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## Gender & Women Empowerment

### Women & Politics

#### **GB Governor Vows to Work for Women Uplift**

The newly-appointed Gilgit-Baltistan (GB) Governor Dr Shamma Khalid during her maiden visit to GB on April 13 pledged to work for well-being of the womenfolk and extended her thanks to the people for extending her a warm welcome. She was addressing a gathering at the historic Chinar Bagh where she laid floral wreath at the monument of liberation movement activists, veterans and heroes who fought against Dogra rule in 1947.

The Governor said that peace was prerequisite for development and until and unless peace prevailed nothing could be done. She declared it a collective responsibility of every member of the society to work for eradication of differences and bring a durable and lasting peace. She said that the region had been given its lost identity by the PPP and stressed the need for observance of merit in state of affairs. She highlighted the role of educated mothers in the society and said nations only developed when mothers are educated. The Governor said that though Karakoram International University was doing well but she would try to establish a women university in Gilgit-Baltistan to help women in their pursuit of education and added that she would also work for setting up a medical university in the area. She said that issues relating to Diamer-Bhasha Dam would be resolved because it could change fate of the area people. Dr Shamma Khalid said that tourism had been ignored and this sector would be overhauled with more incentives for the tourists.

[Dawn – April 14, 2010]

#### **Gender and Politics: Can Women be Good Decision Makers?**

Majority of our population is not aware of the importance of gender equality. The TV show 'Kya Kiya Jeay' is raising pertinent questions about gender equality in our society. Two shows were aired one on the topic of women as decision makers and role of government in ensuring gender equality. A lively debate was generated among the participants, who responded vehemently to Shamoos Hashmi's probing question regarding women's ability to become good decision makers. The participants reminded him that women's ability to government should not be questioned, as they have ample experience in the area. They by culture and tradition are responsible for running a house and that in itself provides experience in all aspects of governance including strong decision making powers. They also that women's participation in politics is not new in this country but the recent phenomenon through which a large number of women were included in the political set up will take some time before we can see its outcome. The programme is an effort to spread awareness among the general population on government's efforts to promote gender equality in our country. Government is committed to promotion of gender equality because it is guaranteed in our constitution and government has signed international documents committing it self to ensuring gender equality in the country. Gender Reform Action Plan was formulated four years ago to achieve these objectives. GRAP propose a set of key reforms in four areas through which gender is to be mainstreamed in the government's systems and procedures. These reforms are with relation to institutions, politics, budgeting, women employment and improvement in women political participation. The second talk show discussed government's role in implementing gender equality measures in the country. There are many issues that were identified which are hindering government's efforts in the area. Resources are most important factor success of such development agendas. Pakistan is short of resources for develop and women issues are not a priority. However, the effort that are being undertaken go through a number of challenges. Opposition from groups that are against women empowerment and complicated government and donor procedure are just a few of them. Kya Kiya Jaey is jolting people out of their slumber by asking pertinent questions. Pakistan is underdeveloped and struggling with many issues rooted in ignorance especially related to women empowerment. Women empowerment is essential for development and as soon as we realise this we will start making progress.

[Daily Times – April 9, 2010]

#### **Documentary on Women's Political Struggle Screened**

A documentary portraying the political struggle of Pakistani women was screened at the South Asia Free Media Association (SAFMA) on April 14. *Aik Mumkin Ke Justoojoo Main* goes back to the dawn of independence when the status of women was relatively undefined and neglected. It ends on a happy note with the election of Dr Fehmida Mirza as the speaker of the National Assembly. You could say the documentary is the abridgement of late Begum

Shaista Ikramullah's book *From Purdah to Parliament* (though she is not shown in the documentary) in which she described the heroic struggle of Muslim women of British India for winning a free homeland for the Muslims.

From here the documentary touches on the morality of a nation that would restrict their unhindered participation in all spheres of national life without which it cannot attain economic, political and moral progress. The film makes the point that the process of women's empowerment in Pakistan gained momentum after late Benazir Bhutto became the prime minister and earnestly focused on women's joining the workforce. She used to say that women cannot make progress without having independent income and that would be possible only if they received quality education.

In spite of the fetters that restricted their public appearances, women have always remained in the forefront to win their rights as equal citizens of Pakistan. The documentary is also unabashed in celebrating a woman's elevation to the position of speaker of the National Assembly and the work she started in forming a women caucus with participation from all lady lawmakers who have vowed to advance women causes without prejudice to the party they belonged to. These legislators have also pledged to spend the annual development grant on women-related issues, particularly female reproduction, healthcare and education. The film takes a sweep of all women leaders and shows important ones such as Mohtarma Fatima Jinnah, Rana Liaquat Ali Khan, Benazir Bhutto, Khawar Mumtaz, Fehmida Mirza, Asma Jahangir and the chairperson of National Commission on the Status of Women, Anis Haroon. With a woman as head of legislators and the government more women-friendly, this was the time to push through good legislation and throw out anti-women laws enacted during the regime of Ziaul Haq.

[Dawn – April 15, 2010]

## Women's Empowerment

### **NCSW Sets-Up Resource Centre to Empower Women**

With a facility to track legislations related to women issues, the National Commission on the Status of Women (NCSW) has established a Resource Centre to bring social, economic, legal, educational and political empowerment of women in Pakistan. While speaking at the inaugural ceremony of the centre, Prime Minister's Special Assistant Begum Shehnaz Wazir Ali said this unique facility would serve as hub of information for a range of interested stakeholders. Ms. Shehnaz Wazir Ali said that apart from lot of other information, the Resource Centre will provide updates on the status of women in other Muslim countries with regard to their issues and specific legislations.

The Resource Centre is part of a one-year project titled '**Strengthening National Commission on Status of Women**' being funded by the Asian Development Bank (ADB) besides partial assistance from the Canadian International Development Agency (CIDA). SOSEC consulting firm is implementing the project with a total cost of US\$ 420,000. ADB Country Director Rune Stroem said the women-specific Resource Centre was a milestone initiative which would open up a new world of information for those who wish to work on women related issues. The Resource Centre, which is accessible to all both digitally and manually is expected to cater to the needs of researchers, academia, politicians, lawyers, judiciary, media and civil society organizations on women related issues.

However, the location of the Resource Centre might not be easily accessible for students and others who use public transport since only private vehicles are allowed to enter the highly sensitive residential sector of Islamabad. When this issue was pointed out, a participant of the event suggested that teachers might arrange study visits of students to this resource centre. Significantly, the Resource Centre will be working as a hub of information on women related issues, policies, ordinances, laws, amendments, and institutions. Required information can be accessed electronically at [www.ncsw.gov.pk](http://www.ncsw.gov.pk) and for obtaining hard copies of any document, interested organisations or individuals can contact at House # 39, Street # 56, Sector F-6/4, Islamabad.

[The News – April 28, 2010]

### **Shortage of Daycare Centres Restrains Women from Jobs**

Shortage of public daycare centres in the federal capital continues to restrain women from working and utilising their energies in the nation-building process. Most of the workingwomen have to quit their jobs for the sake of better care of their children. Females working in different sectors usually avoid leaving their children at daycare centres opened by private organisations and finally they have to take long leave and bear financial loss.

The daycare facilities established by the Ministry of Women Development (MoWD) in the federal capital are not enough to cater to the needs of workingwomen. Moreover, the charges of private daycare centres are not affordable. Rubina, a working woman said that the private daycare centres provide maximum facilities to children, but they are too much expensive and women belonging to middle class cannot afford them. She said that the single public daycare centre, which is inexpensive, has not sufficient capacity to accommodate so many children. Women are contributing side by side with men in every field of life and playing vibrant role in economic uplift of the country. The government must provide them proper facilities so that they can work for the development of the country with high spirits, she said. Thousands of women, who are associated with the teaching profession are also facing the same problem. Only few institutes working under Federal Directorate of Education (FDE) have the facility to accommodate staff's children. Most of the women have to arrange a babysitter on their own or register their children in private daycare centres. The female teachers have requested the Federal Directorate of Education (FDE) to facilitate workingwomen and extend daycare facility to all schools and colleges.

[The News – April 26, 2010]

## Women & Laws

### **Committee on Implementation of CEDAW Formed**

Taking another step forward for the domestication of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Ministry of Women Development (MoWD) has launched the provincial committee on CEDAW implementation in Balochistan. Pakistan is signatory to variety of international conventions and treaties that specifically pertain to women rights and empowerment. Most important among them is the CEDAW, which the government of Pakistan ratified in 1996. In response to the Beijing Plan for Action (BPFA) as well as the ratification of CEDAW, Pakistan has subsequently set up a number of women's machineries and pursued numerous initiatives to implement gender equality and women's empowerment. Since its ratification, there is no formal committee working for the implementation of CEDAW. Even the high officials hardly have any knowledge of CEDAW, neither any system for implementation at departmental level.

The issue of creating awareness about the convention was also raised in the concluding remarks of 23-member UN expert committee, which they gave after reviewing Pakistan's two combined CEDAW reports submitted in March 2005. Acceding to CEDAW makes it obligatory for a member country to condemn any biases against women and take affirmative steps to make the society discrimination-free. The members are also asked to submit regular reports on the status of women and then defend them verbally before the expert committees. In addition to expressing concern over the issue of violence against women and demanding further details on the issues of health, education, micro-financing, citizenship laws, women representation in decision-making, institutional and administrative gaps and women with disability, the committee asked the government to raise awareness regarding CEDAW among policy makers and general public for effective implementation of the convention.

To involve all stakeholders, a source in the ministry said that domestication of CEDAW was essential which can only be achieved through wide dissemination within the society through various strategies. She said that establishment of well-coordinated provincial committees on CEDAW implementation is part of the same overall strategy. The source said that the provincial committee will be comprised of line departments and civil society organisations. "It will be in charge of leading and over viewing the implementation process of CEDAW at provincial level and then to feed into the reporting process," she pointed out while adding that it will also focus on building the capacity of these stakeholders in CEDAW reporting and developing an institutionalised implementation and tracking mechanism in Balochistan. These committees will be led by the Minister for Women Development where as secretary MoWD will be the chairperson. The ministry has already launched provincial committees in Sindh and NWFP whereas establishment of such committee in Punjab is in the process.

[The News – April 3, 2010]

### **Law to Check Domestic Violence on the Anvil**

For seven years, her husband taunted, threatened and thrashed her, she says. After she filed for divorce, he struck again, throwing enough acid on her face to destroy her left eye. Why didn't she leave sooner? Or turn to the police for help? Zakia Perveen's scarred lips are quick to explain: She would have become a pariah in her conservative town of Jhelum. "People don't appreciate women, who go to police stations," the 38-year-old says. "I just thought it was my destiny, my fate."

Rights advocates hope a proposed law banning domestic violence will chip away at such attitudes, giving women a more even playing field and bringing Pakistan in line with a growing number of developing nations that have outlawed spousal abuse. But Islamist lawmakers in Parliament are objecting, claiming the law could tear apart the social fabric by undermining families. In 2008, there were at least 7,571 incidents of acid attacks, rapes, spousal beatings and other violence against women, according to The Aurat Foundation, a women's rights group. Because the group relied mostly on media reports, the figure is likely a vast undercount.

Other surveys have shown up to 80 per cent of wives in rural parts of Pakistan fear physical violence from their husbands, while 50 per cent of women in urban areas admit their husbands beat them, according to a 2009 US State Department report on Pakistan. "It happens even in good families — wealthier families," says Yasmeen Rehman, the sponsor of the bill now stuck in a committee in the Parliament. "In the rural areas, it's almost like a habit for the men." The bill lays out a broad definition of domestic violence beyond assault, including emotional abuse, stalking and wrongful confinement. Depriving a spouse of money or other resources needed to survive is also considered a violation.

The bill strives to cover everyone in a household, including elderly parents, children and husbands. It also sets up local "protection committees," which are required to include women and empowered to file complaints on behalf of victims. Abusers can face months or years in prison and thousands of dollars in fines, if they violate court protection orders, the bill says. Under current Pakistani law, women could turn to anti-assault statutes, but unless they are severely beaten, such claims are hard to prove, activists say. Police are rarely willing to interfere in domestic matters and often don't take women seriously.

Most women are unwilling to report on a family member, especially if he's the breadwinner, and they give in to societal pressure to just put up with the abuse. It's one of the many paradoxes in a country that has tried to blend Islamic strictures with more secular legal tradition inherited by the British, a place where a woman has served as prime minister and yet militants regularly torch girls' schools. "Laws are very good, but unless and until you change the mindset of the people, things won't change," said Nayyar Shabana Kiyani, who has worked on the legislation as part of The Aurat Foundation.

One person these women are working hard to persuade is a leading Islamist lawmaker, Maulana Muhammad Khan Sherani. Sherani insisted domestic violence was not a big problem in Pakistan until advocacy groups appeared and created the "issue" of women's rights. Because of this, he explained, women became "contenders" to men in the public realm, and were no longer content in the home. The new law led to more divorce and disrupted family life by allowing police and other authorities to interfere, he said. "We oppose this law because it is not the solution — rather it is a possible cause of more chaos in society," he said. The solution, he suggested, was striving for a truer Islamic society.

[The News – April 9, 2010]

## Women Police Stations

### Issues in the Only Women Police Station

The only women police station that covers the whole of capital territory has only 53 officials, assisting all 12 male police stations in raids, investigations, transporting accused women to the courts and to jail. A Police Officer said that we work over twelve hours a day because there are far less women in police than required. We have to assist all 12 police stations, no matter how understaffed or ill-equipped we are. The first ever women police station was established in 1995 on the directives of Banazir Bhutto. The idea was to protect accused women from reported harassment in male police stations and to give better access to those women who are reluctant to file complaints with male police stations. "Our children are living at the mercy of God. At times, we feel we don't deserve human rights," said another police officer adding that they were overburdened, underpaid and ignored. Out of total 53 officials, 22 are in quick response force covering four police stations, 12 deputed at permanent points, around 10 at the Parliament and the remaining nine are assisting 12 police stations. Sometimes, women police escort accused women to court or jail.

The Women Police Station lacks a childcare centre or proper sanitation. The lockup stinks and backyard looks like a slum. The staff present at the station said a permanent sweeper is a necessity to keep it clean. The police officials were more reluctant to speak up than their male colleagues. "We cannot tell you any thing or share our problems. Why don't you call our seniors to get the information you want," said some. Though allowed to speak from those who allow and disallow, none of them wanted to be named. "We are supposed to investigate when a crime occurs but law stops us," said one. "We hardly get remand for accused women, which bars us from further

investigations and recovery in cases of theft," she said. Ghafar Kaiserany, the SP, said that available women police force was really over-worked and authorities needed to curtail their working hours so they were able to perform their duties efficiently.

