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Gender & Women Empowerment

Women & Politics

Concern over Less Share for Women in Decision-Making

A United Nations report on women says they continue to be underrepresented in national parliaments, on average occupying only 17 per cent of seats. The report **“Women’s World 2010: Trends and Statistics”**, released on the World Statistics Day on October 21, states the share of women as ministers also averages 17 per cent, indicating their less representation in decision-making. The highest positions are even more elusive: **only seven of 150 elected heads of states in the world are women, and only 11 of 192 heads of governments. At the local level, elected female councilors are underrepresented worldwide and female mayors even more so.**

Reviewing the situation in Pakistan, the report said in the largest-ever federal cabinet, there was only one female member, looking after the affairs of population welfare while there is no minister for women development. However, there are three female ministers of state having minimal powers. The National Assembly is headed by a woman, while there are six female chairpersons of National Assembly standing committees, and six parliamentary secretaries. In the Senate, there are four women from each province in addition to one female senator from the federal area. The Senate has four female members on its standing committees. Its committee on women development has 12 female senators as members. The report stated that violence against women – physical, sexual, psychological and economic – was a universal phenomenon within and outside their homes. Women are abused physically and sexually by intimate partners at different rates throughout the world. “Younger women are more at risk than older women...” The report said customs put ‘considerable pressure’ on women to accept being beaten by their husbands, even for trivial reasons. According to the report, in today’s world, there are 57 million more men than women. “This surplus of men is concentrated in the youngest age groups and steadily diminishes until it disappears at about age 50, thereafter becoming a surplus of women owing to their longer life expectancy.”

The report said despite progress accomplished in ensuring equal status for women and men throughout the world, still much more needs to be done. “In education, there is progress – albeit slow and uneven,” the report said. It added that women account for two thirds of the world’s 774 million adult illiterates, a proportion unchanged over the past two decades. Terming the overall progress in primary education in the past decade encouraging, the report said 72 million children – 54 per cent of them girls – were out of school. It said globally, women’s participation in the labour market remained steady in the two decades from 1990 to 2010, hovering around 52 per cent. The report said in all regions, women spend at least twice as much time as men on unpaid domestic work. “Women who are employed spend an inordinate amount of time on the double burden of paid work and family responsibilities; when unpaid work is taken into account, women’s total work hours are longer than men’s in all regions.”

[Dawn – October 22, 2010]

Introduction of Legislation on Gender-Based Violence Urged

The two-day conference on ‘21st Century and Policing in South Asia, Response towards Gender Based Violence: Challenges and Prospects’, which was organised by Rozan, Ministry of Human Rights and Islamabad Capital Territory Police. The experts from South Asian countries at a regional conference on gender and policing on October 6 called upon the state to introduce legislation on gender based violence on urgent basis to improve the response of police towards the issue. Experts from Pakistan, Nepal, Sri Lanka and Bangladesh participated in the two-day conference, which was attended by government officials, police officials, academicians, students and civil society representatives.

Following are the recommendations of the workshop:

- The Government should reduce and remove the political (ethnic, feudal, tribal) interference and influence especially with regards to recruitment, investigation, postings, transfers promotions etc.
- Women’s political constituency beyond party lines needs to create prioritization of the issues of Violence against Women (VAW) and government should also identify CSO partners to work with especially for the support in monitoring of implementation of laws.
- Legislation on VAW should detail specific roles and means of implementing laws by the police and this legislation should also focus on victim’s security and support rather than putting all the efforts to file the case and investigating against the offender.

- There should be proper as well as specific trainings to police officers after the passage of law and adequate funds should be allocated for the implementation of legislation with timely monitoring.
- Sustained and greater investment in police should be there for improved capacity, infrastructure for implementation. Improved salaries and allowances, technological and logistics support and special funds should be reserved for community policy initiatives.
- Police structure should be reconsidered, as it serves the purpose of a paramilitary organisation and should be replaced with a more flexible tier organisational model. Workplace based on values of respect and human dignity especially for junior police officers should be there.
- There is a need for Coordination and oversight of the existing institutional bodies dealing with GBV through a central body and called for establishing and strengthening gender focal points.
- Authentic and accurate record of domestic violence and violence against women should be present and collected with due diligence by state. State should create specialised groups/units to deal with cases on VAW, as training the larger police force may be impossible.
- Special measures such as setting up women police stations have failed hence it is important To have analysis of women specific measures.
- As women police officers are marginalized in the process of policy making, decision-making, managerial positions and mainstreaming policing so large number of women police at all levels should be appointed. Media needs to reflect its role and understand the impact of negative portrayal and ridicule and perspective of police needs to be given space.
- NGOs should collaborate with institutions of the state for positive developments, but it is important that such partnerships do not undermine the monitoring role of NGO's.
- Specialized trainings on gender based violence should be included in the curricula of police.

Three technical sessions were held on second day of the conference that included 'gender training as a tool to strengthen police response on GBV: Success and Limitations' and Countering GBV through Community Policing Impediments to Change' while a roundtable discussion on policing in conflict zones and emerging issues of GBV was held.

[The News -- October 07, 2010]

Some Women MPs Wealthier than Male Counterparts

The Pakistani women MPs, both in provincial and national assemblies, are found to be having more financial assets than their male colleagues. According to sources, 15 women members of provincial, national assemblies and Senate have assets including diamonds and a large quantity of gold ornaments. Some women MPs have also been found with more financial assets in male-dominated Parliament and provincial assemblies of the country. It is pertinent to mention here that these reports have surfaced after all the members of Senate, provincial and national assemblies were asked to submit details of their financial assets by October 15. Election Commission of Pakistan has started the verification of details of assets submitted by Members of the Parliaments. The details have shown some women MPs claimed that they had no gold ornaments or few while some have claimed they had no vehicle and were using that of their brothers, fathers and husbands. The exact details of the financial assets of the Parliamentarians will be issued by ECP after completion of scrutiny and verification process.

[The Nation – October 11, 2010]

Women & Laws

No Ombudspersons Appointed Despite Passage of 7 Months

The Government has not yet been able to appoint Ombudspersons at the federal and provincial levels despite passage of the Protection against Harassment of Women at Workplace Act 2010 in March and this delay is causing hurdles in providing justice to the victims. President Asif Ali Zardari signed the Act on March 9 this year and the Government notified it on March 11. Although the Government as well as private sector organisations have constituted inquiry committees and are in the process of conducting awareness sessions for their employees, which is a prerequisite for every organisation after the enactment of the law, yet the Government has failed to appoint Ombudspersons.

The Act, which provides an opportunity to the victim to approach a neutral person directly if the inquiry committees constituted within the organisations fail to provide justice to the victim, cannot be implemented completely till the appointment of the Ombudspersons. According to the Law, the Government has to appoint Ombudsperson at the

federal as well as at the provincial levels to deal with the complaints of sexual harassment. The Ombudsperson would have the same powers as enjoyed by the High Court to punish any person for any such contempt. Under the Law any employee would have the option to file a complaint either to the inquiry committee or the Ombudsperson. In case of filing a complaint with the Ombudsperson, the management will respond to any inquiries that the Ombudsperson might have regarding information related to the case. It will be mandatory for the management to abide by the decision of the Ombudsperson. Acknowledging that not every organisation might have a sturdy mechanism as prescribed for addressing sexual harassment, the option of approaching Ombudspersons has been included in the Law. If the perpetrator is too senior or is the owner of the organisation, in such cases it might not be possible for the inquiry committee to hold the person accountable. Similarly if the committee is composed of credible people and an employee does not develop trust for them, there is a provision in the Law for directly approaching the office of the Ombudsperson.

[The Nation – October 13, 2010]

Women's Empowerment/Distinctions

First Pakistani Woman Received Knighthood from the Queen

A Pakistani origin head teacher beamed with joy on October 14 when she received knighthood from the Queen and became the first Pakistani woman ever to receive the highest level of recognition. Dame Naila Zafar was awarded the The Most Excellent Order of the British Empire Dame Commander (DBE) in recognition of her services in the field of local and national education. Dame Naila Zafar is Head Teacher of Copthorne primary school in Bradford, which has the largest Pakistani immigrant concentration, and has been attached with the teaching professions for over thirty years. Originally recognized in the Queen's Birthday Honours list this year about three months ago, the lucky community heroes had the honour to meet the Queen in person yesterday. Twenty-five Muslims were recognized in the Queen's Birthday Honours however only Dame Naila was awarded the highest rank of Dame Commander. Dame Naila Zafar, 55, performs inspections for Ofsted and has helped to raise standards at schools across Bradford. The schools she serves is in one of the most deprived areas of the city but Dame Naila Zafar says the teachers in these schools do their best not to allow social deprivation to become a barrier to children's learning.

[The News – October 15, 2010]

Asma Jahangir becomes First Female SCBA President

Asma Jahangir, a renowned human rights activist and lawyer, became the first female President to be elected to the Supreme Court Bar Association (SCBA) with a margin of 38 votes. Asma secured 834 votes from the eight polling stations in the country – Lahore, Rawalpindi, Abbotabad, Multan, Peshawar, Bahawalpur, Karachi and Quetta – while Ahmed Awais got 796. The third candidate, Muhammad Ikram Chaudhry, bagged 128 votes.

Asma won from five stations – Abbotabad, Lahore, Peshawar, Karachi and Quetta – while Ikram could not win from a single polling station. In Karachi, Asma led with 114 votes followed by Awais with 107 votes. However, she lagged behind in Islamabad, Multan and Bahawalpur. In Lahore, she led with 419 votes against 409 for Awais. In Quetta, she got 24 votes, while Awais obtained 22. In Peshawar, she secured 47 votes against 33 votes for Awais.

Awais, a candidate of the Professional group, obtained 136 votes in Islamabad and led the contest with 12 votes there, while Asma finished second by securing 124 votes. For the office of the secretary, Sohail Dar, Munsif Malik Awan, Qamar Zaman Qureshi and Rana Farman Ali were in the run. Sanaullah Khan Zahid was elected unopposed for the office of finance secretary. Asma Jahangir, after her victory, said that she had defeated the elements who, in the name of rule of law, were trying to fulfill their vested interests, adding that all institutions should perform within their limits. She said the bar would criticise the government whenever it would do something wrong and the judiciary would also face the same criticism in case it passed a controversial judgement. She said she would invite all former presidents of the bar to devise a future strategy.

[Daily Times – October 28, 2010]

Women & Economy

Women Farmers should be given Equivalent Status in GNP

A resolution presented by more than 1,000 participants heading from 103 districts of the country said that rural women should be identified as women farmers and their contributions should be included in Gross National Product (GNP) equivalent to male farmers. The resolution is presented on the second day of conference being conducted by Potohar Organisation for Development Advocacy (PODA) in collaboration with 30 other organisations including National Commission on the Status of Women (NCSW), United Nations Development Fund for Women (UNIFEM), the United Nations, Ministry of Human Rights, Ministry of Women Development, Rural Support Programmes Network (RSPN), Aurat Foundation, Shirkat Gah, Sungi and several other partners of PODA. The resolution demanded economic security and livelihood of Rural Women working in live stock, poultry, forestry

and fisheries be recognised as farmer labourer and should be provided all rights and benefits as labours to make them economically empowered. It is said that rural Women Should provided social security, health insurance, workers welfare funds, old age benefit and pension.

It is demanded that **social safety nets must be created to mobilise, to create enabling environment and to create resilience between male and female members of families within the society.** The resolution said that **women working in agricultural sector should be provided protection from impact of pesticide and the diseases arising out of them including allergies, Tuberculosis (TB), Asthma, and Cancer** besides that **trainings must be provided to women to counter such diseases.** The resolution demanded that **micro credit facilities should be provided to women farmer with no interest rate and on easy instalments with easy procedures besides that access to market** should be provided to rural women without intervention of middle man or commission agents. **For girls of rural areas quota should be fixed in Agricultural Training Centres through agriculture extensions throughout Pakistan moreover agriculture as an optional subject should be introduced in Metric and FSC curriculum,** it added. It is demanded that **women should be provided trainings to face natural disaster like a rescue, emergency relief, rehabilitation and reconstruction. Women who are engaged in home base industry should be provided protection and brought under legal cover through proper legislation.**

Representatives of different organisations including Ministry of Woman's Development (MoWD) from the provinces, Sindh, Blochistan, NWFP, Punjab and MNAs MPAs, Govt. officials, Chairperson and members of National Commission on the Status of Women (NCSW), poets, writers, academics, journalists and singers, farmers, students, and activists participated in the conference.

[The News – October 17, 2010]

National Policy for Women Home Based Workers

Home based skills holds an extraordinary position in the world and it's also flourishing with the passage of time. Despite the fact that home art is the biggest source of economy but still it is not considered as the part of labour. Home based skill usually remains hidden and that's why these industrialists are devoid of basic necessities. We can much understand the scenario by considering that the place where these workers work is so dirty to sit and work over there. But due to poverty these labourers are enforced to work on such small wages. These workers are also devoid of security. These workers are also called based workers. They are usually deprived of taking part in any kind of organization. For these labourers, Home Work Convention (c177) was passed under ILO's International Conference in 1996. This convention guarantees the better life style for these workers but despite of this these workers are still deprived of basic necessities peculiarly in under developed countries. According to an estimate there are about 5 crore labourers working in south Asia 60 percent of which is comprised of women which are living in extremely precarious conditions and are working for so low incomes. Countries included in SAARC are working for the betterment of these workers and for this a network named "Home Network South Asia" is developed. In Pakistan, this home network is working, whereas on Governmental level a draft of national policy on home based workers is being completed. This will be soon presented in parliament. Because of this policy common dialogues held between 4 provinces of Pakistan. Three provinces' suggestions (Punjab, Sindh and Balochistan) are being included in this policy where as dialogues with KPK's could not be held due to prevailing situation over there. For this a one day workshop was being arranged in Peshawar with the collaboration of Home Net Pakistan and Aurat Foundation to have KPK's stance on it. This workshop was attended by home based women, Trade Unions, Mps Women and various people from all walks of life. Dr. Rubina sehgal said that according to reports home based women are also badly hit in Pakistan their work is being exported to America and Europe but still their condition is worthless and their life styles are not improving. Home Net Pakistan's Project Director Ume Laila said that currently there are better labour laws in Pakistan but in these laws nontraditional work is not included. Despite world agreement still there is nothing done for home based labourers, no law for home based labourers is being imposed in any South Asian country. A policy on non implementation of proposed law is being prepared and in Pakistan common dialogues were held in 70 districts and their suggestions was included in the policy and the final draft of this policy was handed over to government previous year but no action is still taken. Now there would be a new column in population census form of Home based worker in order to have correct data about home based worker. Whereas dialogue is going on between federal organization of population to introduce their data Base project. He emphasized that a difference between traditional and nontraditional work should be eliminated and thus a mechanism for this should be introduced on provincial level. Previous Director of Labour Department, Zahoor Durrani highlighted KPK's condition of labour laws. Unfortunately the condition is at its worst in KPK. Due to current situation prevailing there capitalism is badly hit. There are about 11 billion home based workers in this province yet there is no policy is implemented for them and these workers are forced on empty stomach. He said that province's

condition is further worsening after 18th amendment is passed due to transfer of different professions over there. So alteration in current labour law is highly recommended. Whereas shifting of EOBI and Workers Welfare Board in KPK would result in more debts, hence more sources are needed to combat with the prevailing situation. If these problems are not resolved than these home based labourers would be deprived of from their current incentives and consequently agitation will increase, agricultural process would be slower down, further loss in capitalism and industry would be completely ruined. Government should do something for women working in strict culture of KPK. In the last session, provincial minister for social welfare and women development Sitara Ayyaz addressed the workshop and said that the prevailing circum stances are the major obstacles to prosperity thus a strong policy is recommended for women rights and to curtail the prevailing situations in the province. According to women welfare department, a social protection centre would be founded in Bunir and skillful women would be included in it. Whereas a foundation of women business centre in Peshawar would help women of Peshawar to flourish their products, likewise business centres would also be founded in Swat and DIK. She said that unless there is no implementation of law until than there would be no betterment in women lives.

