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GENDER AND WOMEN EMPOWERMENT

Women & Law

Torture – a Word Missing in Pakistan’s Penal Code

Just five days before the submission date, the government has yet to begin work on its report on the Convention against Torture (CAT). After ratifying the United Nations convention on June 23, 2010, the government was required to submit a report under the “UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment”. This was highlighted in a joint press briefing by Parliamentarians Commission for Human Rights (PCHR) Executive Director Chaudhry Shafiq, former Minister of State for Interior Dr. Shahzad Waseem and Oxfam Program Coordinator Uzma Zarin. The briefing was part of a day-long consultation on “Combating Torture through Reporting on Convention against Torture” organized by PCHR, Oxfam International and UN Women. A concern was expressed over the increase in torture cases in the country and the government’s failure to form laws to combat and prevent torture and other cruel, inhuman and degrading treatment of citizens. Besides introduction of some sections in the Police Order 2002 and a few amendments in criminal laws, no serious efforts have been made to give effect to CAT. A year since the ratification of the UN convention, the government has not taken “any visible efforts on CAT on any level”, while noting that mere ratification of the UN convention will not be sufficient, as torturing is a practice deeply entrenched in the law enforcement system.

There is not even a single mention of torture in the entire Pakistan Penal Code (PPC); the word used is ‘hurt’. There is no mechanism to monitor or implement any strategy to combat torture in the country. He termed the new trend of conducting judicial inquiries by setting up commissions. Torture at the hand of the state is common in the country; this includes police custody torture, torture by intelligence agencies of which there is no information on record and target killing backed by state organs. The paralysis of the criminal justice system is the root cause behind the increase in state torture. Due to a lack of awareness, people consider police investigation as a form of “punishment”, and their diminishing faith in the justice system has lead to consider police stations a place to get justice. It is the prime responsibility of the government to come up with strategies to combat the use of torture in the country. Over 10,421 cases of torture in police custody have been reported in Pakistan during the last 10 years. 695 cases of torture against women in police custody were reported during the first six months of 2009. Sexual violence is reported by up to 70 per cent of women in police custody, along with the violation of their basic human rights.

[The Express Tribune - July 19, 2011]

Violence against Women: Call for Effective Enforcement of Laws

Balochistan Minister for Inter-Provincial Coordination Dr. Ruquiya Saeed Hashmi underlined the need for political parties to raise voice against the menace and said that there was a law to deal with harassment of women at homes and workplaces but the law was not being enforced properly. The provincial president of Pakhtunkhwa Milli Awami Party, Usman Kakar, pointed out that women were denied the right to inherit property. He described the attitude of religio-political parties as a hindrance in efforts to deal with the problem. He said that some feudal lords and tribal chieftains got their daughters or sisters “married” to the Holy Quran in order to save property. The killings of women in the name of honor are a reflection of the brutal and inhuman mindset. National Party leader Dr. Shama Ishaq said women were being murdered in the name of honor in Jaffarabad and Nasirabad districts. Both educated and uneducated people in the society avoided giving property rights to their daughters and sisters. Several women were

detained in Balochistan's jails as they could not pay small fines of Rs. 3,000 to Rs. 5,000. Awami National Party leader Jamali Khan accused tribal system, ignorance and role of some religious political parties as major causes of violence against women. Ghulam Nabi Marri of Balochistan National Party-M said the women were also being subjugated of violence in Balochistan like other provinces of the country. Ms Salma Hashmi of Pakistan Muslim League-Q said although legislation to control violence against women had been made but it was yet to be enforced. She said that only an educated society could redress violence against women.

[Dawn – July 07, 2011]

Women's Empowerment & Gender Equality

Khar Becomes First Female Foreign Minister of Pakistan

Hina Rabbani Khar took oath as the foreign minister, becoming the first Pakistani woman to be appointed to the position. At a ceremony held at the President House, acting president Farooq H. Naek administered the oath to Khar as the 26th Minister of Foreign Affairs of Pakistan.

[The Express Tribune - July 20, 2011]

In Malakand, First Female Lawyer Makes History

Women are generally considered backward and vulnerable in our society. There is a strong need for women to come forward in all fields of life. Our society is entirely male-oriented and puts more emphasis on culture as compared to religion. People often misinterpret religion in our society, due to which women are often exploited by the opposite sex. Even in court, a divorced woman cannot claim her marriage settlement back as she cannot prove anything against her husband. Women will continue to be exploited in a similar manner until and unless they are educated. But in the District Court bar room in Swat, the sight of a woman actively discussing cases with a throng of male lawyers was more than unusual, rather in a profession dominated by men, it was unheard of. That woman was Saima Anwar, the first woman ever to pursue a career in law from Malakand Division. Anwar completed her LLB from Muslim Law College Swat and is now working on her six-month apprenticeship at District Court Swat.