[Daily Times – April 3, 2010]

### **India's First Open Jail for Women**

In one part of the 17-acre complex near the city of Pune in the Indian state of Maharashtra, 300 incarcerated women barely see the light of day and live in cramped, unhygienic conditions. But another part of the prison is currently undergoing a makeover. Here, women will soon be allowed to roam the premises and farmland in relative freedom. This will be India's first open prison for women. Such jails have existed for men in India since the 1950s - the idea is that well-behaved inmates are transferred to the facility as a reward for their good behaviour after serving a few years of their sentence.

The female prisoners at Yerawada's open jail will get paid employment outdoors - mostly agricultural work. More importantly, the remainder of their sentence will be cut by half. (The open female prisoners) will get to step out, learn a skill, make some money and get their sentences reduced. However, the facility will only be available to convicted prisoners and not those awaiting trial.

Government officials say that they have selected most of the candidates for the 50 female places available in Yerawada's open jail. Needless to say, demand to get in is overwhelming. Yerawada is one of the oldest central prisons in the country, and its 17 acres of fields means that there is plenty of agricultural work to keep open prisoners occupied. "Selected women inmates will mostly work in fields during the day and return to barracks in the evening. Our agricultural officer will train them. They get to step out, learn a skill, make some money and get their sentences reduced," Inspector General (Prisons) Uddhav Kamble explained.

Officials say there is hardly any risk of prisoners escaping because to do so would jeopardise their stay in the prison and their sentences being commuted. The authorities do not allow journalists access to prisoners held at Yerawada but one former inmate of the closed jail says that an open prison has to be a good idea. Security at the open prison will be non-existent Bharati's time in prison was characterised by painful memories which she says have scarred her life and the lives of her children. She says that her husband was an alcoholic and one day returned home, collapsed and died. She was accused of killing him. She was arrested, imprisoned and her two sons were left to cope with these events on their own. It took months before she was released on bail and the case is still pending in court. Bharati's difficulties in jail were similar to those faced by countless other female prisoners. "Sometimes you get dragged into fights of inmates... I was constantly worried about my children. I could only meet them only once a week or two. It was difficult as there was no-one to organise money for my defence. Many women were like me and would have relished the opportunity of a more liberal prison regime. One prison official who looks after around 300 closed inmates is also enthusiastic about the concept. The scheme should be extended to all women prisoners - convicts and those awaiting trial. Bharati, former Yerawada inmate. "Can you imagine how they would feel to step out in fresh air? They are allowed out of the barracks but it is only within the high walls of the prison. To be able to get out and work in the open will do wonders for these women. It will enable them to see the road, buildings and other people. It will help them tremendously." Currently male convicts detained within the Yerawada complex grow aubergines, tomatoes, corn and spinach. The vegetables are sent to the jail kitchen. Medha Gadgil is the government official who pushed for female open jails. She told that female prisoners had been deprived of key benefits. She said "There are four such jails in Maharashtra alone for men and many more in other states. Now women convicts will also be able to get the benefits," she said.

Social activists say that the move to introduce women's open prisons is long overdue. India is a country where many female inmates are in prison because of crimes they have committed in response to domestic violence at home. They say that much more effort needs to be made to rehabilitate female offenders. Bharati echoes this thought. "Working in the fields will make women feel better," she said. "It should be extended to all women prisoners - convicts and those awaiting trial - so that they can start work after being released."

[BBC News – April 11, 2010]

## **Books, Reports & Articles on Gender**

### **A Feminist Nikahnama**

*by Rafia Zakaria*

In an opinion issued on the popular Islam Online website a few months ago, Sheikh Yusuf Qaradawi, one of the most prominent clerics in the Sunni Muslim world, responded to whether misyar marriage was valid in Islam.

Qaradawi, who is the Head of the Sunna Institute in Qatar, said that such a marriage — in which a woman specifically repudiates the rights given to her in Islam — is indeed Sharia-compliant. According to Qaradawi, some of the rights a woman can repudiate include, but are not limited to, her claim to inheritance, cohabitation or any sort of financial maintenance.

This re-envisioning of the nikahnama or the Islamic marriage contract is not exclusive to Sunni Islam. In Iran, a similar recasting of marriage took place almost immediately after the Islamic revolution when temporary marriages known as *sigh* in Persian or *mutah* in Arabic were legalised. According to an article published on the Iranian website Alborz, *sigh* marriages have since been made even easier under legislation passed by the first Ahmadinejad administration: the new family law bill, passed despite strong opposition by Iranian women, not only allowed conditional polygamy and *sigh* but also removed any requirement of permission from prior wives before the husband contracted another marriage. As the article's author Fatemeh Sadeghi points out, *sigh* has been legalised even though there is no consensus among Twelver Shia jurists regarding the basis of its legality.

While *sigh* in the Iranian Shia case or *misyar* marriage in the Sunni case may have varying juristic rationalisations, both represent a reconstruction of the Islamic marriage contract in a way that differs from the form traditionally prescribed. Varying explanations are offered in both the Sunni and Shia cases for such departures from the prescribed forms. In the Iranian case, government authorities are said to have attempted to cast temporary marriages as a means to give legal cover to extra-marital relationships and also enable women to contract such arrangements if they need a man to fulfil the function of a wali for travelling purposes. Meanwhile, in his opinion justifying *misyar* marriages, Sheikh Qaradawi emphasises that they potentially allow women such as those of 'advanced age' to also be married when they waive conditions of financial support from their husbands. While the justifications differ, the fact remains that both forms of marriage suggest ways of ordering the marital relationship in society. At the heart of this re-envisioning is the Islamic marriage contract or *nikahnama*, which is the basis of defining this new form of relationship between a man and a woman. The question posed by such an ongoing redefinition of Islamic marriage is whether similar opportunities for redefining marriage may also be available to women wishing to add more rights to their Islamic marriage contracts. According to Sheikh Qaradawi, "both parties have the right to add terms and conditions". The biggest obstacle in popularising such a project is the demotion of the *nikahnama* to a mere formality when it comes to the rights of the woman. Yet it is considered crucially important when it comes to the rights of the man. Simply put, Pakistani women, indeed Muslim women around the world, are discouraged from reading or stipulating the contractual terms. A host of excuses and superstitions discourage women from even perusing, let alone actually negotiating, the terms of the contract. Most *nikah* ceremonies involve the bride only nominally and primarily constitute the signing of papers whose content is arbitrarily determined or stipulated entirely by the groom's side.

For Pakistani women, the situation is replete with both irony and tragedy. It is ironic because while long negotiations may be held over inanities such as the number of guests each side can invite and the colour of the bride's outfits, crucial details such as the bride's ability to initiate a divorce, the amount of *meher*, or the custody of any future children are all considered matters too delicate to include in discussions between the families. In this way, the relative cultural powerlessness of women hinders tragically their ability to take advantage of the very open-endedness of the Islamic marriage contract to further the rights of Muslim women. While patriarchal lobbies in societies as disparate as Iran and Saudi Arabia have managed to recast the Islamic marriage contract in a way that reduces women's rights, dismally few overtures are being made in the opposite direction. The task of changing the dynamics of marital relationships in such a manner that women have some equality within the relationship, are able to obtain a divorce as easily as men, maintain custody of their children, or continue their education or careers could all be achieved by their inclusion as clauses within the contract and in making the *nikahnama* a basis for serious consideration and negotiation between the bride and groom prior to marriage. It is true that in Pakistan, illiteracy and women's relative lack of social power may make such negotiations a challenge for the poorest of women. However, for the hundreds of thousands of educated Pakistani girls and their mothers, emphasis on ensuring that the *nikahnama* protects the rights of women can be considered both a religious duty and an activist imperative. Much effort is expended in Pakistan on passing laws that have little on-the-ground effect on women's lives and are relegated to the darkest recesses of legislatures nearly as soon as they are passed. In making the *nikahnama* a crucial focus of activism, Pakistani women can use the contract's status as the determinative marital document within Islam to ensure a more robust set of rights for themselves. If cultural patriarchy has produced *sigh* and *misyar* marriages, surely women can just as legitimately insist on a feminist *nikahnama* that provides more rights rather than less and reverses the disturbing trend of making the *nikahnama* an instrument of maintaining male dominance.

[Dawn – April 14, 2010]

## HR Watch

### Violence against Women

#### **Karo Kari Victim's Family Seeks Justice**

A poor family has been forced for running from pillar to post to get justice against a feudal as on his order their son-in-law killed his wife in front of her father in the name of Koro Kari. This tragic incident took place in last September in village Molla Bux of Sindh province. The father of the said girl namely Dhanni Bux said that he had visited her daughter Sanam's house in 20th of Ramadan and demanded from her in-laws to allow Sanam to celebrate Eid with parents. On this, the uncle of his son-in-law feudal Jan Muhammad got enraged and asked how he dared to say that. According to Dhanni, the feudal ordered his nephew to kill Sanam and present her dead body to him as a gift. They held him hostage on gunpoint. He said that all of sudden my son-in-law Wahid Bux with the help of his brothers Hussain Bux and Wakeel Bux killed my daughter with kicks, fists and wooden sticks and broke her neck. After receiving the tortured dead body of Sanam he visited nearby police station - Main Di Ghaat - to register FIR against the above-mentioned people. The poor father told that SHO Rind Baloch refused to lodge FIR and demanded 30,000 for this purpose. "After taking Rs 20,000 from me the SHO lodged FIR against the accused but in a cunning move he managed to save the feudal and registered very soft allegation against him." The poor family is currently living in Rawalpindi and uses to visit media organisations with the hope of getting justice. The poor family has appealed to Chief Justice of Pakistan and President of Pakistan who also belongs to Sindh to take notice of the incident and provide them justice.

[The Nation – April 13, 2010]

### Child Rights

#### **SPARC Concerned Over Plight of Detained Children**

The Society for the Protection of the Rights of the Child (SPARC) has expressed concern over the plight of a number of children detained in Indian and Pakistani jails under the Passport Act and the Foreigners Act of both countries. SPARC (Juvenile Justice) National Manager Abdullah Khoso said that currently there are two Indian fisher boys in Youthful Offenders Industrial School, Karachi, and more than six Pakistani children are in Indian jails under the same acts. The two boys Jenety s/o Dewa and Mahesh s/o Meg Jee are in Pakistan. Bilal, Rashid, Adnan and Razaqat are in Indian juvenile jail Hoshiarpur and Tayyab Tahir is in Sri Krishna Ganga Nagar Jail and Mubashir Ali is imprisoned at Central Jail, Kot Bhalwal. These children inadvertently crossed borders and were arrested by Border Security Forces and Rangers or caught by the Maritime Agencies in the Arabian Sea while fishing along with the adult fishermen. Khoso said that most of these children have completed their sentences, but are not released and repatriated because they are not provided councillor access timely. The councillor access is process through which the embassy related to juvenile's country arranges documents for the juvenile. Since there is so called rivalry between both countries, therefore, common citizens and children suffer a lot in many ways for trivial or unintentional mistakes and are deprived of any legal, councillor access or any other support.

SPARC requests to the Governments of Pakistan and India to amend the Passport Act and the Foreigners Act of their countries in which children should be given exemptions so that these laws can be complied with the United Nations Conventions on the Rights of the Child which both countries ratified in 1990. Crossing border and having no passport by children may not be considered offence or crime under these acts. According to the CRC, such arrest is arbitrary, which is against the essence of the juvenile justice system envisioned by the CRC and their detention beyond the time of their sentence is also illegal and violation of children's rights. Sentences under the Passport Act and the Foreigners act (inadvertently crossing border) are completely against the best interests of children. Under these acts of both countries, children of other countries have no right to legal counsel. Their sentence is a must under these acts. According to the article 37, detention must be used as a last resort, but in this case detention is final and ultimate decision and for unknown time. The CRC applies to all children everywhere irrespective of origin and nationality. Therefore, Governments of both countries may immediately release and repatriate juveniles without any delay. And, if a foreigner child has been sentenced for any reasons other than the Passport Act or the Foreigner Act may be provided councillor access at least 2 months before the completion of his sentence so that the child may go back to his home upon completion of his sentence.

[The News – April 3, 2010]

## **Government not Interested in Child Protection Bill Passage**

Society for Protection of the Rights of the Child (SPARC) has showed concern over lack of efforts on part of the government to get Child Protection (Amended) Bill 2009 through the National Assembly.

Jahanzeb Khan, the SPARC Regional Manager for NWFP said that passage of the proposed Child Protection Bill 2009 is important as future of the country's next generation is at stake. He said the previous government was going to pass the bill in 2007, but it was delayed due to a non-existing child protection policy in the country. Khan said now the government had formed the child protection policy and the proposed Child Protection (Amended) Bill 2009 had been prepared by Ministry of Social Welfare and Special Education some six months ago. He said that in spite of this, the government is still looking disinterested in tabling it in the National Assembly. He further said the coalition government should pass the bill with no further ado. He said the Child Protection Bill aimed to create a child-friendly society that placed children at the centre of development, recognised their individuality, respected and valued their voice and protected them from violence, abuse and exploitation.

In the proposed bill, he said, formation of a fully-fledged children ministry was demanded for assessing the impact of constitutional, legal, and administrative provisions on welfare and development of children. In the bill, he said, establishment of child courts was also demanded at district levels to deter child abuse in all its forms including physical violence, child mutilation, exposure to drugs, child labour etc. The bill, he said, would provide for observation of minimum age for criminal liability, prohibition of corporal punishment, elimination of sexual abuse, violence and exploitation of children besides creating a protective environment for children. He expressed concern over non-implementation of the Juvenile Justice System Ordinance (JJSO) 2000 and asked for its enforcement in letter and spirit. He said that we ask the government to ensure implementation of the laws concerning child's rights because Pakistan, being a signatory to the UN Convention of the Rights of the Child, is bound to make legislation ensuring protection of children from all forms of abuses.

[Daily Times – April 6, 2010]

## **SPARC Calls for Child Protection During Conflicts**

SPARC said that government and non-state actors international communitarian laws and Islamic injunction so that children besides women and men could be protected from the ordeal faced by them during the ongoing 'war on terror'.

