing Musharraf, above 80 per cent, followed by the PPP voters and the PML-Q voters (around 60 per cent) and the support is the lowest amongst the MQM voters at only 19 per cent.

[The News – August 29, 2009]

## Regional Politics and Election Watch

### Pakistan's Foreign Relations

#### Pakistan and China Sign MoU on 7,000 megawatt Bunji Dam

Pakistan and China on August 22 signed a memorandum of understanding (MOU) for the construction of Bunji dam in Astore district of the Northern Areas of Pakistan. The agreement was signed between Pakistan's Ministry of Water and Power and China's Three Gorges Project Corporation. Chairman Board of Investment Saleem Mandviwala and Li Yang'an signed the MoU for their respective sides. President Asif Ali Zardari, Pakistan's Ambassador in China Masood Khan and several senior Chinese officials were present. Masood said the dam, one of the eight hydel projects short-listed for construction by the Water and Power Development Authority (WAPDA), will have a capacity of generating 7,000 megawatts of electricity.

Prior to the signing ceremony, Li Yang'an met President Zardari to discuss Pak-China cooperation in the hydel power generation sector. President Asif Ali Zardari called on China to help Pakistan tackle the energy crisis and sought Chinese assistance in hydel, thermal and solar power generation projects. The president also invited Chinese companies to carry out feasibility studies in the country in this regard. Zardari recalled his last visit to China in February when he visited the Three Gorges Dam project and said that Pakistan had lots of potential for construction of hydel power projects on its rivers, for which it needed Chinese assistance and expertise. He hoped that with the Chinese cooperation, Pakistan would soon be able to overcome its energy crisis. Zardari also attended a presentation on small and medium sized dams, water conservation and irrigation by Zhejiang Design Institute of Water Conservancy and Hydroelectric Power. Zardari said the government was ready to provide Chinese companies all possible assistance to set up power units that were not only cheap but also feasible for housing as well as commercial units. Li Yueming, the president of the institute, said they had carried out studies of couple of medium-sized dams in Azad Jammu and Kashmir and constructed over 100 such dams around the world, especially in Africa, South America and Turkey. In a meeting with President Zardari, President Zhejiang Zhengtai Solar Energy Science and Technology Company, Yang Liyou, said his company was ready to construct solar power generation projects in Pakistan, as country received plenty of sunlight around the year. President Zardari said China would be the world's next super power in trade and investment and hoped that Pakistan would become a gateway for Chinese exports to world markets through its ports.

[Daily Times – August 23, 2009]

#### ECC Approves Iran-Pakistan Gas Pipeline Project

The Economic Coordination Committee (ECC) has approved in principle levy of gas development surcharge with a view to arranging funds for future gas import projects. The projects include the Iran-Pakistan-India (IPI) and the Turkmenistan- Afghanistan-Pakistan-India (TAPI) gas pipelines. The ECC, which met on August 22 with Finance Minister Naveed Qamar in the Chair, approved the summary of the Petroleum Ministry, advocating for more raise in tariff in the shape of development surcharge for the IPI and the TAPI gas pipeline projects. However, it would not be levied until and unless these projects get started on ground. The meeting also approved raise in gas tariff to fund expenditure of the Intra-State Gas Systems

Ltd (ISGS) in the ratio of their current shareholding, 51:49, of the respective Sui Southern and Sui Northern gas distribution companies. The ECC also approved the summary of the Petroleum Ministry, recommending policy guidelines for the Oil and Gas Regulatory Authority (OGRA) on funding arrangement for Inter-State Gas Systems Ltd (ISGS). The summary recommended Rs 3.12 raise in gas tariff.