[Roznama Express – October 21, 2010]

HR WATCH

Women & HR

Fallout of Khipro Gang-Rape: Parents Stop Sending Girls to Schools

Afraid for their daughters' honour majority of parents of more than 100,000 students have stopped them from attending schools, colleges and coaching centres in Umerkot, Mirpurkhas and Sanghar district following a shocking gang-rape incident in Khipro town. More than 70 government and private girls colleges, high secondary schools, high schools and coaching centres in Sanghar, 20 in Umerkot, 15 in Tharparkar and more than 70 academic institutions in Mirpurkhas have reported a significant drop in attendance of girl students following the Khipro incident in which a student of class XI was allegedly drugged, criminally assaulted, filmed and her video posted on the Internet. Khipro police registered a case and arrested all the accused but the girls nominated in the FIR who had obtained protective bail before arrest. Dr Mir Alam Mari, a leader of JSQM's Khipro chapter, said that eight families of the town had contacted him and informed that a gang of blackmailers comprising 17 boys and seven girls belonging to respectable families chased girls, found out their weaknesses, trapped them in their love and later subjected them to sexual assault and prepared their videos, which were used to blackmail the victim girls' parents or posted on the Internet. Such gangs are not only operating in Khipro but also in Digri and other small and major towns of the province and prey upon the victim girls and their parents' fear of humiliation.

Amar Sindhu, an activist of Women Action Forum, said that she had met around 300 families gathered at the house of uncle of rape victim in Khipro who told her that they had shifted their families back to their villages and stopped their girls from attending schools. She said that about 70 per cent of total number of girl students had been stopped from going to schools and colleges after this horrible incident. Irfana Mallah of Women Action Forum said that an old man disclosed to her on condition of anonymity that the boys arrested in the Khipro gang-rape case had demanded Rs1 million from him on the wedding day of his daughter. They threatened to show her video to her would-be in-laws if he failed to give money. This compelled him to pay them Rs500,000 and then send her daughter to India, he said. Ms Mallah said that scores of Hindu families had migrated from Khipro after being trapped in the vicious cycle of blackmailing by such gangs. Social activist Kanji Rano Bheel advocate said that people of his community in Khipro had told him that besides this gang three more gangs existed in Khipro.

They were in the know of more than 16 cases of gang-rape, preparing videos and extorting money from victims' parents, majority of whom belonged to minority, he said. He said that the gang-rape incident had reversed the trend and harassed girls and their parents. Professors, lecturers and teachers in girls colleges and schools in Mirpurkhas region said that 50 per cent girls had stopped attending classes after the Khipro rape incident. Students in Government Girls Higher Secondary School Bhansinghabad Mirpurkhas said that such incidents were making future of girls' education dark. Mirpurkhas Board of Intermediate and Secondary Education Chairman Prof Engineer Abdul Aleem Khanzada said that the Khipro incident could create a sense of frustration among girls and their parents. The teachers appealed to the president, prime minister and Chief Justice of Pakistan to take notice of the gang-rape incident and impose a ban on use of mobiles with movie cameras in academic institutions and urged Pakistan Telecommunication Authority to devise a policy to prevent users from uploading such videos on the Internet.

[Dawn – October 12, 2010]

Lecture on Violence against Women Held at FJWU

The Women Research and Resource Centre (WRRRC) at the Fatima Jinnah Women University (FJWU) organised a lecture on 'Violence against Women (VAW)' on October 13. Musarrat Misbah, owner and president of the 'Depilex Smile Again Foundation' was the key speaker on the occasion. The speaker was formally introduced and welcomed by Dr. Samina Amin Qadir, dean of the Social Sciences and the Women Research and Resource Centre in-charge. She briefed the audience on the contributions of Musarrat Misbah in helping the victims of acid and kerosene burns not only in medical care and assistance, but also in providing them opportunities to become productive and self-reliant members of society. Dr. Samina Amin Qadir also deliberated on the role of WRRRC, which was established to sensitise women on gender issues and emphasise research on gender and social issues to reflect the academic and professional development of women in general and within the context of society in particular. Musarrat Misbah shared her experiences with students about victims of acid and kerosene burns. She said that her foundation is not only providing medical treatment free of cost to the victims, but also help them in standing up on their feet to become productive citizens of Pakistan. She said: "We need strong measures to end these crimes by giving severe punishments to the accused and providing justice to the victims. The number of

victims per year is on the rise, which is alarming.” She said that the mothers could play important role in implanting the values of tolerance in their children, which can reduce these deliberate actions. Sabra, a victim of kerosene burns, told the audience that she was burnt because of the dowry issue and shared her experience on how she survived through the circumstances and now working, as a coordinator with the ‘Depilex Smile Again Foundation’. FJWU Department of Communication and Media Studies Chairperson Dr. Shamim M. Zaidi said that Musarrat Misbah has written a story of humanity, compassion and care and is giving confidence and hope to the acid burn victims.

[The News – October 14, 2010]

Child Rights

Militancy, Poverty Dropout Rate in FATA schools reaches 69 per cent

Though the government and donors had been spending billions of rupees funds on education sector in the Federally Administered Tribal Areas (FATA), the dropout rate in government primary schools of FATA stands at a staggering 69 per cent. The FATA annual school census report 2009-10 reveals that dropout rate is 63 per cent among boys and 77 per cent among girls, while 54 per cent children quit schools before reaching grade 10. Officials said that these figures might be the highest dropout ratio in the country. Officials in the FATA directorate of education give several reasons for this high dropout rate. “Though poverty and social taboos associated with girls’ education are the major factors contributing to the high dropout rate, militancy and large-scale displacement of population has acted as a bomb shell,” said an official. He said that a large number of schools had been destroyed in the violence-ravaged area that had not been rehabilitated. Over one million people have been displaced from tribal agencies since security forces launched operations against militants during the past two years.

According to the official statistics, 447 of the total 638 schools in South Waziristan Agency were declared non-functional in the Mehsud area in the wake of military operation. Before army operation militants had also occupied schools and turned the buildings into hideouts. An official in the agency education office said that around 40,000 children had been affected due to the closure of schools and subsequent displacement of their families. Over 300,000 Mehsuds had fled their homes in 2008 and moved to Dera Ismail Khan, Tank and other areas. The official said that makeshift schools established in relief camps with the financial assistance of UNICEF had been closed since September last and these children were without education.

In Khyber Agency a total of 282 schools, including boys and girls, had been declared non-functional while three were closed. Scores of educational institutions in Bara tehsil of the agency had been closed for over one year now because of the prolonged curfews and many schools had been vandalised. Educational activities are also at standstill in Mohmand Agency where militants had destroyed 38 government schools and one degree college, which affected about 6,000 students. Officials said that 94 schools had been closed and 29 were non-functional in Mohmand Agency owing to militancy. Safi tehsil of the agency was the worst-affected area where militants’ writ still prevails. In Bajaur Agency, 46 schools had been closed mainly due to militancy. An official in the education office, Khar, said that militants had bombed 78 schools during the last two years. Authorities have shifted students to mosques or other buildings because the damaged schools had not been repaired. In Frontier Region, Kohat, total 69 schools for boys and girls have been declared non-functional because of militancy. The report said that 1,038 of 5,620 schools in FATA had been either closed or declared non-functional. Though the government has been spending heavily on rehabilitation of education sector, but this could not produce any remarkable result. About 20,709 male and female teachers had been appointed in the area. Literacy rate in FATA is about 17 per cent and only 3 per cent of the total women population is literate. The government has been gradually enhancing budget for education sector in FATA annual development programme since 2005. The federal government had allocated Rs7.61 billion for education in FATA’s ADP between 2005 and 2010.

[Dawn – October 24, 2010]

55 Children Murdered after Sexual Assault

A total number of 1,216 children were sexually abused across the country during the first six months of the current year. Not less than 125 boys and girls were sexually abused after abduction. NGO Sahil revealed the six-month report on October 14 that a total of 55 cases are those in which both girls and boys are murdered after sexual assault. This shows a considerable increase in the cases as compared to last year’s statistics of six months, which were recorded 968 cases. According to the report, the cases of 18 years and below of boys and girls has been registered to compile into a report called “Cruel Numbers”.

According to the report, the data of the six months from January to June of 2010 reveals that the incidence of child sexual abuse in Pakistan is approximately 6 children a day. A break up analysis of gender continues to show that female reported cases of child sexual abuse are more in number than male cases. "Out of the total 1,216 cases in 6 months, 331 boys whereas 885 girls were sexually abused with 28 per cent boys and 72 per cent girls. This shows that one third of girls have been sexually abused as compared to boys," the report maintained. The six months data also show that children have been sexually abused in different crime categories, with the highest number of cases recorded in the category of abduction for sexual purposes for girls, whereas boys were mainly abused in the crime category of sodomy, followed by gang sodomy, abduction of sexual purposes, attempt of sodomy etc. However, after abduction for sexual purposes the girls were mainly abused in the crime category of rape, gang rape, attempt of rape etc.

[The Nation – October 15, 2010]

Female Juveniles Being Held Illegally in Prisons: SPARC

The Society for the Protection of the Rights of the Child (SPARC) has urged the government to take notice of detention of female juveniles in violation of laws framed under Juvenile Justice System. The law categorically prohibits keeping of female juveniles in police lock-ups and prisons, but neither the police nor other departments have ever considered these provisions of the law, lamented SPARC.

According to section 9(3) of the Punjab Juvenile Justice System Rules 2002 and Rules framed under the Juvenile Justice System Ordinance (JJSO) 2000 by other provinces that female juveniles shall in no case be kept in a police lock-up or prison". For about a month, two sisters M, 13-year old, and S, 15-year old, are being detained in Adiala Jail Rawalpindi and tried by the Anti Terrorism Court-1 Rawalpindi under the charges of kidnapping for ransom, said Abdullah Khoso, National Manager Juvenile Justice, Sparc. Mother of the girls died some years ago while their father is a TB patient, who have never looked after them. Some months ago, they were trafficked through a lady named Nadia from Peshawar to Rawalpindi and were asked to look after a 13-year old boy, Waseem Khan, who was kidnapped in Rawalpindi on August 4 this year. When police raided the house to recover the kidnapped boy, they arrested the girls who were deployed as the child domestic labourers. The police kept them at the Westridge Police Station and challaned them under section 364-A of the Pakistan Penal Code and Section 7 of the Anti-Terrorism Act (ATA) 1997 without a fair investigation, Khoso said. These tender age girls are innocent and exploited by adult gang members and even if they have done anything against the law; they are supposed to be treated as juveniles and under no circumstances are supposed to be kept at the police station and prison as stipulated in the law, said Sparc's representative. Trying these juveniles under the ATA is totally unfair and against rights of children, Khoso said adding that this is a very serious violation of female juveniles' rights and called for an inquiry of the case. He claimed that over 30 female juveniles are detained in different prisons of the country, but not reported anywhere. One of the girls is also tried by the ATC in Bahawalpur and detained along with women prisoners in central jail Bahawalpur, he added. There are also six female juveniles in Haripur Jail and three in Peshawar central jail. He alleged that female juveniles are kept in the same jail in which adult men and women prisoners are detained. The entry point for male adult prisoners and women and female juveniles is the same, which exposes female juveniles to risks and exploitation. He demanded release of both female juveniles detained in Adiala and other jails. SPARC also requested the Chief Justice Iftikhar Mohammad Chaudhry to give directions to judicial officers to follow laws in prescribed manner and so direct them to involve probation officers who should prepare social investigation reports.

[The News – October 20, 2010]

The War on Children

The most honest thing that can be said about the on-going conflict between the state and the Taliban-aligned forces is that this war has little to do with ideology and everything to do with the abuse, deprivation and murder of children. When Gen Zia and the American government decided to create a jihad to fight the Soviet occupation of Afghanistan, they created a generation of youth orphaned by the war. As these children grew up in Pakistan's refugee camps, they were schooled in the language of jihad and made to feel they belonged to no better place than a battlefield in Afghanistan. It is said of the Taliban that they comprise of orphaned boys as well as those brought up in madressahs in Pakistan on the language of jihad and without the love of mothers and sisters to temper their abhorrence of women. Later some of these youths turned into the tormentors of the Swat Valley, who kidnapped boys in house-to-house searches and forced them to fight on their behalf. By 2007 there were reports in the Pakistani and international press of young boys aged 11 to 15 years being recruited by Taliban fighters in Pakistan for use as suicide bombers against NATO forces in Afghanistan. Attacks by boys of the same age have been reported in Kohat in December 2007 and North Waziristan in February 2008. UN sources have alleged that the suicide bomber involved in the assassination of Benazir Bhutto in 2007 was 15 years old. In 2009 there were

reports that children were being bought and sold among Taliban groups who used them as suicide bombers. One quoted a \$7,000 to \$14,000 price range for a boy. In October that year an attack on military vehicles in Shangla killed 41 people. The bomber was reported to be aged 12. One of the two bombers who blew himself up at the attack on Abdullah Shah Ghazi's shrine in Karachi recently was reported to have been 16 or 17 years old. Young would-be suicide bombers who have been rescued from camps or fled their captors have related their tale on television and documentary films. Interviews with them and excerpts from these films can be easily downloaded on YouTube.

Some apologists for the Taliban would argue that these figures represent a relatively small number of children, and are sensationalised by the western press in an effort to justify the so-called war on terror. (Since the domestic press has hardly dwelt on the issue, it cannot be accused of such hysteria.) The apologists would contend that the number of children killed thus far by the Pakistan Army and the US drone attacks is far larger, perhaps, than those who have been used as boy bombs. In both cases, however, one ought to argue that the betrayal of our children's trust — we are their guardians and protectors — is absolute. Not only are they being killed, there has also been a consistent campaign by the Taliban to wreck their education. Between 2007-2009, 172 schools were destroyed (burnt/ransacked/shelled) in Swat district. In April 2009, 12 children were killed by a bomb hidden in a football across the wall of a girls' school in Dir.