According to the press release by SPARC: "Geneva Convention IV guarantees special care for children, but it is the additional Optional protocols (I) that lays down the principle of special respect and shall be protected against any form of indecent assault. The parties to the conflict shall provide that with the care and aid they require, whether because of their age or for any other reason (Art.77). This principle also applies to non-international armed conflict (Art.4, para. 3 APII).

The civil society organization also condemned the death of an innocent six-year-old schoolboy Taimur in the bomb attack on Police public School on April 19. SPARC said, "these relentless killings of human being and especially children at the hands of human beings and especially children at the hands of the non-state actors are in direct violation of the International Human Rights and Humanitarian Laws and Islamic injunctions. The attacks on residential areas, general public places and even schools and mosques are not permitted under any of the humanitarian laws and injunctions of Islam." It said the international human right and humanitarian laws are being violated on a daily basis in the name of 'war on terror' i.e. the right to life under the Universal Declaration of Human Right (UDHR Article 3), the right not to be subjected to inhuman, cruel and degrading treatment (UDHR Article 5), not to target civilian population and prohibition (additional protection Geneva Convention), children not to be separated from parents (Article 9 UNCRC), protection of children from violence and abuse (UNCRC Article 19), protection from torture, inhuman (UNCRC Article 37) and respect for the rules of international humanitarian law applicable to children in the armed conflict (UNCRC Article 38).

[Daily Times – April 22, 2010]

## **No Juvenile Court, No Free Legal Aid**

The country neither has any juvenile court nor the state is providing free legal aid to nearly 2,000 juvenile offenders in jails under the Juvenile Justice System Ordinance. This was disclosed in a one-day training workshop held at the Punjab Judicial Academy here on April 12 to give an orientation to newly-appointed civil judges-cum-magistrates on juvenile justice and child rights in general and specifically on the rights of children in conflict with law. Society for Protection of the Rights of the Child (SPARC) Executive Director Arshad Mahmood said having ratified the UN Convention on Rights of the Child, the government should bring the laws in conformity with the same. Society Board member Anis Jilani pointed out that the Juvenile Justice System Ordinance introduced in 2000 had not been

implemented till date. He said there was no exclusive juvenile court nor the state providing free legal aid to juvenile offenders as provided in the law. The state had also failed to set up borstal institutions for the child offenders and they were being sent to ordinary jails where they were at the high risk of abuse and exploitation. Former National Industrial Relations Commission Chairman Justice Munir Ahmed Mughal (Retired) highlighted the rights of the juvenile offenders in the light of Islam. He said that Islam teaches its followers to be kind and compassionate and a child in the jail should be treated as a child and not as a hardened criminal.

[Dawn – April 13, 2010]

## Minorities Rights

### Blasphemy Laws: A Fact Sheet

The draconian blasphemy laws enacted by the Ziaul Haq regime haunt the current democratic set-up as much as they do the Christian, Ahmadi and other minority communities of Pakistan. Despite demands that these laws be totally repealed, the ultra-rightist lobby prevents the taking of any daring action that would attract the anger of the mullahs. This situation must be understood in context of the fact that the enactment and acceptance of the blasphemy laws is a result of the manner in which the state of Pakistan has evolved. Their presence in the Pakistan Penal Code is rooted in the Indian Penal Code of 1860. In 1927, Section 295(a), which aimed to prevent tension between Hindus and Muslims, was added by the British to the Indian Penal Code and was with minor changes absorbed by Pakistani law after partition. The contentious sections 295(b) and 295(c), introduced during the dictatorial Zia regime, aimed to protect the holy personages of Islam, the state religion. Section 295(c), which was added by an act of parliament in 1986, made it a criminal offence to use derogatory remarks with respect to the Holy Prophet (PBUH) and made the crime punishable with life imprisonment or death.

Between 1927 and 1986 there were less than 10 reported cases of blasphemy. From 1986 onwards, however, as many as 4,000 cases have been reported. Between 1988 and 2005, Pakistani authorities charged 647 people, of which 50 per cent were non-Muslim, with offences under the blasphemy laws. More than 20 people have been murdered for alleged blasphemy. Two-thirds of all the cases have occurred in Punjab. Punjab is home to 81 per cent of the country's Christians. The seven districts that have had the most blasphemy cases are Lahore, Faisalabad, Sialkot, Kasur, Sheikhpura, Gujranwala and Toba Tek Singh. The total population of these districts is 25 million, of which five per cent is Christian. Conversely, 50 per cent of Pakistan's two million-strong Christian population lives in these seven districts, most of them in rural areas. According to the 1998 census, the population of religious minorities in Pakistan is around six million or 3.7 per cent of the total population. Hindus and Christians constitute 83 per cent of these religious minorities, with the former outnumbering the latter by a small margin. Most of the Hindu population — 93 per cent — lives in Sindh.

An analysis of 361 cases of blasphemy offences registered by the police between 1986 and 2007 shows that as many as 49 per cent were registered against non-Muslims. The high rate of cases against non-Muslims should be contrasted with the fact that religious minorities comprise less than four per cent of the country's population. Moreover, 26 per cent of the cases are against Ahmadis and 21 per cent against Christians, which is not in line with the ratios of these communities in terms of the total population (0.22 and 1.58 per cent respectively). In the 361 cases analysed, 761 people were nominated. And of these cases, over two-thirds were registered in Punjab, 15 per cent in Sindh and five per cent in the NWFP. Of 35 districts in Punjab, the police in seven districts — all in central Punjab — registered 10 or more cases between 1986 and 2007. Forty-one per cent of all cases in terms of religion were registered. Nearly 65 per cent of the cases registered were against Christians, and Muslims were nominated in 43 per cent of the cases. A total of 104 cases reached the higher courts between 1960 and 2007, out of which 91 cases were heard by the high courts in Pakistan and the AJK and the rest by the apex courts (Supreme Court and the Federal Sharia Court). Section 295(c) was invoked in as many as 41 cases. A study of the cases suggests that the blasphemy laws are invoked either when the cases have been lodged merely to settle scores, or when the issue is that of expressing one's faith, or when the accused is known to be suffering from some sort of mental illness.

Laws introduced by General Ziaul Haq that discriminate against women and non-Muslims were largely opposed by women's rights organisations. Unfortunately, some in the Christian political leadership continued to shift positions and sometimes even came to the point of defending these laws publicly. The factors that paved the way for the acceptance of the blasphemy laws and their endorsement by a particular segment of society are rooted in the evolution of the state of Pakistan and its constitutional development. Due to the demographic changes that accompanied the partition of India in 1947, the areas that now comprise Pakistan changed from hosting a multi-religious society to a largely mono-religious one. Now, the social changes that are under way due to urbanisation

are challenging the traditional class structure that, in earlier centuries, neatly defined the occupational distribution of classes and castes. The resulting fissures are creating tension between the groups and the warring sections are in search of ideologies to justify their struggle. The state's religious aspirations are being used by adventurers to fight what is otherwise a war of economic aspirations. Traditionally, minorities found refuge in liberal politics but lately liberal parties are losing the electoral battle in the decisive constituencies of Punjab. The demography of Christians

is heavily skewed in Punjab, where the PPP — having failed to comprehend the evolving new realities — is showing steady signs of involuntary withdrawal. The ascension of the PML-N will have an adverse impact on the future of minorities in the province. Given this balance sheet, the repeal of the blasphemy laws is possible only through mass awareness, organised campaigns and galvanising progressive religious leaders for the greater cause of the protection of humanity. The state needs to remain neutral and secular in its policies.

[Dawn – April 15, 2010]

## Other HR Related Issues

### **Two-Day Workshop Titled 'Police Training and Capacity Building for Democracy and Human Rights' Concluded**

The two-day planning workshop titled 'Police Training and Capacity Building for Democracy and Human Rights', concluded here at the Police Line Headquarters on April 1. The project funded by the European Commission (EC) and implemented by Plan Pakistan, in collaboration with the Islamabad Capital Territory Police. The aim of the project is at increasing the promotion and protection of human rights and child rights by the police in Islamabad. The basic target groups of this project are the Islamabad Capital Territory Police, the National Child Protection Centre (NCPC) and the Ministry of Social Welfare and Special Education.

Through the planning workshop a number of issues were highlighted that need immediate attention including an implementation mechanism to be developed for protecting the rights of women and children, the most vulnerable group; the need for a citizen police liaison group; safer public and school transportation for the children and youth and the child domestic labour issue.

In the concluding ceremony, DIG Police, Kamaluddin Tipu said that the Islamabad Police profile is a good one, and this project will further help raise the profile of our force. I would like to thank the role the European Commission and Plan Pakistan are playing to help the Islamabad Capital Territory Police into becoming a model police force in Pakistan." He said that Child Protection Units will be added to the Islamabad Police Force, which will help streamline the process of child protection. Plan Pakistan Country Director Haider Waseem Yaqub said a progressive nation is one where all the rights of its citizens are protected and practiced and we want to see Pakistan as one such nation.

[The News – April 1, 2010]

## Conflict Watch

### **Target Killings Show Swat Taliban are Back in Action**

The Swat Taliban are back: the group is selectively killing those described by a senior police official as "pro-government people" to the horror of anti-Taliban voices in the former 'valley of terror', according to police and residents. After Prime Minister Yousaf Raza Gilani ordered a military operation last year against the Taliban in Swat, strongholds of the group were dismantled, key leaders such as Muslim Khan and Mehmood Khan arrested and wanted commanders such as Bakht Farzand, Sher Muhammad, Nisar Ahmed and Muhammad Alam killed. However, the most wanted of them all, Fazlullah – also known as 'Mullah Radio' – is still at large. But since April 13, suspected Taliban have targeted and killed three anti-Taliban and pro-government locals – sending shockwaves among Swat residents, who believe the latest wave of terror would subdue voices that have always censured extremists. Former Nazim and Awami National Party leader Sajjad and his friend were gunned down in Mingora on April 13, and two days later, two gunmen shot dead pro-government defence committee chief Alamgir Khan in the Dheri area of Kabal tehsil. Another village-based defence committee chief in Kuza Bandai, Behramand Khan, has also been killed. Swat District Police Officer Qazi Ghulam Farooq has little doubt about the identity of those killing pro-government people. "Yes, the Taliban are back... targeting pro-government people," he says, reinforcing fear among the residents that the Taliban have begun picking up targets one by one. Another police official said that the men who were killed were very helpful to the government during the military operation, and I believe they have been targeted for this very reason. In all the assaults, the gunmen were aged between 25 and 30 years, according to witnesses and police sources. DPO Ghulam Farooq agrees that those targeting pro-government people are not

coming from other districts. "They are very much here, in this district," he said, adding that the latest target killing had put "renewed pressure on law-enforcement agencies and security forces... we are trying to nab these killers". Ziauddin Yousafzai, a leading anti-Taliban voice in Swat, warned that the killings could drive those opposed to the group out of the valley. "Such killings are even more terrifying than suicide blasts. Saner voices will opt to leave Swat if these killings go unpunished," he told Daily Times over the phone from Mingora. "These target killings in Swat are puzzling... the army almost wiped out the militancy," said Ziauddin.

[Daily Times – April 21, 2010]

# Governance Watch

## Political Governance

### Legislative Business

#### **The Constitution (Eighteenth Amendment) Act, 2010**

##### **President Signs 18<sup>th</sup> Amendment Bill into Law**

President Asif Ali Zardari, on April 19, signed the 18th Amendment Bill into a law, and said the doors “stand closed to dictatorship”, as “nobody could subvert the constitution now”. A simple ceremony had been organised at the Presidency to culminate the legislative process for one of the major amendments introduced by a political government over the last 37 years. Addressing the gathering, Zardari had an indirect go at the judiciary when he said, “Gone also are the days when state institutions upheld subversions ... the lesson of today is that our parliament is capable of delivering ... we can achieve so much through reconciliation and by setting aside our personal egos.” The President congratulated the nation and praised the constitutional reforms committee. He said, “Now that we have achieved a milestone in constitutional reformation, we must devote our time to the problems of the common man.” Zardari called on all political parties and leaders to unite “in the same spirit” to find a solution to the common man’s problems, and reiterated that the PPP would continue pursuing a policy of reconciliation. He thanked all political parties and their leaders for rising above party politics in finalising the reforms. Prime Minister Yousaf Raza Gilani was equally upbeat in congratulating the nation. He said, “The entire leadership deserves applause for rising above party interests for the sake of the country.” But he cautioned the political leadership, saying democracy “cannot be strengthened through words alone ... it is time to work to address challenges confronting the common man.” While Nawaz Sharif and the chief ministers and governors of all provinces attended the ceremony, Chaudhry Shujaat Hussain and Fazlur Rehman stayed away.

[Daily Times – April 20, 2010]

##### **NWFP Renaming Protests**

Protest demonstrations were staged against renaming of the NWFP Khyber-Pakhtoonkhwa in Lahore, Karachi, Peshawar, Hazara, Dera Ismail Khan, Abbotabad and Tarbela. Protesters belonging to Hazara division gathered in front of the Lahore Press Club and demonstrated against the NWFP being renamed Khyber-Pakhtoonkhwa. They demanded the government rename the NWFP as Hazara-Pakhtoonkhwa, adding that if the government could not do that, it should give Hazara the status of a province. The Hazara Qaumi Mahaz Sindh chapter’s activists took out a protest rally in Karachi and demanded a new province for the people of Hazara. HQP Sindh President Khurshid Hazarwi said the renaming issue was a conspiracy against the identity of people of Hazara. Residents belonging to Hazara gathered outside the press club and demanded a new province. In Dera Ismail Khan, Saraikistan Qaumi Movement (SQM) also protested against the new name of the NWFP.

[Daily Times – April 12, 2010]

**Six Killed as Hazara Protests Turn Violent:** Six people were killed and over 100 injured in Abbottabad when police allegedly opened fire on furious demonstrators protesting against the proposal to rename the NWFP Khyber-Pakhtoonkhwa. Hundreds of Hazara people gathered in the city chanting slogans against the government and demanding a separate province, local administration Chief Muneer Azam said. The protesters set the Cantt police station on fire, torched a police van, pelted policemen with stones and blocked various roads, including the Karakoram Highway, Azam said. Police fired tear gas shells and opened fire to disperse the crowd, as the authorities had already imposed Section 144 across the region to ban public gatherings.