In a summary, approved by the ECC, the ISGC has sought increase in gas tariff by Rs 3.12 per MMBTU to bear a whopping increase in expenditure of ISGSL by 285 per cent to Rs 1.197 billion. When contacted, Petroleum Secretary GA Sabri said gas tariff for the time being will not be increased to fund ISGSL expenditures, as there is still a margin under which ISGSL expenditures would be borne by gas utility companies. The Petroleum Ministry has also recommended in the summary that revenue expenditures of the IPI and the TAPI gas pipelines should be borne by the end consumers as they will be the ultimate beneficiaries of the project, which was also approved by the ECC.

The annual expenditure of the Inter-State Gas Systems (ISGS) which is responsible for executing the IPI and the TAPI projects has not been formally included in the gas tariff by the Oil and Gas regulatory Authority (OGRA). However, the authority has provisionally been allowed passing the expenditure of ISGSL to end gas consumers during 2002-08. The ISGS operating costs are being reimbursed by its existing shareholders -- Sui Southern and Sui Northern gas companies. Sui Southern share the operating cost of ISGL by 51 per cent while Sui Northern 49 per cent under a service agreement. This expenditure is being included by both the utility companies as operating costs in their revenue expenditure and passed on to gas consumers as part of the consumer tariff which is approved by the OGRA. However, in its determination on May 20, 2008, OGRA, however, disallowed the inclusion of ISGCL operating expenditures for 2008-09 in the revenue requirements of gas companies and also adjusted amounts allowed to them previously. The IPI steering committee which is the sub-committee of economic coordination committee, which met on July 17, 2008, also recommended that the revenue expenditure of the ISGC may continue to be included in the operating costs of the SSGC and the SNGC in the ratio of their current shareholding -- 51:49 -- to be recovered from gas consumers in the form of consumer gas tariff. For this purpose, the government needs to issue policy guidelines to OGRA under section 21 of OGRA Ordinance 2002. The ECC to this effect approved the policy guidelines to OGRA on funding arrangement for the Inter-State Gas System's expenditures.

[The Nation - August 23, 2009]

## Presidential Elections in Afghanistan

### Karzai Maintains Lead in Afghan Partial Vote Count

Incumbent Hamid Karzai, on September 1, maintained his lead in the race for the Afghan Presidency, winning 47.3 per cent compared to 32.6 per cent for his nearest rival, according to the latest partial results. Total results released so far come from 60.34 percent of polling stations used in only Afghanistan's second direct presidential election, held on August 20 and overshadowed by claims of massive fraud and low turnout.

Out of 3.69 million valid votes, Karzai won 1.74 million and former Foreign Minister Abdullah Abdullah 1.2 million, Independent Election Commission official Daud Ali Najafi told a news conference. The winner needs to secure an outright majority of 50 percent plus one vote in order to avoid a second-round run-off. Results are being released in stages with today's figures the fifth set announced, and see Karzai slightly widen his lead over Abdullah to 14.7 percent from a previous 12.6 percent. Kabul lawmaker Ramazan Bashardost, who

camped out in a tent near parliament and campaigned against corruption, is a surprise third so far in the count, attracting 426,331 votes. Afghanistan has fallen behind schedule in processing votes from the election and officials said the preliminary result may not be announced until as late as September 7.

[www.zeenews.com – September 2, 2009]

### EU Calls Afghan Elections Fair, but not Free

Afghanistan's presidential election was generally fair but not entirely free because of Taliban intimidation and violence that kept turnout low in the south, European monitors said on August 22. With the outcome still unpublished and both sides claiming victory, Washington's envoy to the region Richard Holbrooke said President Hamid Karzai and his main rival Abdullah Abdullah had promised to respect the result and avoid any violence. Diplomats say they expect Mr Karzai to win the first round, but it is too close to say whether he could earn an outright majority or would have to face Mr Abdullah in a runoff. Western and Afghan officials breathed a sigh of relief that violence did not wreck August 20<sup>th</sup> election altogether, after the Taliban vowed to disrupt it and launched sporadic attacks across the country on the morning of the poll. The head of the EU election observation mission, Philippe Morillon, told that free was not the case in some parts of the territory due to terror installed. "Generally what we have observed was considered by our observers with our methodology good and fair," he added, but reserved judgment on whether the polls were credible, saying "a lot of complaints" would take time to evaluate. The EU, like other western observers, had few staff able to access the violent southern provinces.