The UN took notice of this long ago and drafted a landmark Convention on the Rights of the Child that specified what the state's duties to children are: children have the right to protection against exploitation and violence, torture and any other cruel, inhuman or degrading treatment or punishment. In both peace and war time these rights include all those related to survival, family support, education, healthcare and adequate nutrition. When Benazir Bhutto became prime minister for the first time, Pakistan without any hesitation signed the convention in 1989. An optional protocol to the convention was adopted by the General Assembly in 2000, motivated in large part by the atrocities against children documented during recent civil wars. It sets the minimum age for states' compulsory recruitment or direct participation in hostilities at 18 years, and places a similar prohibition on non-state armed groups from recruiting anyone under 18 to fight. In short, the use of any under-age individual as a combatant in Pakistan's current war is not just a betrayal of our responsibilities to children it is also a violation of their human rights. This is the context in which we should assess the moral rectitude of our war and frame the debate among political parties, government, and civil society organisations as they decide what is worth fighting for.

[Dawn – October 19, 2010]

Conflict Watch

Cop among Seven Killed in Various Incidents

Target killings and violence claimed seven more lives including a police official in different areas of the city (Karachi) on October 5. A police personnel of Liaqatabad Police Station was gunned down in an incident of target killing near Lakhpati Ground in the jurisdiction of Solider Bazaar Police Station. SHO Irfan said that the deceased Muhammad Javid Khan, 45, son of Muhammad Saeed, resident of Liaquatabad Police Line, was on his way to court when unidentified armed men on motorcycle ambushed him near Lakhpati Ground and opened indiscriminate firing at him and escaped. Resultantly he died on the spot. Police shifted his body to Civil Hospital Karachi (CHK), for legal formalities. Officer said that the victim was posted at Liaqatabad Police Station and he also played a vital role in 1992 Operation at Karachi. He was father of four children.

Officer further said that initially they suspected that personal enmity is behind the incident, adding that victim hailed from Haripur Hazara. Later police handed over the body of his heirs. Victim's funeral process was held at Garden Headquarter, while Inspector General Sindh Police (IGP) Salahuddin Babar Khattak and other police officials also attended the funeral. Similarly, a private schoolteacher was gunned down near Star Ground Sherpao Colony in the limits of Quaidabad Police Station. According to the police officials, the deceased, 32-year-old Mian Rasool son of Qasim Shah, was going to school situated in Sherpao Colony. Suddenly two armed men reached and opened firing at him, resultantly he died after a few minutes. Police shifted his body to Jinnah Post-graduate Medical Centre (JPMC) for post mortem. SHO Irfan Meo said the victim was the private school teacher and resident of Swati Area Landhi. He added that victim got married a few months ago and hailed from Swat. Police believed that personal enmity is behind the incident. In another incident, a man was stabbed to death near Bismillah Chowk, Baldia, within the limits of Mochko Police Station. SHO Rao Farman said police got information that one injured person was lying near G-3 Bus Stop in Bismillah Chowk.

[The Nation – October 06, 2010]

No Let-Up in Karachi Bloodshed, 29 Killed in a Day

Daylong violence in different parts of Karachi on October 19 claimed at least 29 lives, 12 of them in an attack on a scrap market in Shershah area. The city, which was already tense following early morning shootouts and killings in different areas, further descended into fear and panic after the Shershah attack. Scattered incidents of target killing followed. At least 12 people, most of them shopkeepers and workers, were killed and eight others injured when about 10 unknown men opened fire. The assailants stepped off motorcycles after entering one of the oldest scrap markets in the city and opened fire on shopkeepers. A man, Anis Anwer, and his two sons, Umair Anis and Zubair Anis, were among the victims. Sources said that Anis Anwer had six daughters.

In Gulistan-i-Jauhar, four men riding on two motorbikes shot dead Abdul Khaliq and Jamal Khan at a roadside teashop near Rado Chowrangi. In North Nazimabad, a fruit vendor, 28-year-old Akram Khan, was killed by armed motorcyclists on Shakra-i-Noor Jehan when he was returning to his home in Kausar Niazi Colony. In Federal B. Area, the driver of a bus of route 7C was chased and gunned down by motorcyclists after he did not stop on their signal near Moosa Colony. Rafiq Murad, 37, was a resident of Saedadabad area. The body of a youth and three men with bullet wounds were found near the Pak Colony police station. A young man was shot dead by two men on a motorbike on the Abul Hasan Ispahani Road. Two youngsters from Gwadar were gunned down in the Aurangzaib Market, Garden area. Abid Baloch and Salim Baloch were cousins and had come to the city to see an ailing relative. Police said they were killed by motorbike riders. Nawaz Zikri Baloch, 35, of Mowach Goth was gunned down near Abbasi Cloth Market in Ranchhore Lines when he was going to his workplace. The bodies of Mushtaq, 35, and a watchman were found late in the night in the Gutter Baghicha area of Pak Colony and near the Khairul Bashar mosque, North Nazimabad. The MQM alleged that elements involved in 'Lyari gang war' were involved in the Shershah attack.

[Dawn – October 20, 2010]

Eight Killed in Karachi Shrine Suicide Attacks

At least eight people were killed and more than 70 others wounded, some of them having sustained critical injuries, when twin suicide blasts occurred in the premises of the Abdullah Shah Ghazi shrine at Clifton, an area declared a red zone in the city especially due to the presence of the Bilawal House which is located near the shrine. The twin blasts occurred within minutes of each other at a time when large number of people were gathered in the shrine on October 7 night. The first blast took place when a suicide bomber blew himself up at the central gate of the shrine, while the second bomb went off minutes later in the shrine premises, damaging a number of shops and vehicles.

[Daily Times – October 08, 2010]

Four Shia Traders Gunned-down in Quetta

Police said a gunman, on October 28, shot dead four Shias in Balochistan. The shooting took place in Quetta, the provincial capital. "The four Shia traders had just closed their shop and left for home when an unknown gunman opened fire on their car and ran away," killing two people on the spot, senior local police official Hamid Shakeel told AFP. He said the other two people died of their injuries on the way to hospital. No one had claimed responsibility for the attack, Shakeel added. A second police official, Shaukat Ali, confirmed the incident. The assailants managed to escape from the scene. Names of the deceased, who belonged to the Hazara tribe, could not be ascertained. Law enforcers reached the site and cordoned off the area. Police have registered a case and started investigation. Balochistan is rife with militancy and sectarian violence.

[Daily Times – October 29, 2010]

Other HR Related Issues

Human Smuggling with 'Connivance' of FIA Officials

The International Organisation for Migration (IOM) arranged a three-day workshop in Islamabad for capacity building of the personnel of law enforcement agencies with the aim of curbing human smuggling. Held in collaboration with Ministry of Interior, Federal Investigation Agency (FIA), and Islamabad Police, the workshop was attended by 40 officials. Special lectures were delivered on human trafficking, human rights and induction of women in law enforcement agencies without any discrimination. Later, the participants also held a rally where they carried placards inscribed with slogans denouncing human smuggling. Overall, a good initiative; but it is ironic that the workshop was held around the same time as FIA officials posted at Benazir Bhutto International Airport (BBIA) were accused of being involved in human smuggling. This happened after the authorities discovered that these officials helped passengers travelling on fake or forged documents despite checks at the airport. The authorities were forced to look into the issue after the PIA was fined by a number of other countries for passengers that landed there without the relevant documents. Passengers headed for foreign destination board the aircraft after clearance by the FIA Immigration authority at the airport. FIA checks forged passport and visa through a computer

system called Personal Identification Secure Comparison and Evaluation System (PISCES); the system allows the FIA to check the travelling documents of passengers in 21 different categories such as the authenticity of the photo or the visa. Over 50 passengers travelled abroad in connivance with the FIA Immigration's officials deployed at the BBIA in the last two months. The number of passengers who were smuggled on forged or fake documents through other airlines is said to be even more. However, this is not all the FIA officials are suspected of. They are also accused of deliberately damaging passengers' passports. Apparently, officials while checking passports tear out pages which carry valid visas; these are then used to forge visas. FIA sources told that at the time the passengers' documents are being checked before they are allowed to clear immigration for departure, officials tear out pages secretly.

According to the International Immigration Law, the authority which transported the passenger on fake travelling documents has to pay a fine. And though PIA has been forced to cough up, at the moment the Ministry of Defence (which PIA comes under) and the FIA are engaged in squabbling over which authority should bear the financial brunt. The defence department and the PIA claim that the FIA should pay the fine as verifying documents was the responsibility of the immigration department. These organisations claim that they are only responsible for issuing the boarding pass and transporting the passengers to their destination and that they do not operate PISCES. An official of the Pakistan International Airlines' task force was suspended for his alleged involvement in facilitating six passengers to board an international flight. An inquiry has been instituted against him to probe his alleged involvement. Similarly, the FIA immigration also removed an inspector, which was supervising the departure lounge; he was transferred to arrival lounge. However, unfortunately, he was brought back to the departure before long. This does not bode well for the hope that the authorities will take some credible action to stop this smuggling.

[Dawn – October 18, 2010]

HRCP Shocked at Torture of Prisoners

The Human Rights Commission of Pakistan (HRCP) on October 11 expressed outrage at inhuman torture and humiliation of several death row prisoners at the Toba Tek Singh district prison as well as official indifference to demands for an inquiry. A press statement issued by the HRCP read that the commission is alarmed at credible reports of brutal torture on prisoners in Toba Tek Singh district prison. According to HRCP's information, around a month ago, the jail staff had started a search of cells of death-row prisoners at 11pm, ostensibly to recover mobile phones. Many prisoners were brought out of their cells and beaten up. However, the treatment of three prisoners was particularly harrowing. The prisoners – Muzammil Shah, Ghulam Husain and Javed – are alleged to have been stripped naked and a prison dispenser taped the male organ of each of the three prisoners in such a manner that they could not urinate. Each was then forced to drink between three and four litres of water. The three prisoners were subsequently administered injections by the dispenser after which they started vomiting and had a strong urge to urinate but obviously could not. The tape was only removed four hours later. The three prisoners developed renal ailments as a result of the torture and one has also developed infection of the urinary tract. No less disturbing is the impervious attitude of government officials to public complaints. Even though the HRCP brought the incident to the attention of the Punjab prison chief around a fortnight ago, a request for an inquiry has not elicited any response. Such apathetic response from public servants must be condemned in the strongest possible words. The HRCP calls for an open judicial inquiry to probe the matter with a view to bringing to justice all the perpetrators, not least because of Pakistan's ratification earlier this year of the Convention against Torture and the reported participation of medical personnel in the torture on the three prisoners. HRCP calls upon the government to order medical examination of the prisoners and provision of appropriate medical assistance to them."

[Dawn – October 12, 2010]

Revisiting Islam and Human Rights

By Ahmad Ali Khalid

The issue of human rights is contentious. More so in Pakistan, where human rights are seen as a foreign concept and, peculiarly, a repressive instrument of neo-colonial forces aimed at vilifying Muslim societies. Respectable columnist Ishtiaq Ahmed has written many times on the subject of human rights and, by and large, I am in total agreement with what he writes. However, in this article I argue that in order to justify human rights in Muslim societies, we need to adopt certain epistemic and philosophical methods.

Adopting a basis for human rights on the proviso of utilitarianism, liberal neutrality or a free standing concept of justice independent from comprehensive doctrines of religion and ideology (in the Rawlsian sense) is not feasible. The fact of the matter is that adopting a non-theistic moral framework in a religious society is not feasible either. A framework of moral reasoning grounded in a form of religious liberalism (for instance the liberal theology of John Locke), is needed to counter the conservative/traditionalist framework of religious reasoning. Most political theorists urge us to adopt non-cultural and non-religious grounds for human rights so that we can avoid the tricky metaphysical, theological and ontological questions involved. But this is to totally avoid the crux of the matter, to skip the substance of the debate and cede ground to fundamentalists. We cannot avoid, when discussing human rights, getting involved in the indigenous traditions of ethics, justice, morality, epistemology and ontology of a specific faith or culture. Hence, rather than try and banish moral and religious arguments, liberals should engage in these arguments to provide an alternative narrative. Ishtiaq Ahmed rightly criticises the Islamic Declaration of Human Rights because it limits moral autonomy by having a narrow and literalistic conception of God's sovereignty. So, rather than avoid the subject of God's sovereignty altogether, we should engage in this discussion and argue that God's sovereignty does not mean we adopt a dictator-despot concept of God, but rather that God endows us with the capacity for free moral choices (free will).

Hence, by creating a scenario where liberals fear to engage in theology, religious ethics and epistemology by adopting this delusional principle of moral abstemiousness, we let the public sphere be filled with narrow and intolerant moralisms. And that is the situation in Pakistan today. Harvard philosopher Michael Sandel reminds us that, "Fundamentalisms rush in where liberals fear to tread." Grounding human rights in Muslim societies will require an epistemological shift in religious theology and religious moral reasoning. In short, I argue that we must move from the traditional Asharite concept of divine command ethics (an act is only good or bad if God says that it is; an act is never inherently good or evil) towards the Mu'tazilite concept of natural law (the moral value of an act can be determined by unaided human reason). A theory of Islamic natural law will enable a dialogue between secular and religious reason and participants. This is the shift from the traditionalist-Asharite thesis to the rationalist/naturalist-Mu'tazilite thesis.

The ingredients for the religious justification of human rights are the acceptance of free will, human dignity, the moral worth of all human beings, the historical context of sacred scripture and the value of human reason. The Mu'tazilites adopt a unique position in affirming the moral value of all human beings, the ability of all human beings, regardless of faith, to comprehend basic values of right and wrong (in contrast to the Asharites who argue our concept of right and wrong must come directly from Revelation, hence only Muslims have the ability to determine right and wrong). The Mu'tazilites adopt, furthermore, a precursor to the historic-critical method of Quranic interpretation and the crucial concept of free will that can be related to moral autonomy, which is critical for any justification for human rights. The Mu'tazilite belief that ethical values are independent of God, that we are endowed with free will and all humans have the same moral worth and dignity is the strongest opposition available to us to deconstruct discriminatory practices on the basis of religion. Practices of misogyny, gender discrimination, religious discrimination and other such human rights abuses either stem from an outdated interpretation and theology of moral reasoning or through the virus of cultural relativism. These practices are sanctioned by the supposed guardians of religious tradition (which is then erroneously fused with issues of identity, culture and a collective communal conscience), and they go unchallenged. Natural law may be a dated concept in the West (there are still respectable theorists who urge a natural law concept of human rights – 'natural law liberalism'), derived from medieval scholastic theology, but it is an invaluable resource.

Contemporary examples of utilising the approach of religious natural law are Abdulaziz Sachedina and Dr Anver M Emon. Sachedina, in his recent work, *Islam and the Challenge of Human Rights*, argues for a theory of Islamic natural law. He uses Mu'tazilite philosophical and interpretive strategies and concepts to provide a framework of inclusive and liberal moral theology. Sachedina argues for a conversation and dialogue between religious liberals and secular moral theorists, since the goals are the same but the routes are different. This innovative set-up of moral pluralism where different cultures and traditions can reach the same conclusions but with different concepts of human nature, epistemology and ethics is attractive. Sachedina argues that we must utilise 'religious reason' to construct arguments from the Islamic tradition to provide a buttress for human rights. Dr Emon's book, *Islamic Natural Law Theories*, is more specialised but richer since Emon provides several possible versions of Islamic natural law from Muslim history and philosophy. Indeed the book shows that, "They (Islamic natural law theorists) asked whether and how reason alone can be the basis for asserting the good and the bad, and thereby justifying obligations and prohibitions under sharia. They theorised about the authority of reason amidst competing theologies of God and their implications on moral agency. For them, nature became the link between the divine will and

human reason.” Islamic natural law should be the adopted moral and epistemological basis for human rights in Pakistan. Liberals must realise that they cannot stay above these debates and must engage in community reasoning, identifying common grounds and building upon them. Otherwise, religiously sanctioned human rights abuses will continue and liberals will become irrelevant.