[Daily Times – April 13, 2010]

##### **Islamabad High Court Revived**

The government has ordered revival of the Islamabad High Court in the light of the 18<sup>th</sup> Constitution Amendment. A notification issued by the law ministry on April 22 said that “In terms of Article 175 of the Constitution of Islamic

Republic of Pakistan, as amended by the Constitution (Eighteenth Amendment) Act, 2010, the High Court for Islamabad Capital Territory is hereby established at Islamabad with immediate effect.” The High Court will start functioning after appointment of judges. Law Minister Babar Awan said that the Chief Justice and judges of the IHC would be appointed from all units of the federation. Law ministry sources said that former IHC judges were expected to be reappointed.

The Minister said that the staffers of the high court will also be summoned to their previous posts from the surplus pool following restoration of the court. He said that besides IHC, the federal capital will have 10 special courts that would take up cases relating to environment, narcotics, labour, banking, consumer and others. The Supreme Court last year declared the Islamabad High Court as illegal, saying it had been established under the Provisional Constitutional Order imposed by former president Gen (Retd) Pervez Musharraf of Nov 3, 2007. In its July 31 judgment, the apex court had struck down the order of establishment of the IHC and reverted the judicial system to the status of Nov 2, 2007. All the judges who were part of the judiciary on Nov 2, 2007, had been ordered to return to original courts. All judges who were not part of the judiciary had been ordered to cease acting as judges. The IHC employees had been ordered back to their original positions or to the federal surplus pool. The Supreme Court, under Justice Hameed Dogar, had decided in favour of the establishment of IHC. But its creation was delayed because of a stay order issued by the Lahore High Court after its establishment was challenged. The IHC was to start functioning in Feb 2008.

[Dawn – April 23, 2010]

### **Chronology of Constitutional Amendments**

- A review of the history of constitutional amendments reveals that first constitutional amendment in the 1973 Constitution was introduced on May 8, 1974. Fourteen articles including 1, 8, 17, 61, 101, 127, 193, 199, 200, 209, 212, 259, 260 and 270, and the First Schedule were amended. Under these amendments, curbs were imposed on political parties and they were barred from indulging in activities against the national interests, besides making it mandatory on them to declare their sources of income. Under the amendments, the power to transfer judge of a high court into another high court was also obtained. After recognising Bangladesh, the word ‘East Pakistan’ was scrapped from the constitution.
- Under the second constitutional amendment on September 21, 1974, changes were introduced in articles 106 and 206. Qadianis were declares non-Muslim community and seats were reserved for them in assemblies.
- Through another amendment in the constitution on February 18, 1975 articles 10 and 232 were amended. Under these amendments the executive was authorised to arrest and detain persons involved in activities against national security for any period of time. The executive was also authorised to impose emergency in the country through the joint session of the Parliament.
- Under the fourth constitutional amendment, brought into effect on November 25, 1975, changes were introduced in articles 8, 10, 17, 19, 51, 54, 106, 199, 271, 272, 273 and the Fourth and First Schedules. Under these amendments laws pertaining to fundamental rights were diluted and high courts were barred from allowing bail to political detainees.
- The fifth constitutional amendment was introduced on September 5, 1976 in which 16 articles including 101, 160, 175, 179, 180, 187, 192, 195, 196, 199, 200, 204, 206, 212, 260, 280, and the First Schedule were amended. Through these amendments the Bhutto government badly impaired upon the working of an independent judiciary and the high court was stripped of the power to issue order on fundamental rights. Among the amended articles, 10 pertained to the judiciary.
- After one and a half months, sixth amendment in the constitution was introduced on January 4, 1977 in which alterations were made in articles 179, 195, 246 and 260. Under these amendments further curbs were imposed on the independence of judiciary and retiring age of the Supreme Court and High Court judges was fixed at 65 and 62 years, respectively.

- The seventh amendment in the constitution was made effective on May 16, 1977 under which articles 101 and 245 were altered. The prime minister was given the power of referendum to prove his popularity and judiciary was restrained from touching issues pertaining to the armed forces.
- The eighth amendment in the constitution was made on October 17, 1985 by General Ziaul Haq. Under this amendment the parliamentary system of governance was tilted towards quasi-presidential. The president was empowered to dissolve the National Assembly, appoint services chiefs of the armed forces and governors and designate the prime minister. Two power centres were created vast powers were vested in the president. Under these presidential powers, four successive elected governments could not complete their constitutional terms.
- The ninth amendment in the constitution was presented in the National Assembly in 1988 but it could not be approved.
- The 10<sup>th</sup> constitutional amendment became effective on March 29, 1987.
- The 11<sup>th</sup> amendment was tabled in 1988 but it could not be passed. In that amendment bill, the restoration of special seats for women was proposed.
- Through the 12<sup>th</sup> constitutional amendment, Nawaz Sharif established special courts to ensure speedy trial of accused involved in heinous crimes.
- The 13<sup>th</sup> constitutional amendment became effective on April 4, 1997. Through this amendment the powers of dissolving the assemblies were taken back from the president and vested in the Prime Minister. This amendment was made with mutual agreement of the government and opposition.
- The 14<sup>th</sup> amendment became effective on June 30, 1997. Through this amendment the political parties were empowered to terminate the Parliament membership of their members involved in floor-crossing in order to strengthen the political parties.
- The 15<sup>th</sup> amendment is about Shariat Bill, which was approved on August 28, 1998. Through this amendment, the Holy Quran and Sunnah were declared the guiding principles for running government. Under the banner of Islamic system, Nawaz Sharif tried to get absolute powers. This amendment was passed by the National Assembly but could not be passed in the Senate.
- The 16<sup>th</sup> constitutional amendment became effective in 1990. Through this amendment period of the quota system was extended up to 2013. Only the Muttahida Qaumi Movement (MQM) voted against the move.
- The 17<sup>th</sup> amendment became effective in December 2003 in which the president got back the powers of dissolving the assemblies and LFO was made part of the constitution. The Parliament is now abolishing the 17<sup>th</sup> Amendment.

[The News – April 6, 2010]

### **Demand for New Provinces**

**Nawaz Backs Demand for Hazara Province:** PML-N Chief Mian Nawaz Sharif on April 14 said the defeated elements were playing politics over dead bodies in Hazara division. Addressing a gathering at the residence of former Chief Minister and PML-N leader Pir Sabir Shah in Sirikot, Haripur district, he said the PML-N never deceived the residents of Hazara. Nawaz Sharif's surprise visit to Hazara was the first by a major politician after that of PML-Q head Chaudhry Shujaat Hussain. However, Nawaz Sharif didn't travel to Haripur city or Abbottabad that are simmering with protests against the renaming of NWFP as Khyber-Pakhtoonkhwa and for creation of Hazara province. Nawaz Sharif said that if a separate province is the desire of the people of Hazara, the PML-N will support their stance. Nawaz Sharif said he had time and again cautioned the stakeholders not to make the renaming of NWFP conditional to the constitutional amendment package but his warnings were not heeded to.

[The News – April 15, 2010]

**PML-Q Supports New Provinces, says Shujaat:** PML-Q on April 14 formally announced support for the demand for new provinces. PML-Q President Shujaat Hussain also announced support for the decision to divide Punjab saying, "Imbalance in Punjab is causing a strain to the federation." After the PML-Q central executive committee meeting, the party's top leadership said despite their opposition to the proposed name of the NWFP, the PML-Q would not create any hurdle in passing of the 18<sup>th</sup> Amendment Bill by the Senate. However, the party demanded Hazara Division be given the status of a province.

[Daily Times – April 15, 2010]

**Hazara Province Out of Question, says Bilour:** Senior Minister Bashir Ahmed Bilour said that the creation of a separate province for the people of Hazara is out of question. The minister questioned how the ANP could support a resolution, demanding a separate Hazara province. "It took us six decades to rename the NWFP Khyber Pakhtoonkhwa. The supporters of a Hazara province should struggle for 50 years before demanding a separate province," he said. Bilour said the ANP-led provincial government would not review the proposed name for the NWFP.

[Daily Times – April 15, 2010]

**Seraiki Province Not A Popular Demand, says Khosa:** Punjab Chief Minister's Senior Adviser Sirdar Zulfiqar Khosa has said those raising voice for Seraiki province are the 'most unpopular people of their area', implying a separate province is not a popular demand. He said that the champions of Seraiki province demand bagged just a few hundred votes. He said former Information Minister Muhammad Ali Durrani was raising slogans for the creation of Bahawalpur province after his party (PML-Q) was routed in the general election and its patron Pervez Musharraf left the country. Khosa said he did not support creation of a province on linguistic grounds, and if there was a need to set up more administrative units, constitutional method should be followed which included nod of the assembly by a two-thirds majority or a referendum. He said Seraiki was a language spoken in parts of southern Punjab, Sindh and the Khyber Pakhtoonkhawa, while other ethnic groups like Syeds, Balochs, Gujjars, etc, also resided in the region. He said PML-N Chief Nawaz Sharif had already said that new provinces could be created on people's demand, but a constitutional way needed to be followed in this regard.

[Dawn – April 16, 2010]

### **Constitution Doesn't Block New Province's Creation: Experts**

The NWFP legal experts have said that there is no bar in the Constitution to for formation of a new province; but forming a new province, amendments should be brought in the Constitution. Supreme Court's senior lawyer Barrister Baacha said that there is no proper procedure for formation of a new province in the Constitution. But amendments to the constitution for formation of a new province are a must. He quoted Article 1 of the Constitution reading: "The territories of Pakistan shall comprise of provinces of Balochistan, NWFP, Punjab and Sindh; the Islamabad Capital Territory, hereinafter referred to as the federal capital; the FATA and such states and territories as are or may be included in Pakistan whether by accession or otherwise. Majlis-e-Shoora (Parliament) may by lay admit into the federation new states or areas on such terms and conditions as it thinks fit." Senior lawyer Mohammad Essa khan, also Peshawar High court Bar Association (PHCBA)'s former secretary general, also backed Barrister Baacha saying that there is no procedure in the Constitution specifying territory or resources require for formation of a province. He said that for formation of new province, only amendments were required in the Constitution to be passed by the parliament by two thirds majority. However, both the legal experts said that formation of a new province was not in the interest of the common people and only few political parties would gain benefits from the formation by getting posts of governor, chief minister and ministers. In case of formation of a new province, further taxes would be imposed on the people of Hazara and thus they would be in loss and only political parties would get benefits in the form of top posts, they added.

[Daily Times – April 15, 2010]

## **ECP & Election Updates**

### **By-Elections**

#### **Gilani's Brother in Run for NA-178**

PPP has decided to award by-election ticket for NA-178 to Syed Ahmed Mujtaba Gilani, the brother of Prime Minister Syed Yousuf Raza Gilani. The seat fell vacant when MNA Jamshed Dasti resigned for possessing a fake BA degree. Local PPP MPA Irshad Sial and district PPP acting President Ashiq Baloch also confirmed the decision, while Jamshed Dasti said he was in Islamabad to meet the prime minister and the president to get the ticket for himself. He admitted that he was facing a problem in getting the PPP ticket.

[Dawn – April 9, 2010]

### **NA-167 and PP-63 By-Poll: PML-N Using Govt Machinery: PPP**

PPP has alleged that the Punjab Government is 'overtly supporting' PML-N candidates in NA-167 and PP-63 constituencies where by-polls are scheduled to take place on May 15. The PML-N is using government machinery in these constituencies in order to secure a victory. This is immoral and undemocratic on part of the PML-N," PPP Punjab Secretary General Samiullah Khan said. Flanked by Usman Malik and Dr Hasnat, Khan said the PML-N gave ticket to Mian Ajmal Asif in PP-63, Faisalabad, who was elected on a PML-Q ticket in the Feb 2008 election. He said the PPP gave ticket to its Punjab president Rana Aftab Ahmed Khan. He said it seemed that the PML-N forgot that Asif was a remnant of the Musharraf regime. "Law Minister Rana Sanaullah said in a public meeting in Faisalabad that it was not a contest between Rana Aftab and Ajmal Asif, but Asif Ali Zardari and Nawaz Sharif. It means the law minister is equating Sharif with Musharraf," Khan said and asked the PML-N leadership to take note of Sanaullah's statement. He advised the law minister to control his emotions.

[Dawn – April 28, 2010]

### **Resignations on Fake Degrees: May 15 By-Poll to Cost Exchequer Rs12m**

According to the Election Commission (ECP) of Pakistan, the by-election to each National Assembly seat costs the exchequer Rs4 million and that of provincial Rs2million. The ECP will be spending Rs12 million on May 15 when he by-poll to two NA and as many PA seats is held.

The by-poll to these seats — NA-167 (Vehari), NA-178 (Muzaffargarh), PP-259 (Muzaffargarh) and PP-63 (Faisalabad) — is being held on identical reason, that is, the fake degrees possessed by 2008 general election winners. But to the utter surprise of the general public the two major parties, PPP and PML-N, have adopted these 'cheats' and fielded them again. The PPP fielded Jamshed Dasti from NA-178, Nazir Jatt from NA-167, Allah Wasaya alias Chunnu Leghari from PP-259 while PML-N picked Mian Asif Ajmal for PP-63.

An ECP official told that though there is no provision in the ECP rules to bar a candidate from re-contesting in case he or she has to vacate the seat for possessing fake graduation degree, a rival candidate can challenge the qualification of such a candidate before a returning officer. The PPP is of the view that there is no question of 'moral grounds' in awarding a ticket to such candidates as degrees have nothing to do with politics while the PML-N claims that it will not have awarded a ticket to its party candidate if such a situation has arisen.

[Dawn – April 13, 2010]

### **Gujrat Re-Poll Plea Rejected**

Chief Election Commissioner (CEC) Justice (Retd) Hamid Ali Mirza on April 21 dismissed a petition seeking declaration of bye-elections for PP-111, Gujrat, as void and for re-polling in the constituency. The petition was filed by Mian Imran Masood, who alleged massive rigging and irregularities after losing the election. The CEC, rejecting the petition, said that the allegations were outside the remit of the commission.

According to sources, the brief order dictated by the CEC in his chamber advised the petitioner to seek remedy from the Election Tribunal. The CEC gave no hint as to what would be the fate of the petition and merely said: "I have heard both sides. Let me see in my office what to do." Many believed that the judgment would be reserved. Four contesting candidates appeared before the CEC, complaining about scanning machines that had been placed at polling stations by the Punjab government without the permission of the Election Commission. They said the introduction of machines disturbed voters and thousands of them could not exercise their right to vote.