The biggest domestic election observer group, the Free and Fair Election Foundation of Afghanistan (FEFA) said its observers saw some instances of fraud and irregularities. Describing one notable instance of intimidation, Fefa official Jandad Spinghar said militants had sliced off a finger each of two voters who took part in polls. FEFA official said that, "our observers saw two voters whose fingers, with the ink, was cut off in Kandahar. This was on election day".

[Dawn – August 23, 2009]

### Abdullah Says Poll 'Widely Rigged'

Afghan President Hamid Karzai's main challenger said that he had evidence election had been widely rigged by the incumbent and that he had lodged more than 100 complaints. "The initial reports we are receiving are a bit alarming, I must say," he said. "There might have been thousands of violations throughout the country, no doubt about it." Abdullah said his team had already lodged more than 100 complaints with election officials. "Widespread rigging has taken place by the incumbent, through his campaign team, and through the state apparatus, through government officials," Abdullah said. "This has to be prevented. That's critical for the survival of the process and that's critical as far as the hope for a better life of the Afghan people is concerned," he said. Fraud filings: Charges of fraud in election are extensive enough that they could sway the final result, the commission investigating the complaints said on Sunday. The independent Electoral Complaints Commission has received 225 complaints since polls opened Thursday, including 35 allegations that are "material to the election results," said Grant Kippen, the head of the UN-backed body. The figures include complaints about both the presidential balloting and provincial council polls.

[Daily Times – August 24, 2009]

### Afghan Elections Seen As a Setback for Women

For women, Afghanistan's recent elections appear to have been more of a setback than a step forward.

Early reports strongly suggest that voter turnout fell more sharply for women than for men in polls. Election observers blame Taliban attacks, a dearth of female election workers and hundreds of closed women's voting sites. Some worry the result could be a new government that pays even less attention to women's concerns in a country where cultural conservatism already restricts female participation in public life. Kulsoom Bibi, a woman in her 40s, is among those who did not vote. "The rockets started coming from the early morning and, until night, the rockets still came," she said in Kandahar, the southern city that is the spiritual birthplace of the Taliban. "The government hasn't done anything for women, and there were a lot of security problems. That's why I didn't cast my vote."

Women voters, however, faced additional obstacles, observers said. At least 650 polling stations for women did not open, according to the Free and Fair Elections Foundation of Afghanistan, the country's top independent vote monitoring group. In the southern province of Uruzgan, only 6 of 36 women's polling stations opened, the group said. That was partly because authorities couldn't find enough female staffers. In some areas, "there were women who came to polling stations, and found no women workers there and went away. They didn't cast their votes," said Nader Nadery, the head of the group. European Union observers noted that poor security hardened cultural attitudes in a nation where most women won't leave home without wearing an all-encompassing burqa.

Many women set aside fears to run in the elections. Two were among more than three dozen presidential candidates. And 333 women ran for provincial council, up from 242 in 2005, according to the EU. However, the proportion of women candidates decreased in 14 of the 34 provinces. Haroun Mir, director of Afghanistan's Center for Research and Policy Studies, said the low female turnout is one reason the next government is likely to do little for women beyond appointing a handful to token positions. "Women are scattered, they don't have a unified voice," he said. "I'm pretty sure that they will not have any influence or any bargaining power." Rachel Reid, Afghanistan researcher for Human Rights Watch, described efforts to increase women's participation in the election as "too little and too late." She said that Presidential candidates were more likely to present themselves as able to negotiate with the Taliban than to protect women's rights. Women need to improve their lobbying ability to gain more powerful positions in government, said Shinkai Karokhail, a female lawmaker from Kabul. She found solace in the fact that many women turned out to vote despite the volatile situation.