[Daily Times – October 13, 2010]



Governance Watch

Political Governance

Legislative Business/ Federal Government Policies

National Disaster Management Bill Passed

The National Assembly on October 4 passed the National Disaster Management Bill 2010 to provide for establishment of the National Disaster Management System in the country. The act will help regulate the national disaster management system to overcome unforeseen crisis. Under the new law, the federal government will establish the National Disaster Management Commission, which will be headed by Prime Minister Yousaf Raza Gilani. Leader of the opposition in the National Assembly and the Senate will be members of the Commission. The Federal Government will also establish a National Disaster Management Authority, National Institute of Disaster Management and National Disaster Response Force. Provinces will establish their own disaster management commissions. They would also set up district disaster management authorities. Adviser to Prime Minister Nawabzada Ghazanfar Ali Gul presented before the House two bills. The bills titled "The Sacked Employees (reinstatement) Bill 2010" and "The Pakistan Atomic Energy Commission (Amendment) Bill 2007" were passed by the House. The first bill was aimed at providing relief to employees of corporations, autonomous or semi-autonomous bodies and government servants who were dismissed, removed or terminated from service. Minister for Water and Power Raja Pervez Ashraf introduced a bill for establishment of the Private Power and Infrastructure Board.

[Daily Times – October 5, 2010]

NA Committee Approved Accountability Bill

The National Assembly's Standing Committee on Law, Justice and Parliamentary Affairs on October 18 approved that the new Accountability Bill, 2010 that would be applicable to all the public office holders, serving or retired. However, committee member Abdul Ghafoor Chaudhry came with a dissenting note on the issue. The committee met at the Parliament House with Begum Nasim Akhtar Chaudhry in the chair to discuss the Accountability Bill, 2010, which will replace the NAB law. During the proceedings of the committee, the representatives of the law ministry failed to convince the committee as to why the government wanted to omit certain clauses of the NAB law, 1999, pertaining to corruption. PML-N members were of the view that the clauses, as existing in the NAB law, should be retained in the new bill, as it was obligatory under the International Conventions against Corruption. The representatives of the Law Ministry told the committee that the government wanted to omit those very clauses.

[Daily Times – October 19, 2010]

Justice (R) Deedar Made NAB Chief

President Asif Ali Zardari on October 8 appointed Justice (R) Deedar Hussain Shah as Chairman of the National Accountability Bureau (NAB). According to sources, Zardari has signed the summary sent to him by Prime Minister Yousaf Raza Gilani proposing Justice (R) Deedar's appointment. However, opposition leader in the National Assembly Chaudhry Nisar Ali Khan out rightly rejected the move. A notification in this regard would be issued later. Nisar referred to Justice Deedar's election as MNA on a PPP ticket in the past and added that he was ineligible for the position of the NAB chairman. Nisar said the decision could be challenged in court. Law Minister Babar Awan on Friday (8th October, 2010) claimed that the President had decided to appoint the NAB chairman after consulting with the PM and the opposition leader. He said the man appointed for the post was the one who had been praised by PML-N chief Nawaz Sharif in a letter. PML-N leader Khawaja Asif said his party had rejected the appointment of Justice Deedar as the latter had been a PPP loyalist, adding that the decision had been taken in personal interests. ANP leader Zahid Khan said his party had not been taken into confidence on the appointment of the new NAB chairman. Meanwhile, the president's spokesman Farhatullah Babar said President Zardari had discussed with the PM and the opposition leader the appointment of the NAB Chairman.

[Daily times – October 09, 2010]

Opposition Leader Moves SC to Annul NAB Chief Posting

Leader of Opposition in the National Assembly Chaudhry Nisar Ali Khan on October 16 moved the Supreme Court against the appointment of Chairman National Accountability Bureau (NAB) Justice (R) Syed Deedar Hussain Shah. He filed the petition under Article 184(3) of the Constitution, praying to the apex court to direct Justice (R) Deedar Hussain Shah to restrain from performing the functions of chairman National Accountability Bureau with immediate effect till the final adjudication of the instant petition in the larger interest of rule of law and independence

of judiciary. Chaudhry Nisar Ali Khan stated that he received a telephone call from the prime minister on September 24 for seeking his views in terms of section 6(b)(i) of the National Accountability Ordinance, 1999, regarding the proposal for appointment of Justice (R) Deedar Hussain Shah as NAB chairman. He informed the court that he intimated his views to the prime minister, stating that Deedar Hussain Shah was not suitable for the post as he has actively participated in party politics and has twice served as member of the Provincial Assembly of Sindh from the PPP platform from 30.11.1988 to 06.08.1990 and from 04.11.1990 to 19.07.1993 (as per bio-data posted on the website of the High Court of Sindh), thereby raising questions as to his impartiality.

[The News – October 17, 2010]

SC Summons NAB Chief, AG over Appointment

The Supreme Court on October 25 summoned newly-appointed Chairman of the National Accountability Bureau Justice (R) Deedar Hussain Shah and Attorney General Maulvi Anwarul Haq and directed the latter to assist it in finding whether NAB rules were bypassed in the appointment of Mr Shah. "We feel inclined to issue notices to respondents to consider as to whether the appointment of NAB chairman was made in accordance with section 6 of the NAB Ordinance," said Justice Javed Iqbal, the head of a three-judge bench hearing two identical petitions filed by Leader of the Opposition in the National Assembly Chaudhry Nisar Ali Khan and journalist Shahid Orakzai against the appointment of Justice Deedar Shah as NAB chairman. The court will determine whether the process of consultation laid down in the NAB ordinance and its ruling in the Asfandyar Wali case requiring chief justice's input was followed in the appointment of NAB chief.

[Dawn – October 17, 2010]

Government to Give Employment to Jobless: PM

Prime Minister Syed Yousuf Raza Gilani on October 7 said the present government had implemented 80 per cent of the Charter of Democracy (CoD), Pledging to pursue a mission for the provision of employment to jobless people, Speaking at the passage of The Sacked Employees (Reinstatement) Bill, on the floor of the house, the Prime Minister said the CoD was the vision of Benazir Bhutto and Nawaz Sharif and the present government was committed to implement it. He also observed that PPP's coalition parties and PML-Q were united on this very mission of provision of employment to jobless people.

[The News – October 08, 2010]

Policies of Provincial Governments

Rs81.7m Grant Released for Seminaries

The Punjab zakat and ushr department has transferred Rs81.7 million to all district zakat committees to provide funds to the students of 700 seminaries out of total 1,274 registered institutions in the province. Provincial Minister for Zakat and Ushr Malik Nadeem Kamran said that the department has also transferred Rs183.8 million to district zakat committees to provide scholarships to students of public schools and colleges. Mr Kamran told Dawn on October 25 that we help seminaries so that their management does not get funds from external sources which may exploit them for their vested interests, The minister said though the Punjab government had awarded funds to seminaries in 2007 and 2008, it did not release funds to seminaries in 2009 due to dissolution of zakat committees. According to him, the department ensures the transparent use of funds. "The department regularly monitors the activities of seminaries seeking funds. After a complete verification, seminaries are selected for the aid," he said. He said 574 seminaries had not applied for the assistance in 2010. "We provide funds not only to seminaries and educational institutions but also to the poor and deserving people through a substantive allowance and vocational training institutions. Funds are also allocated for patients, widows and orphans," he added. The minister at a meeting on October 25 directed all divisional and district zakat officers to ensure distribution of funds to help madrassas impart quality education. He also urged the officials to complete the distribution of funds by December and submit reports to the department every day.

[Dawn – October 26, 2010]

KP Approves Strategy for Peace-Building

The Khyber Pakhtunkhwa cabinet approved on October 5 a peace-building strategy from the perspective of government reforms, and development initiatives prepared by four multinational organisations jointly with the KP and FATA governments present at the request of Islamabad to adopt a new anti-militancy strategy. The Post-Crisis Need Assessment (PCNA) is the product of 10 months of research and consultations with several stakeholders and the World Bank, European Union, the UN and the Asian Development Bank, providing KP and FATA with "one proposal on how to build peace in KP and FATA". According to the PCNA document, "The strategy recognizes the geo-strategic environment and its indisputable impact on the crisis." Its goals include developing a shared

understanding on crisis inducing factors; building consensus on the corresponding strategies for sustainable crisis recovery; and contributing towards national peace-building efforts. The PCNA also suggested reforms in the political and constitutional status of FATA and PATA, pressed on improvement in security and strengthening access to justice to remove the sense of deprivation among the poor. It also advocated strengthening relationship among the state, civil society and communities to institutionalise participatory planning, decision-making and monitoring of public affairs – particularly service delivery – at community, district, and provincial levels by making it part of the new local government act. “Weak economy and high unemployment” were pointed out as drivers contributing to militancy in KP and the Tribal Areas. Mian Iftikhar said the cabinet also approved teaching Pashto as a mandatory subject in 17 of the 24 districts while also recognising Hindko, Chitrali, Kohistani, and Saraiki as mother languages in the province that would be taught in seven districts where they are spoken in majority.

[Daily Times – October 06, 2010]

Political Parties’ News

All PMLs See no Role of Musharraf in Pak Politics

All factions of the PML, including PML-N, and some close cronies of former President Pervez Musharraf do not see any role of the ex-general in the future politics of Pakistan and believe that he will not return to the country after finishing his self exile in the UK. Pervez Musharraf - who launched his party, All Pakistan Muslim League, on (1st October, 2010) - has not received any warm welcome within political circles in Pakistan. All factions of PML - including PML-N, PML-Q, PML-F, PML (likeminded group), PML-Zia and Awami Muslim League - claim that Musharraf should return to Pakistan and face court trail if he is serious in doing politics.

[The News – October 03, 2010]

PML-N Issues 14-Point Charge Sheet against Musharraf

Issuing a 14-point charge sheet against former President Pervez Musharraf on the eve of anniversary of October 12, 1999 coup, the PML-N on October 11 demanded transformation of his resignation of August 18, 2008 into dismissal and revoking his entire fringe benefits, facilitations and immunities which he is currently enjoying as a retired government official (army chief).

The charge sheet carries following charges against Pervez Musharraf.

Imposition of martial law:

General (Retd) Pervez Musharraf imposed [illegal army] Martial Law in the country twice, subverted the Constitution and violated the oath taken by him as an Army chief. He kept the elected Prime Minister [Muhammad Nawaz Sharif] behind bars in the Attock Fort, [illegally] detained judges of the superior courts [Supreme Court and High Courts] with their family members and imposed [military] dictatorship at gunpoint. Musharraf violated the Constitution again on 3rd November 2007 when he imposed emergency, which has been termed as mini-Martial Law and destroyed judiciary in the country. He is on record to have said that he acted extra-constitutionally on 3rd November 2007.

Kargil Misadventure:

He planned and undertook the Kargil misadventure, concealing it from the elected government, sacrificing some 800 [Pakistan Army] officers and men of the Army in the process.

Misuse of army for his own cause:

He used Pakistan Army as his personal force, tried to corrupt it and gave promotion to his blue-eyed officers. He used the Army for different unconstitutional and illegal actions meant to prolong his rule, badly affecting the credibility of the national institution.

Declaration of war against the people of Pakistan:

He pushed the Army into an undeclared war against its own people without seeking approval from the prime minister, cabinet and the Parliament, which has so far resulted in the killing of over 1,000 army men. Suicide bombings in reaction have also claimed lives of a large number of Pakistanis.

Blackmailing through NAB:

He blackmailed and subjected different people to torture and abuse, using the National Accountability Bureau [NAB] to form a [PML-Q] political party. This was he hereby, indulged the Pakistan Army in the illegal act of getting involved in the politics.

Murder of Akbar Bugti:

He got Nawab Akbar Bugti killed in cold blood to implement the threat he had earlier hurled on him and congratulated the people involved in the killing after the act.

Disappearance of people and conspiracies in Balochistan:

Thousands of Baloch political workers were made victim of enforced disappearance, with their family members still unaware of their whereabouts. Various Baloch leaders, including Akhtar Mengal, were implicated in false cases and jailed.

Killings in Lal Masjid:

The Lal Masjid [Red Mosque of Islamabad] was attacked on the pressure of external powers [the Israeli-Zionist Bush-Cheney Junta of War Criminals], resulting in the death of hundreds of innocent boys and girls.

Abduction of people:

He abducted, handed over and sold Pakistani citizen. The numbers are in thousands. Nobody till today knows where these people are... Over 650 people of [Pakistani and Afghan origin] illegally picked up from different parts of the country were handed over to the United States in return for dollars. This he [traitor Musharraf] admitted in his book.

Cronyism, nepotism, corruption and favoritism:

He set new examples of cronyism, nepotism, corruption and favoritism. During his eight years in power, Gen. Musharraf made billions of rupees as his close associates got massive contracts from NHA, OGDC, PIA, besides earning billions of rupees in defence deals.

Attacks on judiciary:

He illegally deposed the Chief Justice of Pakistan Justice Iftikhar Muhammad Chaudhry on 9th March 2007, subjected him to torture and unlawfully confined him and his family including small children disallowing anyone to see him or his children going to schools. The Supreme Court on 20th July 2007 in a landmark decision overthrew his illegal orders and reinstated the Chief Justice. He attacked the judiciary again on 3rd November 2007, enforced emergency, a Martial Law in real terms, acted against the Constitution and deposed 60 superior court judges in one go imprisoning most of them.

May 12, and October 18, 2007 massacre and other bloodshed:

Circumstances hint that General (Retd) Musharraf had played inevitable role in the ruthless killings of 48 precious lives and burning of lawyers of Karachi on May 12 while the deposed Chief Justice of Pakistan Iftikhar Muhammad Chaudhry was supposed to address the lawyers' community in the same city. Similarly, more than 150 human lives were killed on the day when the PPP leader Benazir Bhutto returned in the country after her exile of 9 years on October 18, 2007.

Promulgation of NRO:

On October 05, 2007, Musharraf issued the worst ever law in the history of civilized world.

Unconstitutional and illegal candidature and election as the President of Pakistan:

First he took over the country illegally by ousting the elected government and perpetuated his rule through unconstitutional referendum and a so-called vote of confidence from the Electoral College. Later on, he being an army chief contested the presidential election in 2007, which was again violation of the Constitution of Pakistan as well as his oath of an army chief.