[Dawn – April 22, 2010]

## **Economic Governance**

### **Facts & Figures on Pakistan's Economy**

#### **Federal Revenue: FBR Posts 11% Growth in July-March 2009-10**

The Federal Board of Revenue (FBR) has posted a growth of 11.1 percent in the federal revenue with a total net collection of Rs 905 billion during the first nine months from July to March of the ongoing fiscal year 2009-10 as compared with Rs 815.107 billion in the same period of last fiscal year 2008-09. To meet the annual tax collection target of Rs 1.380 trillion, the FBR is faced with a collection target of Rs 475 billion in the last quarter April to June of the ongoing fiscal year with per month collection of Rs 158 billion. The FBR hopes that advance tax due by April

15 and June 15 would help it to post a handsome total by the end of the ongoing fiscal year and FBR has plans to generate Rs 27 billion enforcement of all taxes to ensure meeting annual tax collection target.

Net collection of direct taxes amounted to Rs 338.163 billion as compared with Rs 307.580 billion in the last fiscal year, projecting an increase of 9.9 percent. Indirect taxes collection posted a growth of 11.7 percent with total net collection of Rs 567.075 billion in July to March of this fiscal year as compared with Rs 507.527 billion in the same period of last fiscal year. In the indirect taxes side, the collection of general sales tax (GST) remained at Rs 371.30 billion in July to March as against the GST collection of Rs 321.137 billion in the same period of last fiscal year, projecting an increase of 15.6 percent. GST collection at import stage amounted to Rs 172.899 billion in July to March of this fiscal year as compared with collection of Rs 147.277 billion in the same period of last fiscal year, projecting an increase of 17.4 percent. GST collection at domestic activity amounted to Rs 198.401 billion as against Rs 173.860 billion in the same period of last fiscal year, indicating an increase of 14.1 percent. Federal excise duty's (FED) collection amounted to Rs 84.091 billion in the first nine months of the ongoing fiscal year as compared to the collection of Rs 80.999 billion in the same period of last fiscal year, reflecting an increase of 3.8 percent. FED collection at import stage amounted to Rs 9.4 billion and domestic collection at Rs 74 billion. Customs duty collection in July to March of the ongoing fiscal year has been recorded at Rs 111.684 billion as against Rs 105.391 billion in the same period of last fiscal year, indicating a rise of 6 percent.

The FBR has paid refunds and rebates to the tune of Rs 54.760 billion that included Rs 35.497 billion income tax refund, Rs 14.683 billion GST refund, Rs 25 million FED refund and Rs 4.555 billion customs duty rebate in July to March of 2009-10. FBR had paid refunds and rebates to the tune of Rs 55.861 billion in the said period of 2008-09 that included Rs 29.477 billion income tax refund, Rs 19.413 billion GST refund, Rs 25 million FED refund and Rs 6.946 billion customs duty rebate. The collection in March 2010 amounted to Rs 113.830 billion as against the collection of Rs 107.122 billion in March 2009, reflecting an increase of 6.3 percent. However, the FBR authorities are confident that after reconciliation of final figures the final collection for March 2010 would touch the figure of Rs 118 billion as against the target of Rs 120 billion. According to the break-up of collection of Rs 113.830 billion in March 2010 as of April 6, 2010, the FBR had collected Rs 45.855 billion as direct taxes, Rs 42.267 billion GST, Rs 9.415 billion as FED and Rs 16.284 billion as customs duty.

[Daily Times – April 9, 2010]

### **July-March Domestic Debt Rises: SBP**

The Country's outstanding stock of domestic debt surged by 19.48 per cent to reach Rs4.49 trillion at the end of March, as compared with Rs3.75 trillion during the corresponding period last year, said the State Bank of Pakistan (SBP) on April 20. This phenomenal rise in the domestic debt is attributed to the net external financing due to lower-than-expected disbursement of pledged foreign financing and increase in the external debt repayment on maturing stocks of the foreign currency bonds. A slightly higher than the projected fiscal deficit and the virtual halt with the budgeted external financial put pressure on the domestic source of financing to finance the budget deficit, according to the **Second Quarterly Report of the Central Bank**. Consequently, the structure of domestic debt changed significantly with increase in the share of scheduled banks and non-bank debt in total domestic debt, the State Bank said. The outstanding stock of permanent debt went up by 18.23pc to Rs771.2bn during July-March 2009/10, as compared to Rs652.3bn over the corresponding period last year. Pakistan Investment Bonds (PIBs) retained its dominant share in the outstanding stock of permanent debt with Rs493.4 billion against Rs421.3 billion a year ago. Floating debt rose by 19.56 per cent during July-March FY10 to Rs2.299 trillion in FY10, as compared to 1.923 trillion during the corresponding period last year, the central bank said. The unfunded debt depicted an increase of 20.18 per cent to reach Rs1.411 trillion in FY10, as compared to Rs1.174 trillion during the corresponding period last year. The outstanding stock against major National Savings Scheme instruments recorded a positive growth except for Defence Savings Certificate, which was recorded at Rs222bn in FY10, as compared to Rs268.9 billion during the corresponding period last year.

[The Nation – April 21, 2010]

### **ADB's Asian Development Outlook 2010: ADB forecasts Modest Economic Growth of 3pc in Pakistan**

The Asian Development Bank (ADB) has forecast Pakistan's economic growth rate to improve modestly, to 3 per cent, but fiscal deficit could shoot beyond revised estimate of 5.1 per cent in case of further shortfalls in tax and non-tax revenues. In its flagship the Asian Development Outlook 2010 released on April 13, the ADB said the country faced three connected development challenges – that of weak fiscal situation, low growth and competitiveness. The country's economy is forecast to grow by 4 per cent next year. In comparison, China and India would grow by 9.6 per cent and 8.2 per cent, respectively. The first challenge for Pakistan is its weak fiscal

situation, marked by underperformance in government revenue over the years. The second is low growth and the challenge to revive it so as to create jobs and reduce poverty. The third is to improve the competitiveness of the economy so as to expand exports, sustain growth and avoid balance-of-payments problems in future. The macroeconomic imbalances have narrowed and economic fundamentals have improved, but the security environment and ongoing power crisis are both burdening the fiscal situation and obstructing a growth revival.

The economic revival, the report said, would depend on successful completion of the current IMF programme by the end of 2010, "faster implementation of structural reforms to strengthen revenue mobilisation, eliminate electricity outages, and transform the industrial and export sectors. "Rapid fiscal improvements are also needed to underpin recovery, sustain public sector development programme and prevent crowding out of the private sector." The modest growth recovery, the bank said, was backed by a slight recovery in manufacturing as a result of higher production of cement products for the local market and stronger domestic demand for automobiles. "Textiles manufacturing, however, has continued to contract on account of lower cotton availability, electricity and gas shortages, and poorer relative product competitiveness in international markets." The Bank said agricultural growth in fiscal year 2010 is set to remain below the government's target owing to lower than targeted production of most major crops, such as sugarcane and cotton. Wheat production will also be less than the target of 25 million tons due to water and seed shortages, delayed sowing and higher input costs. Slower growth in agriculture, only a modest recovery in manufacturing and continued contraction in imports will all continue to drag down wholesale and retail trade. Following strong years of growth, telecommunication service providers too will need to consolidate operations while financial services will perform better because of better spreads. The services sector overall will grow only moderately, the ADB said.

[Dawn – April 14, 2010]

### **Channeling Remittances Flow Key Challenge for Pakistan**

Channeling the flow of remittances towards the long-term investment remains a key challenge for Pakistan, which will contribute towards sustained growth in the real-sector and guide the economy away from the consumption-led growth, according to a recent report issued by the Asian Development Bank (ADB). Several key measures that have been seen across the developing world have also been considered for the Country.

First, it is suggested that the fiscal incentives may be provided to the returning migrants who wish to set up small-and medium-scale businesses. These may take the form of tax breaks or other related initial concessions. The Bank has also proposed that to ensure future remittance cash flows, a special exchange rate may be offered on remittances arriving in special savings accounts in the domestic financial institutions. The banking sector should be more proactive to increase the speed and certainty of remittance transactions to encourage more migrants to send their money through official banking channels. This will help develop the financial sector of the economy and contribute to the stability of macroeconomic fundamentals, in particular, the balance of payments. It is also a challenge for the government to make remittances more redistributive by making the tax system more progressive to help low-income households, the report said. However, the tax structure related to remittances should provide incentives for migrants to send more through the formal channels.

The Asian Development Bank is of the view that reduction in the remittance flows by 50 per cent will help reduce domestic demand. The Bank said the total real investment is reduced by 7.7 per cent and total imports decline by 6.4 per cent. The latter is due to reduced foreign exchange availability in the domestic economy.

Exports increase by 10 per cent to partly compensate for the reduction in the domestic demand of goods. As a result, the overall GDP declined by 0.7 per cent. The impacts across various households show a significant decline in the overall consumption, with the largest reduction seen for rural non-farm poor households (3.5 per cent). The least affected is the urban non-poor households whose consumption declines by only 1.1 per cent. In terms of poverty affect, the urban population seems to be less affected, while farmers, especially the landless, are badly hit by the drop in remittances. This shows the strong link between migrants and farmers, which is unique for Pakistan.

This further highlights the fact that many migrants are still non-skilled workers coming from agriculture backgrounds. Looking at the impacts on poverty indicators, the report suggested 50 per cent reduction in remittance flows. The headcount ratio will increase by 6.4 per cent, while the poverty gap and severity of poverty index will go up by around 6 per cent, the report added.

[The News – April 8, 2010]

## **Public Sector Development Programme (PSDP)**

### **Next Year's PSDP may be Slashed by 30pc**

Facing serious fiscal constraints, the government has firmed up a Rs310 billion federal Public Sector Development Programme (PSDP) for the next financial year, almost 30 per cent less than current years' budgetary allocation of Rs446 billion. According to sources the federal outlay for the development programme had been set at Rs300 billion. Another Rs10 billion has been earmarked for the Earthquake Reconstruction and Rehabilitation Authority against its Rs25 billion block allocation for the current year, down by 60 per cent.

More importantly, the sources said, there would be no allocation to the provinces for development schemes in the next year's federal PSDP because of significantly higher provincial shares in federal resources under the National Finance Commission award and transfer of major responsibilities to the provinces. The federal government approved Rs200 billion for the provincial PSDP this year. The sources said the government was expected to achieve a growth rate of about 3.3 per cent this year because of a surge in industrial production in recent months despite slightly lower than anticipated wheat output. The government, they said, would set the GDP growth target of 4.2 per cent for the next year. The sources said that it was perhaps for the first time that an allocation ceiling indicated by the ministry of finance at Rs300 billion for the federal development programme was fully adhered to by the Planning Commission.

Priority committee's meetings this year with line ministries and provincial governments were also attended by federal secretaries for finance, economic affairs and Planning Commission to make development allocations more realistic. They were of the opinion that there was no point in announcing big budgetary allocations for development in the budget and then curtailing it to Rs250 billion from Rs446 billion this year. The federal government is considering not to convene the traditional meeting of the Annual Plan Coordination Committee (APCC) ahead of the National Economic Council (NEC) to approve development and annual plans for next year because of the diluted role of provincial ministers for development and finance in the federal decision-making for development. As a matter of principle, development projects will not be taken in hand next fiscal year, except for those considered to be "extremely crucial". The federal government will not start projects in areas transferred to the provinces, except in a couple of areas like the national literacy programme and poverty reduction schemes like the Benazir Income Support Programme. The sources said that the schedule for meetings of APCC and NEC had not yet been finalised because of indecision about the date for announcement of the federal budget. They said there were indications that the finance ministry might delay the 2010-11 budget to June 12, instead of the original deadline of May 29. This means that the NEC meeting would be held between May 29 and June 2. In the past, the Planning Commission used to seek much higher allocations for development than resource availability shown by the finance ministry. The commission last year had sought over Rs800 billion for development which was later curtailed to Rs446 billion and that too with an operational shortfall of Rs25 billion. The sources said the government's fiscal space had been constrained by rising security expenditures, debt-servicing costs and requirement of additional Rs132 billion for increasing salary and pensions of government employees by 15 per cent. They said the government was unlikely to take up monetisation of housing, transport and medical allowances next year as recommended by the Pay & Pension Commission because of limited fiscal resources. The sources said that the Planning Commission and the ministry of finance had prioritised development spending for the next year in a cascading manner during finalisation of PSDP. This meant that maximum funds would be provided to projects which were near completion, followed by projects with 50 per cent completion and then 30 per cent completed work. The sources said the government would announce a three-year medium-term budgetary framework with broader fiscal allocations and sectoral targets that would dovetail with the five-year development plan (2010-15) to be rolled out along with the 2010-11 budget.

[Dawn – April 27, 2010]

## **Donors' Financial Assistance**

### **Four German Firms May Invest in Renewable Energy'**

German Ambassador to Pakistan Michael Koch on April 15 was confident that four out of nine German private companies would make investment in the renewable energy sector. Nine private German companies were on a visit to Pakistan from April 12 to 14 and met investors both at private and public level in the field of renewable energy sector. The Envoy said the initiative of renewable energy was the best guarantor of energy across the globe and particularly for Pakistan. Both the industrial and developing countries could benefit from renewable energy. Pakistan could save its precious foreign exchange over imports of furnace oil for power generation. Energy was pre-requisites for economic development and unfortunately Pakistan was confronting severe energy shortfall, he added. Due to better climate conditions, Pakistan had waste potential for generating power through renewable

sources. The Envoy claimed that both Pakistan and Germany have strong bilateral cooperation and Germany provided financial and technical support to Pakistan. The current business delegation was purely on private bases and the German embassy was just facilitating them. Out of the outgoing nine companies' delegations of German investors, about four investors were seriously considering to invest in renewable energy sector of Pakistan.

Answering a question, Koch said there was security concerns in Pakistan and mostly foreign investors were reluctant to invest but there was over 160 million huge population market. Although, he said there was risk but the market was good and the government assured full guarantee for all foreign investors including the ones from Germany. Pakistan and Germany have signed Pak German Business Investment Treaty for safety of investors of both countries. He also said that a company has signed an agreement on wind power project in Sindh and soon it would bring investment in Pakistan. He claimed that renewable technologies were 21st century technology and switching over from traditional method of getting energy to renewable would benefit every country particularly Pakistan. About power generation potential, the envoy said Pakistan had the capacity of hydropower generation of 41,000 megawatts (MW), 34,600MW through wind and 2.9 million MW power generation from solar sources. Alternate Energy Development Board (AEDB) CEO Allauddin speaking on the occasion said 50MW power generation through wind sources was already signed with Fauji Fertilizer Company. He also claimed that about 200MW power generation through renewable resources would soon be added to the national grid station. The government had already announced attractive incentives for foreign investors including one-window facility for them. About tariff determination for renewable power generation, the CEO said AEDB could not establish tariff but NEPRA could. Initially, the NEPRA announced 15 percent return for power generation through renewable resources, which later on increased to 17 percent.