[Associated Press - August 24, 2009]

## Iran - Ahmadinejad's Approval as President

### Khamenei Approves Ahmadinejad as President

Supreme Leader Ayatollah Ali Khamenei formally endorsed the second term presidency of Mahmoud Ahmadinejad on Monday after a disputed election that plunged Iran into its worst crisis since the 1979 Islamic Revolution. The results, which leading reformists and moderate defeated candidates Mir Hossein Mousavi and Mehdi Karoubi said were rigged to ensure victory for Ahmadinejad, led to violent protests and deep schisms within Iran's clerical and political elite. Leading opposition figures and two former presidents, Akbar Hashemi Rafsanjani and Muhammad Khatami, who backed Mousavi in the vote, were not at the ceremony although they had attended such events in the past, Iranian media reported. Mousavi and Karoubi say the next government will be illegitimate. Khamenei has endorsed the June 12 election result and demanded an end to the protests at which more than 20 people have been killed. Iranian officials deny any

fraud in the election, in which Ahmadinejad was declared to have won 63 percent of 40 million votes cast, against 34 percent for Mousavi.

Rights groups say hundreds of people, including senior pro-reform politicians, journalists and lawyers, have been detained since the election. The mass trial of reformists has no precedent in revolutionary Iran's 30-year history. The trial resumes on Thursday. Leading reformers, including Khatami, have rejected what they say is a show trial and said some defendants had made confessions under duress. Many of the defendants have spent weeks in jail without access to lawyers, Mousavi said on Sunday. He said the trial was "an awkward preparation" for the start of Ahmadinejad's new term.

[Daily Times - August 4, 2009]

## Elections in Central Asian Republics

### Kyrgyz President Takes Office after Disputed Poll

Kyrgyzstan's President Kurmanbek Bakiyev, on August 2, vowed to fight poverty and corruption as he was inaugurated for a second term after elections condemned by observers as flawed. Bakiyev, who has ruled the Central Asian country since the so-called Tulip Revolution of 2005 that overthrew the old regime, won the July 23 elections with a landslide 85 percent of the vote. In his inauguration address Bakiyev said he had restored stability and peace to the volatile country in his first term. "Now the President stands before other tasks to create stable development, strengthen national security and substantially increase the quality of life," Bakiyev said in his speech. He earmarked fighting corruption and reducing poverty as among the key priorities for his government. Kyrgyzstan needed a "a strong President, capable of leading the country along the chosen path," Bakiyev added. The Organisation for Security and Cooperation in Europe (OSCE) cited widespread irregularities and the misuse of state resources in the election. The United States said Kyrgyzstan had failed to live up to its commitments.

Kyrgyzstan was under an intense foreign policy spotlight in the last months over the future of a US airbase crucial for operations in conflict-torn Afghanistan. The government in June agreed to let US forces remain at the Manas airbase outside Bishkek, effectively reversing a previous decision in a move seen by many as a blow for Moscow. Analysts said Bakiyev had played a canny game to harvest cash for his impoverished country, securing a tripling of the rent the United States pays for the base and securing promises of major financial aid from Russia.

[Daily Times - August 3, 2009]

### Uzbekistan Plans Free Elections

Uzbekistan is making extensive preparation for the election of Oliy Majlis - the national parliament and municipal councils of people's deputies in a transparent manner. Uzbek Embassy spokesman told that the polls are scheduled for December, but exact dates of them will be defined by the Central Election Commission (CEC) three months before the elections. According to Article 76 of the Constitution of Uzbekistan, the Oliy Majlis comprising Legislative Chamber (Lower House) and Senate (Upper House) are elected for five-years term. The spokesman said the CEC had issued a document detailing a number of pre-election events as a run-up to the election. He said those compulsory pre-election events had already started in May.