[The News – October 12, 2010]

ECP & Election Related News**Controversy over Number of MPs Holding Fake Degrees**

With the Higher Education Commission (HEC) denying identification of 29 more fake or invalid degrees, some high-ups quoting the HEC Chairman Dr Javaid Laghari's claim that the number of MPs holding fake degrees had now increased from 57 to 86. The controversy surfaced after claims by various sources that the HEC chairman said: "It is in my knowledge that degrees of 29 more elected representatives are fake or invalid. The HEC in its recent announcement said that the number of fake degree holders has reached 57 after inclusion of names of Makesh Kumar, Sindh minister, MNA Ameer Ali Shah, Sindh MPA Pitanbar Sehwan and Punjab MPAs Dewan Ashiq Hussain, Javed Latif and Iftikhar Ahmad. HEC's focal person Rahim Bux Channa told that the number of fake or invalid degrees was still 57 and "it is not correct to say that the number has gone up to 86". He said now it was up to the Election Commission of Pakistan (ECP) to secure the required academic certificates from those elected members who are still hesitating to submit copies of matriculation, intermediate and bachelor degrees.

[The News – October 07, 2010]

ECP Seeks SC Guidelines for Action against MPs with Fake Degrees

The Election Commission of Pakistan (ECP) on September 29 filed an application in the Supreme Court seeking its guidelines for taking legal action against fake degree holders in parliament in absence of the new empowered ECP yet to be formed under the 18th Amendment, which is pending adjudication before the apex court. The application filed by ECP Secretary Ishtiaq Ahmad Khan said the powers of the Chief Election Commissioner (CEC) had been delegated to the EC under the 18th Amendment, thus the CEC was unable to undertake legal action against the fake degree holders. In the current circumstances, the application said the action could only be initiated by the ECP, which too was incomplete as its' required four members had not yet been nominated by the government. The application pleaded the court to give guidelines as well as go-ahead for action against the fake degree holder MPs. It requested the court to declare whether the CEC might proceed to prosecute the fake degree holders in absence of the ECP. It said a summary for the PM for appointment of members of the Election Commission has also been moved on June 17, 2010. It referred to two recent judgments of the Supreme Court - Muhammad Rizwan Gill vs Nadia Aziz and others of June 14, 2010 and Mian Najibuddin Oawaisi vs Aamir Yar and others of July 2, 2010 about the action that the court directed against bogus degree holding MPs after disqualifying Gill and Aamir Yar.

[Daily Times – October 07, 2010]

67 MPs have Fake Degrees

At least 67 members of the Assemblies and Parliament have been established having fake degrees and about 54 constituencies will see by-elections any time soon since the losing candidates are required to challenge their opponent's qualification which has been already established fake and such members would be thrown out of the elected houses on moving just one application. The Higher Education Commission (HEC) is still sitting with its fingers crossed to receive metric and intermediate certificates of 428 members of Parliament and assemblies out of 1157 so that the verification of the degrees should be completed. Well placed sources told The News on October 13 that the HEC has asked the Election Commission of Pakistan (ECP) to obtain metric and intermediate certificates of the members of Parliament and assemblies whose degrees are yet to be ascertained and pending for verification. In a carefully worded letter the HEC has reminded the ECP that the HEC will have to examine the degrees of the members finally since the HEC is the competent authority to verify such documents.

[The News – October 14, 2010]

MQM Wins PS-94 By-Election

MQM won PS-94 by-election on Sunday by grabbing 91,752 votes. ANP has boycotted the poll. Abdul Haq, Masood Alam and Zeenat Yasmin have taken part in the poll as independent candidates. The seat has fallen vacant after the assassination of MQM legislator, Raza Haider. In the 2008 general election, late Raza Haider had bagged 79,634 votes while Pakistan People's Party Parliamentarian's Syed Rais Ahmed Kazmi got 4,649 votes, Muttahida Majlis-i-Amal's Maulana Rashid Ali got 2,630 votes; Awami National Party's Gul Raj Khan obtained 959 votes and Tahir Anis, an independent candidate, got 229 votes. The turnout in the by-election was reportedly around 50 percent. However, no single vote was cast at polling stations 26, 27 and 28. There were 133,150 registered voters in the constituency; of them, 80,019 men and 53,131 women. As many as 86 polling stations were set up for the by-election with 287 polling booths.

[The Nation – October 18, 2010]

Reports on Governance

Pakistan jumps up the Corruption Index

Pakistan's Corruption Perceptions Index declined to 2.3 in 2010 against 2.4 in 2009, and out of 178 countries, its ranking as most corrupt country jumped from 42 in 2009 to 34 in 2010. This was announced by Transparency International Pakistan Chairman Syed Adil Gilani, while launching the Corruption Perceptions Index (CPI) in a press conference at the Karachi Press Club on October 26. The 2010 CPI shows that nearly three-quarter of the 178 countries in the index scored below five, on a scale from zero to 10 – with zero perceived as highly corrupt, indicating a serious corruption problem. In the last two years, there have been unprecedented cases of corruption involving billions of rupees in public sector organisations, which, under law, should have been taken up by the National Accountability Bureau (NAB), the chairman added. He said the government lacked political will to fight corruption, which had resulted in the Supreme Court taking suo motu action against mega corruption in the NICL, Pakistan Steels and rental power plants. The 2010 CPI report reveals that **corruption in Pakistan is increasing, while it is decreasing in Bangladesh, which ranked as the most corrupt country in 2001, 2002 and 2003. Its ranking in 2010 has dropped to 39 in the list of most corrupt countries.** Reduced corruption has paid dividends to Bangladesh whose annual GDP growth last year was over five percent, while Pakistan's was near 2.4. Delay in formation of an independent accountability commission by parliament might aggravate the situation.

The direct impact of increased corruption could be witnessed in the rise in prices of food commodities, which according to latest official figures from the Federal Bureau of Statistics, had increased up to 120 percent in the last one year – sugar increasing from Rs 54 to Rs 80 per kilogramme, pulses from Rs 50 to Rs 110 per kg, and eggs from Rs 35 to Rs 60 per dozen. Foreign direct investment for 2009-2010 dropped to \$2.21 billion from \$3.71 billion in 2008-2009, and in July-Sept 2010 it further dropped to \$387.4 million. Foreign debt on Pakistan increased from \$40 billion in 1999 to \$46 billion in 2008, whereas in the last two years it increased to \$53.5 billion. According to the report, **Denmark, New Zealand and Singapore are tied for the first place with equal scores of 9.3.** However, Afghanistan and Myanmar share the second-last place with 1.4 points, with Somalia at the last spot with a score of 1.1.

[Daily Times – October 27, 2010]

43pc Members Participated in NA Session

A total of 148 members - 43 per cent of the National Assembly - took part in the proceedings of the 25th session of the lower house which concluded on October 8. A total of 60 members had submitted agenda items in the form of a question, calling attention notice, resolution, motions and legislations on the Orders of the Day, said a report issued by the Free and Fair Election Network (FAFEN). There were another 88 members who actively took part in the debates despite the fact that they had not submitted any agenda item. Out of the 148 members taking part in the proceedings, 111 (42% of the total male members) were male while 37 (49% of total female parliamentarians) were females. As many as 36% MNAs of the Pakistan People's Party (PPP), 50% of the Pakistan Muslim League-N (PML-N), 54% of the PML-Q, 48% of the Muttahida Qaumi Movement (MQM), 31% of the Awami National Party (ANP), 57% of the Muttahida Majlis-i-Amal (MMA) and 20% of the PML-F participated in the session. Besides, 29% independent members also participated in the proceedings.

A total of 12 government bills were introduced before the house out of which six were passed. Three bills were introduced and sent to the respective standing committees while three others were not taken up. The assembly took up seven out of nine private member's bills. One private member's bill was rejected; one taken back by the mover, while the other was not taken up by the house. The remaining four bills were sent to the respective standing committees. The Prime Minister maintained his tradition of attending most of the sittings by coming to 13 out of the 15 sittings, while the opposition leader attended nine sittings. The speaker was present in 12 out of 15 sittings, while the deputy speaker was present in 10 sittings.

[Dawn – October 10, 2010]

Economic Governance

Facts & Figures on Pakistan's Economy

State Bank Predicts 2-3pc Growth Rate

The State Bank has predicted 2-3 per cent GDP growth in the current financial year despite severe flood losses. The target set in the budget was 4.5 per cent. The bank's annual report for 2009-10 issued on October 25 said that:

- There was a noticeable improvement in macroeconomic indicators during FY10 with the economy growing at 4.1 per cent, compared to 1.2 per cent in the preceding year.
- It projected an average annual inflation in FY11 at 13.5-14.5 per cent and fiscal and current account deficits at 5-6 per cent and 3-4 per cent of the GDP. The report said the impact of floods had strengthened inflationary expectations and the August CPI showed a 15.6 per cent year-on-year rise in its food component. However, the direct impact of the flood-related supply shock is likely to be limited and shortage of minor crops may not persist beyond three months as supply line improves and fresh crops reach the market.
- The SBP said the fundamental structural weaknesses in the economy remained unaddressed and some key reforms failed to gather traction. Persistent disagreements led to the deferment of a proposed expansion of the tax net through the introduction of a broad-based GST, the proposed restructuring of public sector enterprises to improve efficiency and lower the fiscal burden did not take place and after some initial work, there was little or no progress in either resolving the energy sector debt chain or substantially improving electricity supply.
- The report said various macroeconomic targets had suffered a setback early into the year because of the floods. Large parts of the country's agricultural heartland were particularly hit hard, with significant damage to standing kharif crops (e.g., cotton, rice and sugarcane) and livestock.
- The economy also suffered extensive damage to infrastructure (bridges, road networks, gas/ power plants and some industrial units such as rice mills, ginning factories, etc.), productivity losses from supply-disruptions and large-scale displacement of people, it said.
- The SBP said that even a cursory assessment of the broad contours of the losses indicated that their repercussions will continue to stress the economy for many years.
- It said that a 10.7 per cent growth in subsidies and losses of public sector enterprises was particularly disappointing. It said that in FY10, these expenditures, as a percentage of GDP, were almost equal to the combined total for health and education, adding that this was by no means an acceptable situation.
- The report said the total public debt and liabilities had substantially increased from 68.7 per cent of GDP in FY09 to 69.5 per cent.
- It projected that workers' remittances were likely to stay between \$9.5 billion and \$10.5 billion, while exports and imports were likely to be \$20 billion to \$21 billion and \$34 billion to \$35 billion, respectively.

[Dawn – October 26, 2010]

Another Record High Foreign Exchange Reserves Near \$17bn

The Central Bank said on October 7 that Pakistan's foreign exchange reserves, backed by healthy inflows, touched another high on Oct 1 by getting closer to the \$17 billion mark. Syed Wasimuddin, Chief Spokesman, State Bank of Pakistan (SBP) said that the liquid foreign exchange reserves position improved by \$200 million to reach another record high level of \$16.99 billion during the week under review, Reserves held by the central bank rose to \$13.15 billion from \$12.99 billion, while the reserves held by the commercial banks also improved to \$3.83 billion from \$3.79 billion. Analysts attributed the rise in reserves to increase in inflows of remittances sent home by overseas Pakistanis and foreign assistance for the flood victims. According to the data issued by the Finance Ministry, during the week, over \$200 million was received from international donors in grants. The central bank has so far not issued the remittances figures received during September, but the country received record remittances in a month in August. Earlier, the reserves hit a record high of \$16.79 billion by the week ended on September 24 by breaching the previous level \$16.77 billion on July 2. The reserves position is improving after the country received \$451 million from the International Monetary Fund (IMF) under an emergency loan for rehabilitation of the flood victims. The IMF approved the emergency loan last month, saying that the money would go towards Pakistan's budget to help with the additional spending brought about by the floods and immediate foreign exchange needs. The emergency loan is separate from the \$11.3 billion IMF loan towards the country.

The forex reserves fell to \$6.59 billion during the week ended on November 22, 2008 after the country witnessed severe deterioration in the economy. However, reserves position improved following the loan approval by the IMF under a standby arrangement of \$7.6 billion initially in November 2008 and further enhanced to \$11.3 billion in August 2009. The external current account deficit widened to around \$14 billion, or 8.5 percent, of the GDP in 2007/08. The growth of exports and workers remittances recovered, but total imports rose by more than 30 percent, owing to an increase of \$4 billion in the value of oil imports and strong aggregate demand growth, Pakistani authorities informed the IMF, while negotiating the loan programme. The country received five tranches of the standby arrangement and the last tranche of \$1.13 billion was received in May this year. However, the release of the sixth tranche is still unclear as the IMF has linked the sixth instalment reportedly to increase in tax base and

revenue collection by enforcing the reformed general sales tax (RGST), which was further deferred for one month till November.

[The News – October 01, 2010]

Reformed GST on Services from November

The government has missed its own deadline to implement the Reformed General Tax (RGST) from October 1, 2010, which is likely to be enforced from November 2010, to meet the major condition of the IMF under the \$11.3 billion bailout package for Pakistan that will pave the way for the release of the next tranche of \$1.2 billion. The rate of Reformed GST on goods and services will be at 17 percent for the first two years, said the sources. According to the minutes of meetings between the Centre and the provinces, from the total collection of four provinces, the Punjab would obtain 60 percent share, Sindh 50 percent, Khyber Pakhtunkhwa 15.62 percent and Balochistan 10 percent, totaling the share of four federating units up to 136.01 percent. The additional 36 percent would be borne by the Centre from its own kitty to compensate the provinces for evolving a consensus. The telecom companies have also asked the government to provide them one month period to bring changes in the computerized programme to run the reformed GST on services in a smooth manner.

[The News – October 01, 2010]

Taxes are Essential to Achieve Sustainable Development and Economic Stability

Taxes matter, beyond any doubt. Unfortunately, in our country tax evasion has become the norm. Non-tax culture is thriving and leading industrialists and politicians remain at the forefront of it. The tax-to-GDP ratio stands at approx 9.5 per cent — one of the lowest in the world. Furthermore, the government's plea for financial assistance in the light of recent flooding from the international community has sparked pressure on the country to formulate an effective tax system. The country's biggest donor, the United States, has issued one of the strongest warnings, saying the world will only be able to fund a quarter of the tens of billions of dollars it will take to rebuild the flood-hit areas – and it will be difficult to get American taxpayers to help if Pakistanis are not footing their share of the bill.

The existing tax policy seems to be moving in one direction only with the fixed income earners, more or less, bearing the brunt of paying excessive taxes. According to an analysis 10 million Pakistanis - about one in every 17 - earn more than \$3,500 a year. Only one in four of them - which is out of every 68 Pakistanis - actually register with tax system. Similarly only Rs75 million are contributed by the retailers at the market level all over the country. This trend needs to be reversed, but it will be next to impossible particularly if the general resistance towards paying taxes stays. Why is the tax-to-GDP ratio so low? It is simply due to the reason that people avoid paying taxes. Fewer than 2 per cent of the 175 million citizens pay any income tax, according to a source. Also, some sectors of the economy like agriculture – a major money maker for the elite – are totally exempt from tax, and the rich have pushed to keep it that way. Then there is the informal sector where a large proportion of individuals are employed in jobs that do not pay fixed wages and hence fall out of taxable net. On the other hand, transactions made in cash are not documented, making it hard for the government to identify and access income earned.