[Daily Times – April 16, 2010]

### **IMF & Pakistan: Some Key Issues & Problems**

The International Monetary Fund's (IMF) board will likely to meet in mid-May to consider the next tranche of Pakistan's \$11.3 billion loan. The IMF's board had originally been scheduled to meet at the end of March to approve the next portion of the emergency package, which was first agreed in November 2008. However, differences over several issues, such as an increase in the power tariff and implementation of a Value-Added Tax (VAT), have delayed approval of the tranche. Here are some questions and answers about Pakistan's IMF loan:

What is the background to the IMF loan?

Pakistan turned to the IMF for an emergency package of \$7.6 billion in November 2008 to avert a balance of payments crisis and shore up reserves. The loan was increased to \$11.3 billion in July last year and the central bank received a fourth tranche of \$1.2 billion on December 28. The fifth tranche, due since the end of March, will be for the same amount.

What are the problems?

A new VAT is one of the main issues of contention. The IMF required Pakistan to submit a VAT law to parliament by the end of last December, and implement it by July 1. There have been differences between the provincial and the federal governments on the mechanism for collection of VAT, and they have yet to be resolved. The government has introduced the VAT law in parliament, but it has yet to be approved. While the government has assured the IMF that VAT would be implemented by July 1, most analysts see that as unlikely. In addition to the differences between the federal and provincial governments, the technical and administrative apparatus for implementing the VAT is not ready. There seems to be a lot of confusion among the public, as well as officials and analysts on the mechanism and impact of VAT. The government has yet to finalise the rates for the proposed VAT. Under the IMF programme, Pakistan is also required to increase the power tariff by April 1, but that deadline has passed. The government had already raised electricity charges by more than 16 per cent since October, but the IMF is seeking a further hike. Pakistani officials say they have managed to convince the IMF that the power tariff can only be raised again once the government is able to reduce lengthy power cuts. The increase, whenever it takes place, would be implemented retrospectively from April 1 to meet the IMF condition, they said.

Further waivers sought?

Pakistan is likely to have missed its fiscal deficit target for the third quarter ended on March 31 because of higher expenditure, particularly on security, and is likely to ask for a waiver from the IMF, officials and analysts said. Pakistan missed its quarterly budget deficit target for the July to September period by three-tenths of one per cent of the GDP. The IMF Executive Board had approved Pakistan's request for a waiver on the budget target for the

quarter. The government also did not meet its target of zero net borrowing from the State Bank of Pakistan for the nine months ending on September 30, and is likely in the direction of ask for a waiver.

Is the tranche in danger?

Unlikely. While analysts are of the view that the government is coming under increasing pressure from financial institutions, there appears to be some flexibility on the part of the IMF, which understands the important US security ally is in a tight political and fiscal spot. The next tranche will most likely be approved in the upcoming board meeting. However, there seems to be growing concern among officials and analysts on the fate of later tranches. While the United States seems to be supporting Pakistan, there seems to be a consensus at the IMF that the implementation of VAT was “absolutely necessary” for future tranches, said a senior Pakistani government official.

There is very little chance that Pakistan will be able to meet the July 1 deadline for VAT to be fully in place, though gradual implementation as soon as possible may strengthen its case for future installments of the loan. Raising electricity tariffs at a time when there is an acute energy shortage across the country may not be a good political move. These two major issues, if not resolved quickly, may lead to further troubles with the IMF in future.

[The News – April 28, 2010]

## Local Governance

### **Social Audit of Local Governance and Delivery of Public Services 2009-10**

#### **Social Audit of Local Governance Report Launched**

Majority of the population was found in favour of the local government system in a survey conducted in 100 union councils, 71 tehsil or town councils, and 21 district councils. The survey makes part of the report titled ‘Social Audit of Local Governance & Delivery of Public Services 2009-10’, jointly launched by Devolution Trust for Community Empowerment (DTCE) and United Nations Development Programme (UNDP) on April 20. Chairman DTCE Daniyal Aziz presided over the launching ceremony while Country Director UNDP Toshihiro Tanaka was the chief guest on the occasion.

In her presentation on the report’s salient features, social audit expert Dr Isha said the Social Audit 2009-10 is predominantly a survey conducted to measure the state-citizen relationship and the provision of social services under the local government system during 2005-09. “It presents views of local elected representatives and government officials on the delivery of public services,” she added. At least 12,000 households and representatives from 100 union councils, 71 tehsil or town councils, and 21 district councils were interviewed to collect data in all four provinces. A comparison with the earlier two social audit surveys, conducted in 2001-02 and 2004-05, has also been included in the latest survey. The respondents included both men and women representing their households. The survey shows 31.2 per cent households in the very vulnerable category whereas 42.9 per cent were vulnerable. Majority of the household respondents upheld the continuation of the local government system. At least 75.5 per cent of the household respondents across the country were in favour of voting in the next local government polls whenever held. The survey shows an overall good performance related to the local governance system. Dr Isha said the analysis and results of the survey would inform the people about the past and present state of affairs in local governments. “It will also provide input to the decision-makers and governments on the need and structure of local governments that serve the people at grassroots better,” she said.

Speaking on the occasion, Chairman DTCE Daniyal Aziz said during the past seven years from December 31, 2003 till the passage of the 18th Amendment recently, the entire spectrum of Pakistan’s political parties have come together to say that there must be an effective and empowered local governance system in Pakistan. Appreciating all the political parties, NGOs and stakeholders, he said all have reached a consensus that the Pakistani government should deal with its people in a democratic way and not in a colonial way. He also praised the role of the international community for providing an overall support to the local governance system in the country, adding that the real problem lies with provincial autonomy and not local governance. “Devolution is not an issue related to the local government system, but it is a system that needs to nurture over the times. We are successful that all parties have supported the LG system in the 18th Amendment,” he added.

Speaking on the occasion, Country Director UNDP Toshihiro Tanaka said though there are many other means of evaluation and analysis, it is believed that the social audit serves as a powerful tool to promote democratic and participatory governance as well as the human rights based approach by systematically collecting the voices of citizens to interact with policy makers, local government officials and service providers. He stressed the need for an

effective communication strategy in disseminating the report findings and the voices from grassroots, adding that all findings of the social audit should be openly and clearly communicated to the general public, policymakers, elected representatives and civil society.

<b>Continuation of the Local Government System</b>			
	<b>In Favour</b>	<b>Not In Favour</b>	<b>Indifferent</b>
Balochistan	44.9	46.4	6.9
NWFP	47.5	48.9	2.9
Punjab	60.6	30.1	8.5
Sindh	51.1	44.8	3.8
Pakistan	55.7	37.2	6.4

<b>Continuation of the Union Councils in the Next Elections % Households</b>			
	<b>In Favour</b>	<b>Not In Favour</b>	<b>Indifferent</b>
Balochistan	67.2	30.3	1.5
NWFP	63.6	34.8	0.9
Punjab	79.2	17.4	2.8
Sindh	74.6	24.3	0.5
Pakistan	75.5	22.1	1.9

[The News – April 21, 2010]

## **Local Government Elections**

### **LG Elections after Budget: Punjab LG Minister**

Punjab Local Government Minister Dost Muhammad Khosa has said party-based LG elections will be held after the approval of a draft law from all the four provincial assemblies and presentation of the annual budgets. The Provincial Minister said that urban and rural union councils would be bifurcated before the elections. He said the aim of the Chief Minister was to convert every city of the province into a model one and, in this regard, funds were being provided to backward areas on a priority basis. He said offers of private firms from China, Iran and Turkey to install water purification plants were being examined by the provincial government. He said the supply of clean drinking water at the union council level would be ensured to protect citizens from the water-borne diseases. He said due to the poor economical condition of the country, the provincial government was facing difficulties in arranging funds, but the situation had improved and funds were being provided for the completion of mega projects on a priority basis. Now it was the responsibility of the departments concerned to complete their projects as early as possible to provide relief to the masses, he said.

[Dawn – April 22, 2010]

### **JI Calls for LG Elections in NWFP Without Delay**

Jamaat-e-Islami NWFP Ameer Prof Muhammad Ibrahim Khan has demanded that the government announce holding of local government elections in the province if it believes in the supremacy of law and Constitution. Addressing Local Government Convention of Jamaat-e-Islami at Markaz-e-Islami on April 18, he said that the country was governed against the Constitution. He said the Constitution didn't allow appointment of administrators. He demanded early announcement of the schedule for local government elections. He further said that we want the Government to complete its five year term in office but it acting against itself by violating the Constitution. Professor Ibrahim claimed his party was prepared for local government elections whenever they were held. He said they would mould public opinion through democratic means.

[Daily Times – April 19, 2010]

## **Local Government Convention**

### **Local Govt Convention: No Future of Dynastic Politics, says Daniyal**

Former Chairman of the National Reconstruction Bureau (NRB) Daniyal Aziz has predicted no future of 'politics of legacy or inheritance' in the country.

Daniyal said that a new political era is emerging and the future politics will be of the local government system, based on principles of devolution of powers at grassroots level. Urging the former nazims, their deputies and councillors to forge unity in their ranks at district, tehsil, town and union council level, the former NRB Chairman asked them to start preparation for the next local government elections.

“It is the outcome of our struggle that Article 140 (A) was not excluded from the Constitution and local government elections will be held under the Election Commission and not provincial authorities, in spite of reservations of Punjab and other provinces,” he said while appreciating all the political parties, NGOs and stakeholders for reaching a consensus that the government should deal with its people in a democratic way. “Devolution is not an issue related to the local government system, but it is a system that needs to be nurtured over the time. We are successful because all parties have supported the system in the 18th Amendment,” he added.

He said dissolution of local governments and appointment of administrators by the Punjab and Sindh governments was a step towards grabbing the funds and spending the same according to rulers’ will instead of utilising them for the poor.

LCAP president and former Lodhran tehsil Nazim Syed Asghar Husain Shah Gilani said the former Nazimeen, their deputies and councillors from all over the Punjab had been united and started ground work for the next local elections.

He said the LCAP was formed to strengthen the local government system, and was not affiliated with any political party.

Provincial director Anwar Husain spoke about the role of LCAP in mobilising public opinion about the local government system by providing a platform to all stakeholders.

Javed Hasan of the Devolution Trust for Community Empowerment said instead of inviting foreigners to observe and monitor local elections, the task should be given to LCAP.

Salman Abid of Strengthening Participatory Organization said stress should be on elections for local governments and not councils at the earliest.

Tanvir Iqbal of Pattan Development Organisation said changes to 2001 LG law were aimed at promoting the role of bureaucracy.

## Regional Politics & Election Watch

### Pakistan's Foreign Relations

#### SAARC Summit

##### **Gilani Urges SAARC to Ensure Judicious Water Management**

Pakistan has asked for regional cooperation for water conservation and water management that may be instituted together with programmes for watershed rehabilitation on major South Asian river systems. Prime Minister Syed Yousuf Raza Gilani floated the idea on the forum of South Asia Association for Regional Cooperation (SAARC) when he addressed the 16<sup>th</sup> summit of the organization, leading country's delegation here at the Bhutan Grand Assembly Hall. All the SAARC heads of state/government including Indian Prime Minister Dr Manmohan Singh were present. Prime Minister Gilani said that we must work towards concluding Regional Inter-Governmental Framework Agreement on Energy Cooperation. Saarc should be a catalyst in harnessing indigenous sources of energy. I can visualize the benefit to our region from Bhutan's hydro-electric potential.

The Prime Minister of Pakistan said that terrorism has affected our region and impacted each one of us. "This toxic brew, under the garb of diverse ideologies and diverse agendas, has taken root. Terrorism is a phenomenon that is global, regional and local, trans-national and trans-regional. It has roots in history, in economic neglect and injustice. We need to join hands to fight it individually and collectively. Against forces of extremism and intolerance, we need to forge a common front, based on tolerance, on respect for human dignity and universal values," he reminded. Syed Yusuf Raza Gilani said that a dispassionate reflection on SAARC performance during the past 25 years is certainly warranted. For many years, real progress remained stalled due in part to hesitancy borne from historical legacies, differences and disputes. However, the past could not obfuscate the promise of a glorious future. The whole-hearted commitment of the member states to the goals and objectives of SAARC remained robust. The future beckons us to accelerate the process of regional cooperation; to deepen and broaden the SAARC enterprise. He stressed the need of devoting attention towards development and progress and said that the over-riding priority for our region is development. This certainly is Pakistan's priority. To realize socio-economic development and ensure the well being of our people, we need to create harmony and stability. Peace and stability at home and in the region is an indispensable condition for development, he said.

Yusuf Gilani said that the theme of the Summit reflects our common concern on global warming, with all its attendant and multifaceted challenges. Our region, with its widespread poverty, agrarian base, stressed water resources, varying food productivity, and susceptibility to natural disasters, is particularly vulnerable to the vagaries of weather. We must focus on sharing best practices and pool our resources to adopt region wise mitigation and adaptation measures. We must develop mechanisms to address our carbon footprints, in a manner that does not jeopardize our growth and development prospects. We must also evaluate and take requisite steps to preserve the region's eco-system and precious water resources. Pursuant to the Agreement on Environment, a Joint Saarc Study on Himalayan Glaciers may be commissioned.

The Prime Minister said that Pakistan welcomes the inauguration of the Secretariat of the SAARC Development Fund in Thimphu. This step would allow effective utilization of the Fund, to the benefit of the peoples of the region, he said. He said that the security is of environment and energy; of food and water; security from terror and conflict, and from want and poverty. Security within national frontiers and security without is essential. Only when we refuse to be held hostage to history, only when we sincerely and assiduously work to build trust, resolve disputes, bridge perceptions and see merit in an enlightened collective self-interest, will we be able to unleash our latent potential.