[Daily Times - August 3, 2009]

## Myanmar – Suu Kyi's Detention

### Suu Kyi Given 18 Months Detention at End of Trial

A court in Myanmar on August 11 sentenced opposition leader Aung San Suu Kyi to 18 months in detention, a verdict that drew condemnation abroad and will keep her off the political stage ahead of next year's elections. The court handed down a three-year prison term for violation of an internal security law. But that was immediately halved on the orders of the military government, which said the Nobel peace laureate could serve the time in her Yangon home. The Judge said that Aung San Suu Kyi was found guilty of the charges and I hereby pass the sentence of three years' imprisonment. Moments after the verdict was passed, however, Myanmar's home minister, Major-General Muang Oo, stood before the court and announced that the junta had decided to reduce her sentence. Muang Oo said it had taken into account the fact that Suu Kyi was the daughter of Myanmar independence hero Aung San as well as "the need to preserve community peace and tranquillity and prevent any disturbances in the road map to democracy". The "road map" refers to plans laid down by the junta to move towards what it sees as democracy, which culminate in multi-party elections planned for next year. Muang Oo's intervention appeared at odds with the junta's repeated statements that its judiciary is independent. Critics say the case was fabricated by the military to keep the charismatic Suu Kyi out of circulation ahead of the polls.

The 27-country European Union said in a statement it will respond with additional targeted measures "against those responsible for the verdict". In addition, the EU will further reinforce its restrictive measures targeting the regime of Myanmar, including its economic interests. French President Nicolas Sarkozy backed the tougher sanctions, saying in a statement these "should particularly target the resources it profits directly from - wood and ruby mining". US Secretary of State Hillary Rodham Clinton called for Suu Kyi's release and saying she "should not have been convicted" on a charge of violating house arrest. British Prime Minister Gordon Brown said he was "saddened and angry" at the sentence, while Australia joined the EU in calling for the immediate release of Suu Kyi and all other political prisoners in the former Burma. Suu Kyi has already spent 14 of the past 20 years in detention of one sort or another. The latest charges stemmed from a mysterious incident in which an American, John Yettaw, swam to her lakeside home in May and stayed there uninvited for two days, which breached the terms of her house arrest and broke a security law protecting the state from "subversive elements".

[Daily Times – August 12, 2009]

## Politics in Far East

### Ruling Party Suffers First Poll Defeat in Japan

Japanese voters swept the opposition to a historic victory in an election on August 30, ousting the ruling conservative party and handing the untested Democrats the job of breathing life into a struggling economy. The win by the Democratic Party of Japan (DPJ) ended a half-century of almost unbroken rule by the Liberal Democratic Party (LDP) and broke a deadlock in parliament, ushering in a government that has promised to focus on spending on consumers, cut wasteful budget outlays and reduce the power of bureaucrats. "The people are angry with politics now and the ruling coalition. We felt a great sense of people wanting change for their livelihoods and we fought this election for a change in government," said Democratic Party leader Yukio Hatoyama, 62. Media projections showed the Democrats set for a landslide win, possibly taking two-thirds of the seats in parliament's powerful 480-member lower house. That matched earlier forecasts of a drubbing for Prime Minister Taro Aso's LDP. The ruling party loss ended a three-way

partnership between the LDP, big business and bureaucrats that turned Japan into an economic powerhouse after the country's defeat in World War Two. That strategy foundered when Japan's "bubble" economy burst in the late 1980s and growth has stagnated since.

The Democrats will have to move fast to keep support among voters worried about a record jobless rate and a rapidly ageing society that is inflating social security costs. Media exit polls showed the Democratic Party had won around 320 lower house seats — almost triple its 115 before the election. The LDP slumped to just over 100 seats from 300. Aso said he took responsibility for the defeat, adding an LDP leadership race to pick a successor should be held soon. Japanese news agency Jiji said the LDP's performance was the party's worst since its founding in 1955.

[Dawn – August 31, 2009]