At present the general sales tax (GST) stands at 15 per cent and the IMF proposed value added tax (VAT) after being deferred for quite some time will be imposed next month under a new label-reformed general sales tax (RGST). The implementation of VAT was confronted by stakeholders, which forced the government to defer the decision for three months. For releasing the next tranche of \$1.2 billion (already delayed by the IMF) implementation of IMF's tax reforms is a necessary obligation. Not only IMF, the World Bank has also linked its \$300 million assistance under the Poverty Reduction Support Credit (PRSC) with the imposition of the RGST. The World Bank has said that the implementation of VAT or RGST is likely to increase the country's tax-to-GDP ratio to 11 per cent by fiscal year 2013. Hence this firmly entrenches the fact that we do not have the luxury to design our own tax system devoid of interference from the international financial institutions.

Before imposing any policy or reform owing to pressure from multilateral organisations, a detailed and rational analysis of the policy is vital. This would help the businessmen and common people comprehend the policy objectives and benefits which would in turn have an affect on how they react to such changes. Excessively burdening the already hard-pressed fixed income classes through flood tax, GST and RGST is to add to the people's miseries and incite them to exhibit their discontent at rallies and demonstrations. Such a scenario would have dire consequences for the incumbent government. The fair concern is why the poor has to subsidise the rich repeatedly, only because it is a system of the elite, by the elite and for the elite? The tax policy advice of the IMF is based on the model adopted by developed countries; it does not suit the economic and social elements of Pakistan and will prove to be full of flaws. Let's be mindful that donors often get their conditionalities wrong because it is easy to execute a plan with one stroke of the pen, and it is difficult to demonstrate the desired output. To reduce tax

evasion, the government needs to take concrete action. By clamping down on tax evasion, the government can not only increase its revenues in the short-run, it can also increase the stream of tax revenues in the long-run. The revenues that the government would generate from clamping down on tax evasion would far exceed the revenues from the one-time flood tax. The need is for the introduction of an equitable tax system—tax the rich at a higher percentage than the poor as they can bear a higher burden which is essential for income parity. A penalty-based system should be introduced. No one will voluntarily pay taxes unless there are serious repercussions. Game theory dictates that as long as the personal interest (of not paying tax) of an individual is greater than the penalty, personal interest will win. Hence, tax avoidance can easily be curbed by enforcing stern legal repercussion. At this point in time we must grasp the fact that though higher revenues economic stabilisation can materialise. However, sectors like agriculture that have the potential to generate substantial revenue should be taxed as well. Tax privileges given to certain groups—federal and provincial government employees, the armed forces, civil servants—have to be abolished for the country's well-being. Measures to reduce special tax incentives were undertaken by countries like Bolivia, Indonesia, Jamaica and Sri Lanka, to successfully broaden the tax base and increase revenues, without increasing the tax rates. Although there were still a few people who were able to find loopholes in the system to evade taxes, nonetheless, the reforms were a step in the right direction.

[The News – October 11, 2010]

Circular Debt Issue Getting Worse

Despite strict directions from the Prime Minister Syed Yousaf Raza Gilani for reduction in circular debts, Petroleum Ministry believes that finance division has not taken any concrete measure to curtail the growing volume of circular debts. Additional Secretary Petroleum Ejaz Chaudhary on October 4 said that volume of circular debts of Public Entities has reached its menace stage of Rs 235 billion and if the government does not take concrete steps to flush out the debts it might jump to Rs 285 billion at the end of the year. Chaudhry was briefing on circular debts issue here in Senate's standing committee on Petroleum & natural resources in chair Senator Sabir Ali Baloch to review the issues in petroleum sector particularly a continuous increase in volume of circular debts. He informed the committee that mostly public entities including Pakistan Electric Power Company (PEPCO) have not been paying their payables, while finance division had released Rs 60 billion to pay the receivables of Pakistan State Oil (PSO) and other entities after cut on Budget 2009-10 to reduce the circular debts volume in the country. He further said the receivables of Oil & Gas Development Company (OGDC) have gone up to Rs 85 billion and if the government does not take concrete measures to release the amount against OGDC receivables, it would have a devastating impact on the oil sector in the country.

Pakistan State Oil officials informed the committee that total liquid fuel demand of the country is 20 million metric tons per annum out of which PSO is contributing more than 14 MM tons, while other Oil Marketing Companies (OMCs) has its contribution over 29% of total demand of the country. The official informed the committee that due to country-wide flood devastation particularly in areas of Southern Punjab including most affected areas Muzaffar Garh and Kot Adu, the overall losses were estimated to be Rs 201.8 million – due to damage caused to civil infrastructure, electrical system and instrumentation, tank lorry and tank wagon loading system and damages of laboratory equipments. However PSO has constructed the embankments around critical equipment, depots and terminals at facilities. PSO claimed that total receivables from power sector have reached Rs 130.7 billion and price differential claims from the government of Pakistan stand at Rs 14 billion – while PSO's payable to refineries is Rs 89.9 billion and PSO is also liable to pay Rs 34 billion against Letter of Credit (LCs) payments in the next 20 days. Senate's Standing Committee on Petroleum & Natural Resources took a serious notice on the issue of circular debts and proposed to summon the officials of Ministry of Water & Power, Ministry of Finance and Ministry of Petroleum & Natural Resources in next meeting to probe the issue to circular debts consensually. The committee was also informed the country's total demand for Petroleum (POL) products is around 19 million tonnes per annum in which the share/consumption of Motor Spirit (MS) is 1.9 million tons per annum. Pakistan is a net oil importer, fulfilling around 85% of its oil demand including crude oil and refined oil products through imports, while remaining is met through indigenous resources. The committee also took a serious notice about the profiteering of Rs 190 billion by Liquefied Petroleum Gas (LPG) producers companies and amounting Rs 110.82 billion by LPG Marketing & Distribution Companies during the last five years and agreed to take this issue on the agenda of its next meeting. Seventy percent (70%) of the MS demand is met through local refineries, while 30% is being imported. In MS consumption the province-wise share is: Punjab 62%, Sindh 28%, Khyber Pakhtunkhwa (KP) 7%, Balochistan 1.7% and Azad Jamu Kashmir having 1.9%.

[Daily Times – October 05, 2010]

Donors' Financial Assistance & Pakistan's Economy

Donors Call for Stronger Economic Reforms

Leading donor nations on October 15 pressed Pakistan for stronger economic reform, including measures to widen the tax base to generate more funds for post-floods reconstruction. European Union foreign policy Chief Catherine Ashton who co-chaired a meeting of the "Friends of Democratic Pakistan" with Foreign Minister Makhdoom Shah Mehmood Qureshi, said that all international donors wanted a "safe, secure, stable and prosperous Pakistan, Domestic reforms were necessary and important., Ms Ashton told reporters after the meeting, echoing sharper comments made earlier in the week by US Secretary of State Hillary Clinton. It is absolutely unacceptable for those with means in Pakistan not to be doing their fair share to help their own people while the taxpayers in Europe, the United States and other contributing countries are all chipping in to do our part," Mrs Clinton said. Mr Qureshi told Dawn that Pakistan recognised the domestic tax base is not broad enough. He said that if we want the economy to grow, we will have to put in greater efforts at resource mobilization. He recognised that Pakistan's tax-to-GDP ratio was perhaps the lowest in the region. He said that the country had relied too long on indirect taxation and needed now to put in direct measures. Without such action, growth, investment and the social sector would not have the resources needed for longer-term development. The foreign minister said the government was striving to build a consensus on a general sales tax and to bring more people into the tax system.

The foreign minister said the EU's planned move to liberalise imports of Pakistani textiles and ethanol would help stabilise the economy and help protect and create jobs. A joint communique by the 27-nation group noted the need for continued efforts by the government of Pakistan under its reform programme towards economic stabilisation and sustained economic revival, including widening the tax base, and to take other structural measures to generate and enhance the maximum possible domestic resource mobilisation for reconstruction and long-term development. Pakistan has been asked to present a national plan for reconstruction and an economic stabilisation plan at a development forum to be held in Islamabad on November 14-15 (2010). Discussions also focused on Pakistan's energy needs and recognised water management as an important priority for the country. Egypt has joined the group and the meeting in Brussels was attended by several foreign ministers.

[Dawn – October 16, 2010]

United States to provide \$125 million for Energy Sector

The Pakistani government will receive \$125 million grant for Gomal Zam Dam, Satpara Dam and rehabilitation of four old power plants next month. Water and Power Federal Minister Raja Pervaiz Ashraf said that out of the total amount, \$40 million would be spent on Gomal Zam Dam, \$20 million on Satpara Dam and remaining \$65 million on rehabilitation and enhancing capacity of old power plants. Pervaiz Ashraf said the US had given assurance to finance the Diamer Basha Dam and also pledged to encourage its private sector for investment in the energy sector.

[Daily Times – October 28, 2010]

IDB Raised Sukuk Issuance by \$2 Billion to Aid Pakistan

The Islamic Development Bank (IDB) will more than double the size of bonds, or sukuk, issued under an ongoing programme to \$3.5 billion to help meet financing needs mainly from flood-ravaged Pakistan. The bank said in a statement on October 3 that IDB has successfully updated its Sukuk Trust Certificate Issuance programme and increased the ceiling of the programme from \$1.5 billion to \$3.5 billion; this increase is to facilitate new issuance of sukuk which will be used to finance a planned growth in IDB's operations, it added.

In 2009, the Saudi-based triple-A lender issued an \$850 million sukuk, which was the first tranche of a \$1.5 billion bond. It was part of the \$6 billion programme it established to soften the impact of the financial crisis on its member countries. An IDB official said the move would enable the bank to provide loans to flood-hit Pakistan. The World Bank estimates the floods have damaged or destroyed more than 1.8 million homes and displaced over 8 million people. The official said that Rebuilding Pakistan is a main priority for us now, that's one of the reasons why we are proceeding with this increase in our sukuk issuance plan, which will also boost our aid to other Muslim countries.

[Daily Times-October 04, 2010]

Europe Offered Trade-Tied Aid to Pakistan, Suspends Import Duties

Europe offered a major trade boost to Pakistan on October 7, proposing to lift duties on 75 of its imports as part of an aid-linked package designed to help recovery from the floods. The unilateral suspension of duties, available for

the next three years, concerns goods accounting for 27 percent of Pakistan's current imports to the EU. The EU said Lifting duties on the products, which include textiles, would result in an estimated increase of EU imports from Pakistan to the tune of around 100 million Euros. European trade commissioner Karel De Gucht said the proposal will offer a real boost to Pakistan's economic recovery while at the same time take into account sensitivities of EU industries, which are fearful of preferential treatment for Pakistan's cheaper textiles. De Gucht said he hoped the offer could be applied as of January 1 next year. The EU said the products represented only a small portion of such imported goods. Imports from Pakistan are currently worth around 3.3 billion euros each year, 900 million euros of which comes from these 75 lines.

The package, suggested by Britain, will be presented for approval to member states and the European parliament in the next few days. However, it will only come into effect if World Trade Organisation partners grant a "waiver," a senior official admitted. The package was "exclusively designed for Pakistan; it is not available to other countries — but all WTO members must back it", he said, requesting anonymity. He said India had already been sounded out amongst other rivals expressing sensitivities but that "serious talks" would now begin to make sure it does not lodge a complaint with the WTO. He scotched suggestions from Italy that up to 40,000 jobs could be at risk in Europe under the scheme. Sixty-five textile product lines — but not bed-linen, with four out of 10 EU imports in that category already coming from Pakistan — head the list, which also includes six lines of leather goods and three of footwear. The final item is ethanol, for which a threshold of 100,000 tonnes per year is applied, above which tariffs become payable again.

[Daily Times – October 08, 2010]

EU to Enforced 0% Duty Tariff on Pak Exports

Federal Secretary Commerce Zafar Mehmood informed at the Parliament House on October 8 that the European Union (EU) is expected to enforce zero percent duty concessions for the next three years on 75 Pakistan's exports interest tariff lines from January 1, 2011. The decision of EU to allow Pakistan 0% duty concession on 75 Pakistani tariff lines is unilateral and Pakistan is not going to offer any concession to EU in return. EU decision on duty concession would continue to benefit Pakistan for the next three years and there would be no need for annual approval in the second and third year.

[Daily Times – October 09, 2010]

Sugar Mills to be Major Gainers of Pak-EU Trade

The new plan of trade assistance by the European Union (EU) to Pakistan will not only give a boost to the textile and leather sectors but the sugar mills would be the major gainers too as the proposed programme will allow duty free exports of ethanol to the EU countries. Ethanol is the key greenback earner for the sugar mills and the country has been exporting an average of 250,000 tonnes ethanol annually and after the zero-rated regime is implemented the exports could even reach 300,000 tonnes annually.

[Daily Times – October 09, 2010]

Local Governance

Punjab Further Delayed LG Polls by 360 Days

After certain amendments to the Local Government (Amendment) Bill 2010, the Punjab government has further delayed the local government polls by 360 days and abolished the office of the Punjab Election Authority. The opposition benches also moved some amendments to the Bill but the treasury benches rejected them with majority vote. The Bill was tabled by Law Minister Rana Sana Ullah Khan. The office of the Punjab Election Authority was abolished with the objective of bringing the provision of Punjab Local Government (amendment) Bill 2010 in conformity with Article 140-A of the Constitution. Under the 18th amendment in the Constitution, the authority of conducting local government polls has been delegated to the Election.

[The News – October 22, 2010]

Pervaiz says LG Poll Delay Shows Govt Unpopular

PML-Q leader Pervaiz Elahi termed the postponement of local government elections for a year a clear sign of rapidly sliding popularity graph of the Punjab government. In a press statement, he blamed the Punjab government for running the provincial treasury dry and wasting development funds of district governments by paying salaries out of them. Accusing the government of its abject failure in every department, he held it fully responsible for the soaring inflation, unemployment and crimes in the province. He said the incumbent Punjab government did not believe in the effectiveness of the local government system and in the devolution of authority at grass-roots level.

He said soon after assuming charge in 2008 the Punjab government went about attacking the local governments and froze their funds.

[Dawn – October 24, 2010]

PM for Completion of Devolution Process by June 30, 2011

Prime Minister Yousaf Raza Gilani on October 5 emphasized that the process of devolution must be completed by June 30, 2011 – the time specified in the constitution. He said the process of devolution would fulfill a long outstanding political commitment of democratic forces of devolving powers to the provinces, adding that it would also help in promoting good governance at the federal and provincial levels and the process of devolution would be incremental. In the light of this decision, the first two phases would be completed by January 31, 2011. The Implementation Commission after approval of the PM will announce the dates of the other phases, which in any case have to be completed by June 30 next. The PM directed the commission that all ministries that are to be devolved shall be involved in the process. He was also apprised of the recommended amendments to Schedule II of the Rules of Business of the federal government, which have become necessary after the 18th Amendment through which the Concurrent List has been abolished. The PM was also briefed that the commission after taking the federal ministries into confidence would coordinate with the provincial governments so as to ensure that the process of devolution was smooth and with no hiccups. According to officials, provinces have already started receiving enhanced revenue share from the federal government under the 7th National Finance Commission Award. The government is planning a transfer of around 24 subjects (federal ministries and divisions) of the repealed concurrent list to the provinces under different phases.