[The News – April 29, 2010]

##### **Call for Joint SAARC Action on Water Crisis**

Foreign Secretary Salman Bashir said that South Asia needed a regional approach to effectively tackle water issues. Addressing the 37<sup>th</sup> session of the Standing Committee of the SAARC in Thimphu (Bhutan), he said South Asia had become a water-stressed region and should adopt a regional, cooperative approach to address the issues of glaciers, water management and pollution on an urgent basis. The Foreign Secretary said SAARC should accord priority to poverty alleviation and try to achieve its development goals through effective implementation of the

SAARC Social Charter. He said there was agreement among Saarc countries to focus on harnessing indigenous sources of energy, including solar, wind, bio and hydel, and for strengthening the regional energy-related institutions. He said Pakistan supported a proposal to strengthen the SAARC Energy Centre and implement a project for energy efficiency and promotion of renewable energy.

The Foreign Secretary said that in view of seasonal food deficits and surpluses in the region, SAARC needed to explore the possibility of launching joint ventures in agriculture and food security. Some of the projects, he said, could be financed by the SAARC Development Fund. Mr Bashir said that early setting up of a SAARC food bank would be a milestone. He said Pakistan was implementing the South Asian Free Trade Agreement and would support additional trade facilitation measures. He said Pakistan also supported cooperation among member states in the services sector. The signing of the SAARC agreement on trade in services during the coming summit will be a step in the right direction. The Foreign Secretary said the SAARC visa regime should be reviewed to address difficulties in enhancing cultural and people-to-people interaction. He said terrorism had acquired local, regional and global dimensions and it could only be tackled through cooperative efforts. He said Pakistan was committed to combating terrorism in all its forms and manifestation. Mr Bashir said Pakistan had taken measures and enacted several legislations to combat terrorism and drugs and human trafficking. He said the Declaration on Cooperation in Combating Terrorism adopted at a Saarc meeting in Colombo in February last year should be adhered to.

[Dawn – April 26, 2010]

## **Nuclear Security Summit**

### **Pakistan Makes Surprise Offer of Nuclear Fuel Services**

Pakistan has said that it has acquired advanced nuclear fuel cycle capability and can offer it to the rest of the world under IAEA safeguards. The offer, contained in a national statement presented at a two-day summit which concluded in Washington on April 13, reflected Islamabad's desire to gain recognition as a nuclear state. "As a country with advanced fuel cycle capability, Pakistan is in a position to provide nuclear fuel cycle services under IAEA safeguards, and to participate in any non-discriminatory nuclear fuel cycle assurance mechanism," the document said. At the summit, Pakistan also reiterated its proposals for establishing a strategic restraint regime in South Asia. The policy paper released during the conference stressed that such a regime would "promote nuclear and missile restraint, a balance in conventional forces, and conflict resolution". Pakistan said that it had already concluded with India risk reduction and confidence-building measures which included a hot line, prior notification of ballistic missile tests, and an agreement on reducing the risk of accidents relating to nuclear weapons.

The Pakistani statement said that more than ever, India and Pakistan need a substantive, structured and sustained dialogue on all issues, including nuclear CBMs. It also underlined Pakistan's legitimate needs for power generation to meet the growing energy demand of its expanding economy. "Civil nuclear power generation under IAEA safeguards is an essential part of our national energy security plan to support sustained economic growth and industrial development," the statement pointed out. In his address at the inaugural dinner on April 12 night, Prime Minister Yousuf Raza Gilani told the participants that Pakistan had more than 35 years' experience of operating nuclear power plants, a highly trained manpower and a well-established safety and security culture. "Pakistan qualifies for participation in civil nuclear cooperation at the international level. We urge all relevant forums to give Pakistan access to nuclear technology for peaceful uses, in a non-discriminatory manner," he said.

Pakistan received support from a trusted ally in its quest for civil nuclear technology when China declared that every country had the right to the peaceful use of nuclear technology. "We strongly support efforts to enhance international nuclear security and the equal right of all countries to the peaceful use of nuclear energy," said the Chinese national statement presented at the conference. The Chinese statement at the nuclear summit, however, aimed primarily at clarifying its position on the US-Iran dispute on this issue. During the two-day summit, the United States and its allies demanded measures to prevent Iran from acquiring nuclear technology because they feared that Tehran would use it for making weapons, which in turn would destabilise the entire Middle East. US President Barack Obama secured a promise from President Hu Jintao of China to join negotiations on a new package of sanctions against Iran, administration officials said, but Mr Hu made no specific commitment to backing measures that the United States considered severe enough to force a change in direction in Iran's nuclear programme. The Chinese national statement also reiterated Beijing's commitment to the policies of "no first use of nuclear weapons, at any time and under any circumstances". It emphasised China's "unequivocal commitment to "not to use or threat to use nuclear weapons against non-nuclear weapon states or in nuclear-free zones".

President Obama warned that the risk of a nuclear attack had increased as terrorists sought nuclear materials. Taking a cue from the American leader, India too emphasised this point in a national statement it submitted to the two-day nuclear summit in Washington. "The world community should join hands to eliminate the risk of sensitive and valuable materials and technologies falling into hands of terrorists and illicit traffickers. There should be zero tolerance for individuals and groups which engage in illegal trafficking in nuclear items," said the Indian statement. Each nation participating in the 47-state conference has submitted a national statement, spelling out its policies and aspirations on the nuclear issue. The rules of the conference prevent participants from targeting any particular nation, forcing India not to name Pakistan but the Indian statement included hints that seek to implicate Islamabad. Speaking on the final day of the summit, President Obama said even though the threat of nuclear war between nations had decreased, terrorist groups like Al Qaeda were working to acquire nuclear materials. Mr Obama said the new nuclear threat facing the world after the end of the Cold War was "cruel irony of history". He warned that world leaders must act now and not simply talk about securing nuclear materials. Seeking to lend force to his warning, Mr Obama said that dozens of countries held nuclear materials that could be sold or stolen, and that a weapon fashioned from an apple-size piece of plutonium could kill or injure hundreds of thousands of people. "Terrorist networks such as Al Qaeda have tried to acquire the material for a nuclear weapon, and if they ever succeed, they would surely use it. Were they to do so, it would be a catastrophe for the world," he said. Mr Obama urged the international community to take joint action against nuclear terrorism and secure or destroy vulnerable stockpiles of nuclear materials that the terrorists could acquire.

[Dawn – April 14, 2010]

## **Pak-Turkey Relations**

### **Pakistan, Turkey to Hit \$2 bn Trade Target in Two Years**

Pakistan and Turkey, in a joint press statement on Pak-Turkey relationship, have reaffirmed their desire to achieve the target of \$2 billion trade volume by the year 2012, through, among other means, early finalisation of a strategic economic cooperation framework as well as fast tracked trade facilitation and promotion measures, including early implementation of the agreement on abolition of visas for businessmen. The joint statement was released by the Foreign Office on the conclusion of the visit to Pakistan by Turkish President Abdullah Gul. Connectivity, Trade and Finance: The two countries agreed to:

- collaborate closely to upgrade and operationalise road, air and rail connectivity
- commence periodic cargo train service between the two countries, beginning August 2010
- coordinate positions and work closely with a view to ensuring earliest possible implementation of the ECO Trade Agreement, to which both the countries are signatories
- promote cooperation in the financial sector by, inter alia, encouraging Turkish and Pakistani commercial banks and financial institutions to open branches in the two countries
- work jointly for further expansion of ECO Trade and Development Bank. Energy, Tourism and Development
- formulate a plan of action on cooperation in the field of energy including cooperation in the area of new and renewable energy
- further strengthen bilateral cooperation in the field of tourism, with particular emphasis on development of Pak tourism sector
- finalise the protocol on the establishment of the Turkish International Cooperation and Development Agency (TIKA) office in Islamabad at the earliest
- continue to broaden and deepen security cooperation in their campaigns against terrorism and extremism, illicit arms trafficking as well as counter narcotics and human smuggling. In line with the existing military cooperation agreements, agreed to intensify cooperation in the area of military training and education, as well as promotion of trade and partnerships in the field of defence production and procurement.
- continue to promote exchanges of cultural delegations and troupes, organisation of cultural events, and examine the possibility of establishing cultural centres
- further enhance educational scholarships. They also agreed to encourage and enhance exchanges among parliamentarians, academia, journalists, think tanks and opinion makers in respective countries

[The News – April 3, 2010]

### India Launches 'World's Largest' Census

India, on April 11, kicked off what is says will be the world's biggest census that it hopes will help plug wastage in government welfare schemes, boost tax revenue and define consumers more clearly. More than two million census workers will cover an estimated 1.2 billion people, defining them in demographic, socio-cultural and economic terms, including such parameters as mobile phone and Internet usage and banking access. "Census 2011 is the largest exercise of its kind in human history. Our goal is to identify, count, record and issue identity cards to every Indian citizen," Home Minister Palaniappan Chidambaram said ahead of the launch. The census in the world's second-most populous country has been held every 10 years since 1872. China, with a population of 1.3 billion, also undertakes a census every 10 years. With about two-thirds of the Indian population in hard-to-reach rural areas, the census is the main source of data for everyone from toothpaste manufacturers to government officials planning and implementing key programmes. With the government stepping up the rollout of massive programmes for the poor such as rural jobs and health insurance, the data should also help plug leakages, which a former prime minister once estimated at about 85 percent of the total outlay. The government will also, for the first time, spend about 35 billion rupees (\$786 million) on preparing a National Population Register (NPR), which will have photographs and fingerprints of all persons above the age of 15 years.

[Reuters – April 2, 2010]

### Maoist Attack Stiffens India's Resolve

In the deadliest leftist attack in India, Maoist rebels, on April 6, killed 75 police personnel in the central state of Chhattisgarh, in the process making a mockery of New Delhi's recent claims that its strong-arm tactics against Maoist strongholds across north and eastern India were paying dividends. A government paramilitary force - mostly from the Central Reserve Protection Force - was involved in flushing-out operations when it was attacked in the thick forests of Dantewada district by about 500 armed rebels. Interior Minister P Chidambaram, who is spearheading "Operation Green Hunt" against the rebels, said, "Something has gone drastically wrong. They seemed to have walked into a trap set by the Naxalites [Maoists]. Every soldier on the patrol was either killed or wounded." Prime Minister Manmohan Singh called the incident "horrific" while Home Secretary Gopal K Pillai said on Wednesday the rebels "will pay a high price" and be hunted down. Given this massive reversal, there is little chance now that New Delhi will be able to negotiate any kind of truce with the emboldened Maoists. The Maoists believe in armed struggle to overthrow the state and bring about socio-economic change, especially in the northeastern and central eastern states of Jharkhand, Chhattisgarh and Orissa, Bihar, Madhya Pradesh, West Bengal and Andhra Pradesh.

The stated goal of the Maoists is to overthrow the state by 2050, an ideal that is widely dismissed as rhetoric. The massive military offensive to eliminate Maoists was launched a few months ago in the forests of Maharashtra, Chhattisgarh and Orissa. About 100,000 troops have been deployed, with another 20,000 more to be sent in the coming weeks. Orissa has rich mineral deposits, including 70% of all of India's bauxite reserves (the sixth-largest deposit in the world), 90% of India's chrome ore and nickel and 24% of its coal. But tribals and Maoists inhabit much of this mineral-rich land. Mining companies - Indian and multinational - have been lining up to extract this wealth. But tribal agitations and Maoist violence have been blocking their ambitions. Today, 40% of the top 50 mineral-rich districts in India are affected by Naxalite violence, with repeated attacks on any symbol of authority, both private and public, including mining sites. Jharkhand and Chhattisgarh are the worst-affected states.

About 10,000 people, including police, rebels and civilians, have been killed over the past two decades in Maoist-related unrest. In February, at least 25 policemen were killed in West Bengal when Maoists attacked a camp. In March 2007, the Maoists were blamed for an attack that killed 55 policemen, also in Chhattisgarh. Home Secretary Pillai said New Delhi's resolve had now been further strengthened and that "retreating is not an option", although he ruled out using air power (armored helicopters) against the Maoists. The latest attack will, however, call into question New Delhi's approach of using sheer force against the Maoists, whom New Delhi calls "the biggest threat to India's internal security" - even more so than disputed Kashmir, where for decades India and Pakistan have squared off, at times even briefly going to war. The latest security action against the Maoists followed an official assessment last year that the Naxalites were "bent on violence and mayhem against the state and the people" and called for the government to "squarely meet" the threat. New Delhi argues that the Maoists are not ideologically inspired to fight for the poor and kill foes in cold blood. India has sought advice from United States counter-insurgency personnel who have been involved in fighting the Taliban and jihadis in Afghanistan and Pakistan's

tribal areas. The regular defense forces have been used only for logistical support as the government has ruled out their direct involvement in taking on the leftists. This could now change.

Critics of the government's approach say that a more political and humane policy is needed in handling the rebels and that there should be more focus on economic and social development of the deprived population. Chidambaram has been castigated for his inflexible and hardline views. The government has also been criticized for equating Maoists with terrorists. It is pointed out that the rebels attack mostly symbols of state power (property and personnel) and not soft targets or civilians, as is the case with jihadis in Indian-administered Kashmir. In June last year, New Delhi labeled the Naxalite group, the Communist Party of India (Maoist), or CPI (M), a terrorist organization, putting it in the same league as other banned outfits such as Pakistan's Lashkar-e-Toiba - accused of carrying out the massive Mumbai attack in November 2008 - and the now-decimated Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka. The spread of the Maoist insurgency is so vast across swathes of India's mineral-rich states that it is most improbable that it could be defeated by force alone. The might of the US military and its allies have not been able to defeat the Taliban in Afghanistan after nine years. As in that country, the Maoists have strong grassroots support. The Naxalites are also known to be seeking alliances with secessionist groups, especially northeast insurgents in Assam, Manipur, Nagaland and Mizoram, in a bid to expand their influence and gain a pan-Indian presence. They have already established links with leftists in Nepal and LTTE fighters - now that their battle is over - are involved in training the Maoists. Maoist rebels in Nepal overthrew the world's last Hindu monarchy and negotiated their way into government within a decade. India's stellar economic growth over the past decade has given rise to a consumer class of 50-100 million people, but more than 800 million people have been left behind, the majority of whom live on less than US\$2 a day. These impoverished people, especially farmers, landless laborers and tribal minorities in remote areas, are the prime recruits of the Maoists.

As the bodies mount, there might be some in the corridors of power who question whether the use of an iron fist addresses these socio-economic problems that fuel the insurgency

[Asia Times – April 8, 2010]

## **Afghan Parliamentary Election**

### **Afghanistan Kicks-Off Registration for Elections**

Afghanistan on April 20, began registering thousands of candidates for the war-torn country's parliamentary elections to be held on September 18, an electoral official said.

A senior official at the Independent Election Commission (IEC) said that today (April 20) is the first day for the registration of the candidates for the parliamentary elections. President Hamid Karzai appointed a new head of the IEC under pressure from his international backers and domestic political groups after last year's fraud-tainted presidential ballot, which saw him re-elected. A UN-backed election watchdog, the Electoral Complaints Commission, ruled against more than one-third of the votes cast for Karzai, prompting criticism of the electoral body, including accusations of involvement in the rigging.

Barakzai, the Acting Chief Electoral Officer said, "I assure the people of Afghanistan that the IEC will be working day and night to ensure free, fair and just elections. Karzai recently levelled a series of outbursts against the international community, alleging that foreign powers orchestrated the widespread fraud in the August poll, the second presidential election held in Afghanistan. The United States notably called the comments "troubling" but all sides have since adopted a united front, seen as vital amid a series of major military and civilian efforts to bring an end to the nearly nine-year Taliban insurgency. Barakzai told in an interview earlier this week that the parliamentary elections - the second since the 2001 fall of the Taliban - would not be totally free and fair, notably because of the ongoing Taliban-led unrest. The Taliban boycotted the presidential polls and carried out several attacks across the country in an effort to disrupt the ballot. Dozens of people including election workers were killed in those attacks. If all goes to plan, the September poll - which was originally scheduled for May — will be the second parliamentary vote since the Taliban was overthrown.

[Daily Times – April 21, 2010]

### **Afghan Poll Body Backs Karzai on Electoral Rows**

Afghanistan's Election Commission said it backed a decree by President Hamid Karzai that limits foreigners' role in elections, scoring him another point in a dispute that has put him at odds with Washington. The procedure of how to run the parliamentary election, set for September, has emerged as a major bone of contention in Afghanistan, prompting an anti-Western tirade by Karzai that drew a sharp rebuke from the United States. Holding a free and fair parliamentary election is seen as a crucial test for Afghanistan which is facing a resurgent Taliban, despite the

presence of tens of thousands of Western troops, more than eight years since the militants' removal from power. Karzai gave a speech accusing the West of perpetrating election fraud in Afghanistan, and he appeared to go one step further on Monday by singling out the United States as specifically to blame, drawing anger from the White House. US officials worry that Karzai's anti-Western rhetoric could erode public support for the war back home. Karzai is wrangling with Parliament and the United Nations over how the election should be run and wants to limit the influence of foreigners on a fraud watchdog that overturned his first-round victory in a presidential election last year. In February, Karzai issued a decree stripping the United Nations of the authority to appoint the majority of members of the watchdog, allowing him to choose the panel himself. He then partly backed down, saying the world body could name two members of a panel of five. Parliament's lower house unanimously rejected Karzai's decree in a vote last week, but the upper house refused to vote on it, apparently ensuring the decree still stood. On April 6, Afghanistan's government-appointed Independent Election Commission (IEC), which oversees the running of elections, said it now believed Karzai's decree had the force of law and would act on it.

[Reuters – April 7, 2010]

## Parliamentary Election in Sri Lanka

### Poor Turnout in Lanka's Parliamentary Polls

A poor voter turnout marked Sri Lanka's parliamentary elections on April 8, according to sources in political parties across the country. Election Commissioner Dayananda Dissanayake refrained from releasing the turnout but the watchdog Peoples' Action for Free and Fair Elections (PAFFREL) said that only about 50 to 52 per cent had voted. This is far below the traditional figure of about 80 per cent. In the Tamil-speaking northern district of Jaffna, polling was higher than before at 30 per cent.

Tissa Attanayake, a spokesman for the opposition UNP told that voter turnout was low because the people were "sick" of frequent elections. Political observers pointed out that the current parliamentary elections lacked excitement because many people saw it as a onehorse race, at least as far as the majority Sinhalese community was concerned. In the south, where the Sinhalese are the predominant community, there had been no serious challenger to the United Peoples' Freedom Alliance (UPFA) led by President Mahinda Rajapaksa. Only three months ago, Rajapaksa had won the Presidential election bagging 58 per cent of the votes. Since then the opposition, which had gathered round controversial war hero Gen Sarath Fonseka, had splintered. While the ruling alliance had gathered more support from newer quarters, the opposition had splintered.

[Dawn – April 9, 2010]

### Sri Lanka Ruling Party Records Landslide Win at Polls

Sri Lankan President Mahinda Rajapaksa's ruling coalition won the first parliamentary election since the end of a 25-year civil war, final election results showed on April 21. Rajapaksa's ruling United Peoples Freedom Alliance (UPFA) won 144 seats in the 225-member parliament, falling short by six seats of the two-thirds majority that would enable him to change the island nation's constitution. Most political analysts expect the president to recruit legislators from other parties to give him the numbers to win the constitutional majority. The final results were released after voting was re-run on Tuesday in two districts where ballots were annulled due to violence in the original April 8 vote. The main opposition United National Party won 60 seats, while the former rebel party Tamil National Alliance secured 14 seats. The latter got most of its seats in the northern and eastern provinces, where the Tamil Tiger rebels fought for a separate state for the ethnic minority Tamils.

Election monitors reported no violence and no malpractice aside from the temporary barring of an opposition polling agent from a voting centre. Counting got under way immediately after polls closed in the late afternoon. Keerthi Tennakoon of the Campaign for Free and Fair Elections said Nawalapitiya saw turnout of 55-60 percent of 50,000 registered voters. In the eastern district of Trincomalee, turnout was 46 percent of the roughly 1,000 voters. The final results showed the overall voter turnout in the polls was 61.3 percent. The election commission on April 20 said Rajapaksa's UPFA won two seats in Trincomalee and eight seats in Kandy.

[Reuters – April 22, 2010]

### Sri Lanka Swears in New Prime Minister, Delays Cabinet

Sri Lankan President Mahinda Rajapaksa swore in as Prime Minister one of the longest-serving members of his party on April 21 after winning a commanding parliamentary majority. Rajapaksa's ruling United Peoples Freedom Alliance (UPFA) secured 144 out of 225 seats in the parliament after re-polling on April 20 in two areas hit by violence at the April 8 legislative election.

[Reuters – April 22, 2010]

## **Sri Lanka President Names First Post-War Cabinet**

Sri Lanka's President unveiled a new cabinet on April 23, cementing his grip on power by keeping the key Defence and Finance portfolios for himself and creating a new Ministry for his younger brother. The new line-up was announced a day after the opening of Parliament, when President Mahinda Rajapakse's elder brother Chamal was unanimously elected as Speaker with control of the legislative agenda. The 37-member cabinet was a sharply streamlined version of its predecessor, which boasted a record 109 ministers and deputy ministers and had been criticised as cumbersome and wasteful. The new cabinet includes the President's younger brother, Basil Rajapakse, who was put in charge of the newly established Economic Development Ministry, entrusted with turning the island into "Asia's new miracle." Official sources said the new portfolio, which is alone in having three Deputy Ministers, carried specific responsibility for reviving the island's ethnic Tamil heartland in the northeast, ravaged by decades of conflict with Tamil Tiger rebels. A third brother, Gotabhaya Rajapakse, is Sri Lanka's influential Defence Secretary -- a top civil service position -- and played a crucial role in the final defeat of the Tigers by government forces a year ago.

[Daily Times – April 21, 2010]

## **Emergency in Thailand**

### **State of Emergency Declared in Bangkok**

Thailand declared a state of emergency in its capital on April 7 after protesters stormed parliament and ministers were airlifted to safety in an escalation of mass anti-government rallies. Lawmakers fled and several senior government figures were rescued by military helicopter after red-shirted supporters of ousted premier Thaksin Shinawatra forced their way into the country's parliamentary compound briefly. In an effort to contain the crisis, Prime Minister Abhisit Vejjajiva invoked emergency rule, banning public gatherings of more than five people and giving broad powers to the police and military, in Bangkok and surrounding areas. "The state of emergency aims to resolve the situation and bring a return to normal," Abhisit told a nationally televised news conference. He said the mass rallies were unconstitutional and had tarnished the country's image, eroding investor confidence.

It is the fourth time since 2008 that emergency law has been declared in the capital because of political turmoil. Thousands of protesters flouted the decree, waving flags and cheering as their leaders railed against Abhisit's government from their rally stage close to a clutch of luxury hotels and shopping malls. "We have to prepare for another war. If the military comes you should not panic — just stay put," Reds leader Veera Musikapong told protesters. Tens of thousands of anti-government protesters have refused to leave the city's main commercial district, where they have been since Saturday, disrupting traffic and causing major stores to shut.

[Dawn – April 8, 2010]

## **Political Chaos in Central Asia**

### **People's Power Forces Kyrgyz President to Flee**

Opponents of President Kurmanbek Bakiyev took control on April 7 of Kyrgyzstan after a day of spectacular violence that ended with Bakiyev fleeing the capital of the strategic Central Asian state. Opposition protesters seized the presidential administration on Wednesday night and announced on state radio that they had formed a provisional government with former foreign minister Roza Otunbayeva at its head. A worker at Bishkek's international airport told that the 60-year-old Bakiyev had fled the capital aboard a small plane as his opponents consolidated their grip on key national institutions.

Opposition leader Temir Sariyev said on Kyrgyz radio that Prime Minister Daniyar Usenov had signed a letter of resignation and Otunbayeva vowed that the new leadership in the country would move quickly to normalise the situation. "Power is now in the hands of the people's government," Otunbayeva said in an address on state radio. "The fast-moving events in Kyrgyzstan capped a day of ferocious clashes in Bishkek and other cities that quickly turned into a nationwide revolt against Bakiyev that was believed to have left scores dead. As unrest swept the Central Asian republic, the opposition took control of the national television, the prosecutors' office was set alight and state media reported that a Deputy Prime Minister was held hostage in the remote northwest. The riots were the culmination of spiralling protests in the country with the opposition demanding Bakiyev's resignation and accusing his government of rights violations, authoritarianism and economic mismanagement. Despite briefly arresting three leading opposition figures and declaring a state of emergency, the authorities failed to prevent the rebels from rapidly taking control of some of the main levers of power. A Health Ministry official said 47 people had

died, many from gunshot wounds, and more than 400 were injured. Officials said the toll could be expected to rise. Opposition leader Omurbek Tekebayev said separately that more than 100 people had been killed in the violence. The United States, which maintains an air base in Kyrgyzstan used in the NATO campaign in nearby Afghanistan, voiced 'deep concern', while Russia also appealed for calm in the former Soviet republic.

[Dawn – April 8, 2010]

### **Kyrgyz Unrest Plays into Regional Rivalry**

The overthrow of Kyrgyzstan's government adds a fresh dose of chaos in a region where Russia, the United States and China have a common interest in stability and competing hunger for influence. The opposition said it had taken power in the poor, mostly Muslim nation north of Afghanistan after President Kurmanbek Bakiyev fled the capital following clashes between police and protesters that left dozens dead. Here are some of the implications for Kyrgyzstan, Central Asia and beyond.

Central Asia's bloodiest unrest in five years is largely a product of Kyrgyzstan's economic trouble and turbulent politics. It could open a new chapter in the modern Great Game, the struggle among foreign powers for influence in a region that has enormous potential as an energy producer and is of strategic importance lying between Russia, Afghanistan and China. Kyrgyzstan itself has few resources. But has carved out a role far greater than its modest size by hosting both a Russian air base and a US air base that provides crucial support for military operations in nearby Afghanistan. The United States is extremely eager to maintain use of the Manas base, which it nearly lost last year when Bakiyev's government ordered US forces out. He later reversed course and allowed them to stay after bargaining for more money. Moscow wants to shore up its influence in Central Asia, a large chunk of its lost Tsarist and Soviet-era empire, and to curtail the regional clout of the United States and China. "China is almost certainly the key foreign player in the country today," said Chris Weafer, Chief Strategist at Russian bank Uralsib. Putin's hand? As violence erupted in Bishkek on Wednesday, Russian Prime Minister Vladimir Putin denied Moscow had played any part. But Russia has expressed unusually strong support for Roza Otunbayeva, the interim leader who announced overnight that she has taken control of the country from Bakiyev. Putin spoke to Otunbayeva by telephone on April 8, effectively recognising her government in the first public gesture of support by a world leader.

Alexei Mukhin, Director of the Centre for Political Information, believes the unrest was orchestrated externally and said the fate of the US air base would show who was behind it. "If it is Moscow then the base will disappear, if it is Washington the base will remain in place," Mukhin said. Otunbayeva suggested that the base would remain open and added that "we still have some questions on it", leaving room for a shift or a demand for new negotiations. Other analysts take the view that like Georgia's 2003 Rose Revolution, Ukraine's 2004 Orange Revolution and Akayev's ouster in 2005, the protests that chased Bakiyev out may have been influenced by outside forces but not engineered by them.

[Reuters – April 9, 2010]

### **Kyrgyzstan Struggles to Impose Order After Riots**

Kyrgyzstan struggled to impose order on April 20 after five people died in ethnic riots, as angry mobs caused chaos in the capital and the whereabouts of the ousted president remained unknown. Over 100 heavily armed police patrolled the village of Mayevka outside the capital Bishkek, a day after it was the site of deadly clashes in which ethnic Kyrgyz rioters seized plots of land from ethnic Russians and Turks. "All the provocateurs and ringleaders in the riots will be punished to the full extent of the law," the interim government, which took power earlier this month after an uprising that overthrew the President, said in a statement. But chaotic scenes in Bishkek on April 20 suggested the interim government was not fully in control of the volatile former Soviet republic.

Around 1,000 people besieged the acting mayor of Bishkek, Isa Omurkulov, demanding that they be given land, a correspondent witnessed. The crowd, some of them armed with sticks, encircled his car and prevented him from leaving, while Omurkulov tried to negotiate with them. In Moscow, Russian President Dmitry Medvedev voiced support for the interim government, which has established friendly ties with Russia. "Both Uzbekistan and Russia want the authorities in Kyrgyzstan to be strong and the people of Kyrgyzstan to develop and flourish," Medvedev said at a meeting with visiting Uzbek President Islam Karimov. He later warned that the interim government had not yet asserted its authority, saying: "At present, there is no state." Medvedev called for the interim government to hold elections to legitimise its authority if it wanted full-fledged economic cooperation with Russia. He said he expected "Kyrgyzstan's interim government to undertake all the necessary and sufficient measures for that.

[Dawn – April 21, 2010]