[Daily Times – October 06, 2010]

Provincial Status for AJK — A Novel Demand

Some top Pakistani ex-bureaucrats and a retired judge of Azad Jammu and Kashmir's Supreme Court advocated a novel idea on October 18 of giving the territory, together with Gilgit-Baltistan, a provincial status in Pakistan's constitution until the Kashmir dispute with India is resolved, no matter whether Kashmiris opt for accession to either country or for independence. It seems to be a daunting task for the newly-formed Association for the Rights of People of Jammu and Kashmir (ARJK) think tank to pursue the previously tabooed course despite legal, diplomatic and administrative reasons given at a seminar at a local hotel by men like association chairman Justice (retired) Syed Manzoor Hussain Gilani, former foreign minister and foreign secretary Inamul Haque, former ambassador Ashraf Jehangir Kazi and retired air marshal Masood Akhtar. All Kashmiri political parties have opposed such suggestions in the past on grounds they would compromise their demand and Pakistan's stand for Kashmiri people's right to self-determination, including once in early 1970s when the then prime minister, Zulfikar Ali Bhutto, made an offer during a trip to Muzaffarabad, only to retract the next day in response to strong local reaction. And some eyebrows in the audience were raised to hear advocacy of this idea at the time of a resurgence of the separatist movement in Indian-held Kashmir where, at least Mr Jehangir Kazi acknowledged, the slogan of "azadi" (freedom) now has a resonance different from the past.

Mr Gilani's argument – supported by his other colleagues – for constitutional amendment to give Azad Kashmir and Gilgit-Baltistan the same constitutional rights as enjoyed by Pakistan's four provinces and internal autonomy as given by the recently passed 18th Amendment was that it would give the local people more say in policy-making and governance now missing when they had no representation in Pakistan's parliament and send a positive signal to their compatriots on the other side of the Line of Control. But he said this arrangement would last only until the position of Jammu and Kashmir is finally determined under long-standing UN resolutions calling for a plebiscite to decide whether Kashmir joins Pakistan or India, or under the UN Charter, which he thinks, could provide for any other path. There were speeches also about the background of how the 1947 partition did not settle the future of Jammu and Kashmir – 45 per cent of which is controlled by Indian, more than a third by Pakistan and the remainder by China – but most arguments centred on the plan for a provincial status to the part on the Pakistani side, and most speakers rejected former president Pervez Musharraf's proposal for finding an "out-of-the-box solution" rather than strictly following the UN resolutions. Both Mr Haq, who served as foreign minister for four months in an interim government in 2007-08, and Mr Kazi, a former ambassador to the United States and India and a former special representative of UN secretary-general to Sudan and Iraq, said opting for an "out-of-the-box solution" would knock down Pakistan's position for a plebiscite.

[Dawn – October 19, 2010]

Regional Politics & Election Watch

Pakistan's Foreign Relations

Strategic Dialogue: Expectations and Results

The just concluded third round of Strategic Dialogue between Pakistan and US at Washington, by any yardstick, represents a positive advancement in the continued interaction between the two countries, designed to give permanence to the new relationship envisioned through Kerry- Lugar Bill passed last year. The talks held in the backdrop of the acrimony generated by recent border flare-up that led Pakistan to close the border crossing at Torkham, halting Nato supplies into Afghanistan and US expectations for an immediate crackdown in North Waziristan, posed a great challenge to both sides in regards to narrowing down the differences in perceptions on war on terror and security issues, besides reviewing follow up action on other areas agreed in the previous round of talks in Islamabad. In terms of results achieved, it is beyond reproach to say that the Pakistani side very firmly and vociferously presented its perspective on how and when to proceed against the terrorists groups in North Waziristan and what was required of US in this regard, rather than the other way round. Reportedly, in the third round of talks the focus was more on security related issues with US insisting on more operations against Pakistani Taliban including the Haqqani group. The Pakistani side resolutely maintained that any action against those groups would be taken keeping in view the national interests of Pakistan. Army Chief General Ashfaq Pervez Kayani during a meeting of the Pakistani delegation with President Obama also spoke about Pakistan's concerns in the regional context in a very frank and open manner.

In the meeting of Defense Working Group, the military leadership made a very convincing presentation focusing on three important issues. It was unequivocally stated that to forge a better coordination on Pak-Afghan border it was imperative to avoid recurrence of incidents like Nato helicopters attack on the Pakistani territory, which killed three soldiers. The need for early release of Coalition Support Fund was emphasized besides highlighting the slow US response in providing the required military equipment to Pakistani forces to enhance their capacity to launch an effective action against the terrorists. The efforts of the Pakistani delegation comprising the political and military leaders have been quite fruitful in that the US has not only announced \$2 billion assistance for the Pakistan military establishment but has also ostensibly acquiesced to the Pakistani stance to go after the terrorists at a time of its own choosing. The new security pact has three parts: the sale of American military equipment to Pakistan, a programme to allow Pakistani military officers to study at American War colleges and counter insurgency assistance to Pakistani troops.

The security assistance committed by US may not be adequate enough in proportion to what Pakistan has already spent, but it undoubtedly marks a degree of success in convincing the US of the imperative for this effort. In the backdrop of skepticism expressed by some intellectual and media circles both in the US as well in Pakistan, the outcome on security talks, itself speaks volumes about the dividends and desirability of a continued engagement between the two sides and lessening of the mistrust that has permeated the relations between the two countries in regards to war on terror. The Pakistani delegation also forcefully highlighted the importance of the resolution of the Kashmir issue at all forums and the importance of Pakistani participation in any talks on the resolution of Afghan conundrum. Foreign Minister Shah Mehmood Qureshi vehemently denounced criticism of Pakistan's efforts against extremism and also urged President Obama to raise Kashmir issue during his visit to India, referring to his comments on the issue in 2008 before his inauguration.

The need for cooperation between the two allies in the field of civilian nuclear technology on the pattern of US-India collaboration and making it part of the Strategic Dialogue was also forcefully voiced by the foreign minister. Though the issue has not yet been discussed officially but there are indications that it has been broached privately. The US has certain reservations on the issue from its own perspective. The onus of removing those misgivings and building a convincing case for the envisaged US assistance lies with Pakistan. The strategic dialogue is not a one time exercise, it is a continued process and the success or failure of the parleys cannot be judged from a single engagement. Perseverance and patience is the name of the game in the international relations. Those who criticize the government for not being able to have this issue on the official agenda of the dialogue or regarded a commitment from US in the present dialogue as a touchstone for the success of the negotiations, are too naïve and lack the understanding of the intricacies involved. Notwithstanding the incessant opprobrium being heaped on the government by its detractors at home and abroad in regards to the nature of its relations with the US, ever since the commencement of "Strategic Dialogue" between the two countries, Pak-US relations have attained a higher

level of maturity. Both sides have become increasingly appreciative of each other's sensitivities and the relationship has moved from a tactical engagement to long-term strategic partnership. The present government deserves unqualified accolades for the success of its diplomatic offensive. The forum of Strategic Dialogue has a well structured approach towards key areas for which 13 working groups were formed during the first meeting held in Washington in March this year. These working groups are: agriculture; communications and public diplomacy; defense; economic and finance; education; energy; health; law enforcement and counter-terrorism; market access; science and technology; security; strategic stability and non-proliferation; water and women's empowerment. As is evident, the Strategic Dialogue has comprehensive dimensions covering all aspects of relations between the two countries.

The working groups have been vigorously working in their respective areas and some of the recommendations of the groups were taken up in the second round at Islamabad as well as during this particular meeting in Washington. Pakistani side did underscore the need for a quick follow up action on the recommendations of these groups, particularly on the energy sector and the establishment of Reconstruction Opportunity Zones in FATA. The working groups reportedly have agreed on plans to immunize 90 percent of Pakistani school children, improve electricity supplies and help farming families get back on their feet after devastating floods. The aspect, which needs to be taken into consideration, is that there is a lot of difference in seeking commitments and having them implemented. In the US system everything has to go through the scrutiny and approval of the congress which explains the slow response on various commitments. Pakistan needs to launch an intensive lobbying offensive to have the time lag reduced to the minimum. From the foregoing it is quite obvious that the overall status of the relations between the two countries, particularly since the beginning of the Strategic Dialogue indicates a positive progress tinged with mutuality of interests. We are dealing with a sole super power in the world and the way the civil and military leadership has dealt with it in the presence of heavy odds without compromising on the national interests, is indeed commendable. The progress on the relevant issues may not be as swift as one would like it to be, but there are no qualms about the fact that we are moving in the right direction.

[The News – October 25, 2010]

South Asia Peace Linked to Resolution of Kashmir Issue

A national Kashmir conference on September 30 said real and lasting peace in South Asia depended on the resolution of Kashmir issue in accordance with Kashmiri people's wishes. The conference organised by the Jamaat-e-Islami with party Chief Syed Munawar Hasan in the chair. PML-Q's S.M. Zafar, PML-N's Ghulam Dastghir and Zaeem Qadri, former JI amir Qazi Husain Ahmad, Jamaatud Dawa's Prof Muhammad Saeed, Muttahida Jihad Council's Syed Salahuddin, MJAH's Senator Sajid Mir, Gen Hameed Gul (retired), Ex-Servicemen Society chief Gen Rahat Latif (retired), JUI-F's Maulana Amjad Khan and JUP's Qari Zawwar Bahadur were present. Salient future that International conference are as follows:

- Real and lasting peace in South Asia depended on the resolution of Kashmir issue in accordance with Kashmiri people's wishes.
- Kashmir is not merely a land dispute, it is a matter concerning the right to self-determination of 15 million people to be decided by three parties - Pakistan, India and the Kashmiris - but the basic and the final decision rests with the people of Jammu and Kashmir.
- Paying tribute to the Kashmiris for carrying on their peaceful liberation movement in the face of untold brutalities being perpetrated by the Indian army, the conference assured them all out support in their struggle, which was in accordance with the UN Charter of Human Rights, International Human Rights Declaration and UN and NAM resolutions.
- It called upon the Pakistani government to take steps at diplomatic and political level to mobilize the world to play its role in the resolution of the issue.
- It said these violations had been condemned by the UN, the OIC, the Amnesty International and the Human Rights Watch as well.
- The conference made it clear to the Indian government that any formula for resolving the issue under the Indian constitution or any economic or political package would not be acceptable to the Kashmiris, as the All Parties Hurriat Conference had already turned down an eight-point Indian formula.
- It emphasized that Kashmir was an international issue in the light of the UN resolutions therefore attempts from certain quarters to treat it as India's internal issue were condemnable.

In this conference, issues regarding Kashmir's freedom were highlighted and it was emphasized that south Asian's peace is closely linked with Kashmir's freedom. Kashmiris should be given their rights. The massacre in Kashmir

should be stopped now and Indian army should exit Kashmir. Kashmiris have rights to live freely, and it was also said that Pakistan should cut NATO lines as they attacked on Pakistan's dignity and sovereignty.

[Dawn – October 01, 2010]

Pakistan, Afghanistan sign Transit Trade Agreement

Pakistan and Afghanistan, on October 28, signed the Pak-Afghan Transit Trade Agreement for boosting bilateral trade and exports. The agreement was inked by Pakistani Minister for Commerce Makhdoom Amin Fahim and Afghan Commerce Minister Anwarul Haq Ahadi in Kabul. Afghan President Hamid Karzai and US Special Representative for Afghanistan and Pakistan Richard Holbrooke witnessed the signing ceremony. Makhdoom Amin Fahim called on President Karzai after signing of the agreement and discussed with him matters of mutual interest with special reference to strengthening of trade relations between the two countries. It is pertinent to mention here that the cabinets of the two countries had already approved the new trade agreement. Under the agreement, Afghanistan would be able to send its goods to India through Pakistan. Truck drivers and crew would be issued visas and would be allowed to enter Pakistan only after verification by a biometric system.

[Daily Times – October 29, 2010]

India – Court Verdict on Ayodhya Issue

Indian Opposition said HC Verdict Key Step towards Ram Temple

India's main opposition Bharatiya Janata Party on September 30 welcomed the Allahabad High Court verdict on Ayodhya issue, saying it was a significant step towards building a temple at the birthplace of Lord Ram and opened a new chapter for national integration. Top BJP leader and former Home Affairs minister LK Advani told reporters after the party meeting that The Allahabad High Court verdict is a significant step towards building of a grand temple. He said that the BJP believed that this verdict opens a new chapter for national integration and a new era on inter-community relations. Advani said that his party was gratified that the nation received the verdict with maturity. He said that the High Court judgement upholds the rights of the Hindus to construct a temple at the disputed site. Advani did not take any questions on the matter and read out the party statement. The meeting was attended by BJP President Nitin Gadkari, Leader of Opposition in the Lok Sabha Sushma Swaraj and her counterpart in the Upper House Arun Jaitely among others. On the other hand, the Akhil Bharat Hindu Mahasabha, one of the early litigants in the Ayodhya title suits, said it would challenge the Allahabad High Court order to divide the Ramjanambhoomi land in three parts. Mahasabha leader Kamlesh Tiwari said that our fight for Ramjanambhoomi was acknowledged by the entire bench unanimously, He claimed that the legal battle was initiated by then Mahasabha leader Gopal Singh Visharad in January 16, 1950.

The Rashtriya Swayamsevak Sangh said the Allahabad High Court verdict on Ayodhya title suits should not be seen as anybody's victory or defeat and sought people's support for construction of a Ram temple. RSS chief Mohan Bhagwat told reporters that the judgment has paved the way for the construction of Ram temple in Ayodhya. We invite everybody, including Muslims, to help build the temple. Bhagwat said that the joy and happiness over the verdict should find expression in a controlled and peaceful manner within the limits of law and constitution. He said that Uncalled for provocation must be avoided and the movement for a Ram temple was not a reactionary one nor it was against any particular community. He asked Muslims to forget the past. Hindus are happy with the Supreme Court's verdict and they said Muslims should also accept this verdict and forget the past.

[Daily Times – October 01, 2010]

Babri Site to be Divided between Muslims, Hindus, Rules Indian Court

A court ruled on September 30, the site of the demolished Babri Mosque in India would be divided between Hindus and Muslims, in a ruling that could appease both groups in one of the country's most divisive cases. The court in the northern state of Uttar Pradesh also ruled that Hindu idols could stay on the disputed land, lawyers added. The demolition of the 16th century mosque by Hindu mobs in 1992 triggered some of India's worst riots that killed about 2,000 people. More than 200,000 police fanned out in India on Thursday to guard against any communal violence. Mohan Bhagwat, head of the hardline Hindu group RSS said that I appeal to everyone, including Muslims, to forget the past and come forward to take part in our national culture, which is closely linked to the main opposition Bharatiya Janata Party. The 2-1 majority verdict gave two thirds of the land to Hindus — one third each to two Hindu groups — and one third to Muslims. Ravi Shankar Prasad, lawyer for a Hindu petitioner, told reporters that the majority of the bench has ruled that the place where Lord Rama (The Hindu God) is enthroned, that is the birthplace of Rama, Lawyers said they would appeal to the Supreme Court and a final decision could take years. Commentators say the verdict is unlikely to spark widespread riots that hit Mumbai and other cities in 1992. Ghulam Mohammad Sheikh, social worker in Mumbai said that everybody is very happy with the verdict, People were

scared but now everything seems to be normal, People are now opening their shops. Prime Minister Manmohan Singh has called the verdict one of the country's biggest security challenges. Babri mosque's division has once again threatens the circumstances in India and once again 1992 consequences could be expected.

[The News – October 01, 2010]

Bangladesh's Domestic & Foreign Policies

BD to Reprint Constitution on Basis of SC's Judgment

In a major decision bypassing parliament, the government of Prime Minister Sheikh Hasina has decided to reprint the Constitution on the basis of the judgment on the Fifth Amendment by the Supreme Court (SC). Law, justice and Parliamentary Affairs Minister Barrister Shafique Ahmed disclosed this on October 4. The verdict was delivered by ABM Khairul Haque, the then High Court judge and now the chief justice. Replying to a query on the recommendation by the parliamentary special committee on amendment of the Constitution, the law minister said that We will start reprinting the Constitution immediately. It will be completed before the special committee submits its recommendations. The law minister said that The committee could give its recommendations, if there is any need for amendment even after reprint of the Constitution, We should accept the Constitution on the basis of the SC verdict. There is no relation between amendment of the Constitution and the SC verdict. The Constitution is the highest law of the country," Barrister Ahmed said. The law minister said the Constitution was changed illegally through martial law proclamations, which had no legal basis. There is no provision in the Constitution to declare martial law, the law minister.

[The News – October 05, 2010]

Hasina Extols Secularism Amid Sectarian Violence

Even as Prime Minister Sheikh Hasina Wajed extols the virtues of secularism and thanks her law enforcement agencies for ensuring a peaceful environment, there are reports of attacks on Puja mandaps across Bangladesh. Hasina has said that everyone in Bangladesh is at liberty to practice his or her religion. she said that secularism is one of the four main pillars of our constitution and it sounds hollow if people cannot practice their religions. She was greeted with flowers by leaders of the Hindu community. Her comments came amid reports on the same day that six cops were suspended in Sunamganj for attacking Hindu devotees at a Puja celebration.

[Daily Times – October 18, 2010]

Bangladesh May not Send Troops to Afghanistan

Prime Minister Sheikh Hasina Wajed told a meeting of ruling Awami League's advisory council, the Samakal newspaper reported that Bangladesh has made it clear it will not send its troops to Afghanistan while refuting reports that the US had requested the country to contribute soldiers to the war-torn nation, a local newspaper reported on October 3. "Bangladesh will not send soldiers to Afghanistan," Hasina conveyed her government's precise stand on sending soldiers to Afghanistan.

The press secretary to the prime minister could not confirm the comments but another Prothom Alo newspaper supplemented the Samakal report. The paper reported that Hasina agreed with the advisory as they said Bangladeshis had a reservation regarding the US military intervention in Afghanistan. Earlier, several newspapers reported that US Special Envoy Richard Holbrooke last week requested Bangladesh to send combat troops to Afghanistan at a meeting with Foreign Minister Dipu Moni on the sidelines of the 65th UN General Assembly. However, a Foreign Office statement published on October 3 said that the US envoy had asked for Bangladesh's cooperation in Afghan rebuilding but there was no discussion about sending troops to Afghanistan. Several foreign policy experts in the country have also expressed reservations against sending combat forces to Afghan.

[Daily Times – October 04, 2010]

Post-Election Scenario in Afghanistan

Nearly 6,000 Complaints against Afghan Vote

An Afghan election watchdog has registered almost 6,000 complaints following last month's parliamentary poll, around half of which could affect the final results, an official said. The Independent Election Commission (IEC) has already thrown out 1.3 million votes amid concerns about fraud in the September 18 poll, the second of its kind since the overthrow of the Taliban in 2001. The cancelled votes account for more than 23 percent of the ballots cast. Ahmad Zia Razaat, a spokesman for the Electoral Complaints Commission (ECC) an UN-backed election watchdog, said his organisation received nearly 6,000 complaints about irregularities and fraud since voting day. 'From the election day to date we have received 5,971 complaints,' Razaat told, putting around 2,500 of the

complaints in the most serious category of potential irregularities known as 'group A'. He said 70 percent of the objections had been processed. The IEC announced preliminary results earlier this month. The final outcome is not expected before early November. About five million people voted in the election, which was marred by Taliban violence. The Independent Election Commission (IEC) said last week 5.6 million votes had been cast on Sept. 18, and that it had invalidated 1.3 million of them for reasons including voting irregularities, intimidation and fraud. The IEC had said soon after the vote that just over 4 million votes had been cast, explaining the difference by saying that the earlier figure had been based on 'estimates'. The Free and Fair Election Foundation of Afghanistan (FEFA) on Thursday expressed its concern over the discrepancy in turnout figures, as well as recounts in some areas and the number of votes invalidated.

[Daily Times – October 29, 2010]

Afghan Election Official Arrested; Vote Tally Delayed

The electoral agency said on October 5 that Afghan police have arrested a top election official on fraud charges related to last month's parliamentary ballot and authorities further delayed a final tally beset by vote-rigging charges. Afghanistan's legislature election went ahead despite a Taliban insurgent threat to disrupt the ballot, but release of preliminary results has been pushed back until mid-October for more verifications and recounts amid fraud allegations. Success in the Afghan election will be a key factor for US President Barack Obama as his administration reviews its Afghanistan policy under growing pressure at home over the unpopular and increasingly violent war against the Taliban. IEC spokesman Noor Mohammad Noor told that in the latest charges, the Independent Election Commission, or IEC, said the provincial election chief in Khost had been arrested by police over the weekend after fraud complaints, and faced a probe by prosecutors. According to IEC information he was involved in fraud and we have received some complaints about him. The final decision will be taken by the attorney general's office.

[Daily Times – October 06, 2010]

Ballots Voided from 10 Percent of Afghan Vote Centres

Afghan election officials said on October 18 in a move likely to affect results in a number of volatile provinces that ballots from about 10 percent of voting centres in last month's parliamentary election have been disqualified by fraud. Ballots from 571 centres [established for the September 18 poll] have been nullified and votes from another 1,177 centres are being audited and recounted, said Noor Mohammad Noor, a spokesman for the election commission. A total of 5,510 centres were reported open on polling day. It was not clear how many ballots were affected by the commission's decision. Voting centres ranged in size, with between 1,200 to 7,200 ballots available. About 4.3 million ballots were cast countrywide. More than 50 centres were excluded in each of three provinces - Paktika in the east, Kandahar in the south and Herat in west, Noor said. Paktika had the most number of centres disqualified, he said. Noor did not give an exact figure, but said it was fewer than 100 centres. The majority of the rest of the exclusions fell into 13 provinces: Wardak, Paktya, Nuristan, Nangarhar, Kunduz, Khost, Ghor, Ghazni, Faryab, Farah, Baghlan, Badakhshan and Badghis, he said. Afghanistan has 34 provinces in all. Noor said that Centres were disqualified because of results that showed the hallmark of fraud, such as recording more ballots cast than were sent to polling stations, or showing 95 percent of ballots cast for one candidate. "These were issues which were not allowed through our regulations and our policies," he explained. It's a departure for the commission from last year's presidential poll - when Afghan election officials abandoned exactly these safeguards to let millions of suspicious ballots enter the tally. About a third of the ballots were later thrown out after an UN-backed fraud watchdog ordered an investigation into the suspicious results.

[Daily Times – October 19, 2010]

Myanmar's Parliamentary Elections

Myanmar Elections to Prolong Dictatorship

The political party of detained pro-democracy leader Aung San Suu Kyi, which has opted out of the upcoming elections, said that the poll will only prolong military dictatorship and noted that citizens had the right not to vote, a party statement said. The ruling junta has billed the election as a key step toward democracy after five decades of military rule. But critics say that oppressive rules governing campaigning, the repression of the main opposition party and the new Constitution insures that the military will continue its commanding role after the polls.

A statement by Suu Kyi's National League for Democracy said the election on Nov. 7 would merely activate a 2008 constitution which 'does not guarantee ethnic rights, civil rights, basic human rights and other democratic rights.' The National League for Democracy statement also called on voters to file complaints with police if they are coerced by anyone to vote. Suu Kyi, the Nobel Prize laureate still under house arrest, said earlier that citizens have

the right not to vote and that forcing others to vote amounts to breaking the law. She has carefully avoided asking voters to take any specific action, evidently to avoid prosecution under broadly defined laws. Separately, Myanmar's election is a democratic farce, the Philippines said in a document outlining President Benigno Aquino's position at an Asian summit this week where differences over the military-ruled nation could bring discord. The 10-member Association of South East Asian Nations (ASEAN) faces divisions over reclusive and recalcitrant Myanmar, days before its first election in two decades, at the gathering in Vietnam of leaders aiming to forge an economic and political union in the next five years. Myanmar's grim record on human rights damages ASEAN's reputation and credibility and is an obstacle to cooperation with some of its international partners. It is also a source of friction within ASEAN, which groups Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam. The Myanmar military, which has ruled since 1962, says the election will be fair and will return the country to civilian rule but critics say it is a sham aimed at ensuring the generals remains firmly in control.

[Daily Times – October 28, 2010]

Myanmar Barred Foreign Monitors from Poll

Myanmar's military rulers said on October 18 that International poll monitors and foreign journalists will be barred from Myanmar's first election in 20 years, deepening concern that next month's poll will be a sham. The United States, Britain and Myanmar's Southeast Asian neighbours had urged the junta to allow independent election monitors at the November 7 election, which critics say will cement the military's grip on power under the guise of civilian rule. Thein Soe, chairman of the Union Election Commission, told in the capital Naypyitaw that we don't need foreign observers. We have abundant experience in holding elections. "Besides, the election laws enacted are very balanced and easy to understand." The election is the first since 1990, when Nobel Peace Prize-winner Aung San Suu Kyi's opposition party won in a landslide result that was ignored by the military. Critics say the ruling generals are tightly controlling campaign activities this time to ensure their proxies win most votes and the assemblies will be dominated by their allies. The 10-state Association of South East Asian Nations offered in July to send monitors to help ensure the elections would be internationally recognised as free and fair.

[Daily Times – October 19, 2010]

Can An 'Election of Generals' Help Reform Myanmar?

By holding an election to legitimise decades of military rule, Myanmar's power-hungry generals may have inadvertently created a framework for a democratic system they might not be able to control. An army-dominated political process will culminate in November 7 polls dubbed an "election of generals" and widely dismissed as a sham, but there is hope that the system could spur reforms and gradually take power away from authoritarian military officers. For now, few expect any change to the status quo, just more suits and a lot less army uniforms. Most analysts say a transfer of power to civilians — whether intentional or not — would be an evolutionary process of at least a decade. "Of course the election won't be free and fair, but there's a chance here that over time, more political space will be created," said Georgetown University's David Steinberg, a veteran Myanmar analyst who has studied the former British colony since before the generals seized power in a 1962 coup. Restrictive election laws and steep registration fees mean pro-democracy parties will present no challenge to two well-heeled pro-military parties, whose lawmakers are sure to choose a powerful army-backed president whose policies and ministerial appointments will sail through parliament. But even with the generals still at the helm, analysts expect they will initiate some reforms — perhaps self-serving — in the resource-rich country's ailing economy after decades of mismanagement, corruption and crippling western sanctions. Josh Kurlantzick, a Southeast Asia expert at the US-based Council on Foreign Relations think tank said that the election might help with the overall civilianisation of the government and so lead to slightly wiser economic policies. He said, however, it was unlikely much would change in the near-term. A privatisation drive is underway, although the process has been extremely opaque and fraught with cronyism, benefiting the junta and its allies among a wealthy civilian elite set to become the country's economic powerbrokers for years to come. There are now 19 private banks — four owned by tycoons close to the generals and targeted by western sanctions — which will provide more branches, cash machines and small loans, although Australian economist Sean Turnell, a Myanmar expert, dismissed the banks as cash-boxes and playthings for their rich owners. But the mass selloff of about 300 state assets this year in areas like banking, telecommunications, transport and shipping may not be all bad. Most analysts point to the formation of 14 regional assemblies as the best hope for change and perhaps a willingness by the military to loosen its grip and allow more civilian input at local level while still retaining central power.

[Daily Times – October 06, 2010]

Political Crisis in Nepal

Nepal Failed in 12th Bid to Elect PM

Nepal's parliament failed to elect a new Prime Minister for the twelfth time on October 10, meaning the impoverished Himalayan nation has been without a functioning government for over 100 days. Nepal has been stuck in a series of futile elections since caretaker Prime Minister Madhav Kumar Nepal resigned from his post on June 30. He resigned under intense pressure from the opposition Maoist party, which was calling for a consensus government. Ram Chandra Poudel, leader of the Nepali Congress and the sole candidate for Prime Minister, secured just 89 votes, far short of the 301 needed in the 601-member Constituent Assembly. Members from other parties abstained. Political leaders have repeatedly failed to negotiate a solution to the shape of the new administration and eleven earlier votes to try to select a prime minister have failed to produce a winner. The Maoists, who waged a decade-long armed uprising against the monarchy, became the largest party in the 2008 constituent assembly elections, but without sufficient seats to form a government alone. Their candidate, party chairman Pushpa Kama Dahal, known as Prachanda was the front-runner in earlier votes, but withdrew to enable fresh talks on forming a national consensus government. The deadlock has hampered progress in Nepal's long-running peace process and also prevented the passage of the annual budget, delaying much-needed government spending. The country's next election will be held on October 26.

The country has been in political limbo since the June 30 resignation of Prime Minister Madhav Kumar Nepal, which has stalled Nepal's peace process and further delayed the annual budget. Nepalese parties have been unable to elect a new leader despite a series of polls since June 30, when Nepal stood down under intense pressure from the Maoists. Poudyal, who is the leader of the second-largest Nepali Congress (NC) party which has 114 seats in the Constituent Assembly, has refused to accept Maoists' demand to withdraw his candidature so that the process for a national government could be initiated. Poudyal is the only candidate in the fray following the withdrawal of Maoist chief Prachanda after his deal with the CPN-UML on September 17 in a bid to facilitate the formation of a national consensus government. Prachanda, the 55-year-old former prime minister, failed to get majority support in Parliament seven times in a row, forcing him to withdraw from the race. As per the parliamentary law, the polls should continue till a candidate secures simple majority in the House. The continuing political deadlock has further delayed the approval of the annual budget, bringing the country on the brink of a financial crisis.

[Daily Times – October 11, 2010]

Nepal Govt Running out of Money: Official

Nepal's government will run out of money next month if parliament does not approve the annual budget, unable to pay police and school teachers and forcing hospitals to close, a finance official warned on October 28. The budget was supposed to be approved by mid-July but a political stalemate in which parliament has been unable to agree on a prime minister has delayed the proceedings. An interim budget was approved to allow the government to pay workers and run day-to-day activities for four months, but that expires Nov. 16. 'After mid-November we will not be able to pay any salaries to government employees,' said Keshav Acharya, adviser to the finance minister. Foreign workers in Nepal's diplomatic missions abroad will not be paid, and government hospitals will be forced to shut down services. There will be no free medicine for the poor, Acharya said. Delivery of food by government agencies to remote mountain villages would be halted, he said. The government also will not be able to pay for fuel for vehicles, utility bills or rent. Projects to construct and repair roads would also be affected. Prime Minister Madhav Kumar Nepal and his government resigned in June. Since then, parliament has tried 13 times to elect a new prime minister without success.

[Daily Times – October 29, 2010]