The Swat Valley, which recently passed through militancy and floods, became a symbol of uncertainty and backwardness, as schools were closed and female educational institutions were attacked. However, despite all these challenges, a female lawyer has emerged with a strong belief to protect the fairer sex from the injustices they are suffering. A practical role for women in Swat was non-existent, as certain segments of society did not want women to enjoy equal status. Even though hundreds of women want to come forward to work and study, men impose restrictions on them. There are several women who have attained a degree in law, but they are not allowed to practice, due to which their knowledge is wasted. Anwar also hoped that her story sends an open message to the world that the people of Swat are not radicals. Regarding the difficulties she faced, she said that even though the majority of her colleagues were helpful, certain people did show professional jealousy. Saima is living proof that women can accomplish anything if they put their minds to it. Her decision to choose a field which was entirely male-dominated serves as a great example for women to break the glass ceiling and come forward in all sectors of life.

[The Express Tribune - July 19, 2011]

Articles / Reports/ Books on Gender

603 Million Women Live In Countries Where Domestic Violence Is Not a Crime

Domestic violence is outlawed in 125 countries of the world, but globally, 603 million women live in countries where domestic violence is not considered a crime. The above mentioned and many other such interesting and contradicting dimensions make part of the UN Women's first major report following the organization's launch in early 2011. The report titled **Progress of the World's Women: In Pursuit of Justice** says that justice remains out of the reach of millions of the world's women. Laws based on custom or religion, which exist alongside state legislation; frequently restrict women's rights within the family, in marriage, divorce and the right to inherit property. Much has been achieved in the private and public spheres in the last century. Yet discrimination and gender injustice remain prevalent around the world.

The report says that 117 countries have equal pay laws yet, in practice, women are still paid up to 30 per cent less than men in some countries and women still do more unpaid domestic and caring work than men in every region of the world. It points out that globally, 53 per cent of working women; 600 million in total are in vulnerable jobs, such as self-employment, domestic work or unpaid work for family businesses, which often lack the protection of labor laws. Highlighting another such dimension, the report says that by 2011, at least 52 countries had made marital rape a criminal offence. And yet, over 2.6 billion women live in countries where it has not been explicitly criminalized. In countries where there have been steep increases in women's representation in parliaments, for example Rwanda, Nepal and Spain, progressive laws on women's rights have often followed. Yet there are still less than 30 per cent of women in parliament in the vast majority of countries. It further mentions that donors spend \$4.2 billion annually on aid for justice reform, but only 5 per cent of this spending specifically targets women and girls.

The report also recognizes the positive progress made and says that 139 countries and territories now guarantee gender equality in their constitutions, but it also shows that too often, women continue to experience injustice, violence and inequality in their home and working lives. To ensure justice becomes a reality for all women, UN Women calls on governments to repeal laws that discriminate against women, support innovative justice services, put women on the frontline of justice delivery and invest in justice system that can respond to women's need. It stresses the need to ensure that legislation protects women from violence and inequality in the home and the workplace and demands innovative justice services such as one-stop shops, legal aid and specialized courts, to ensure women can access the justice to which they are entitled.

The report says that across the board, existing laws are too often inadequately enforced. Many women shrink away from reporting crimes due to social stigma and weak justice systems. The costs and practical difficulties of seeking justice can be prohibitive from travel to a distant court, to paying for expensive legal advice. The result is high dropout rates in cases where women seek redress, especially on gender-based violence. It appreciates the efforts done in Pakistan, Fiji, Mexico and Kyrgyzstan in providing legal aid and awareness for women. The report gives the example of South Africa in investing in one-stop shop, which bring together justice, legal and health care services in one place and cut down the number of steps a woman has to take to access justice. For employing more women police, it highlights the effort of Latin American countries. In creating specialized courts for women, it gives an example of Democratic Republic of the Congo mobile courts are bringing justice to women in remote rural areas where levels of sexual violence are very high.

[The News – July 07, 2011]

Women Safer In 2010 than In 2009: Report

The NGO's report, titled **Violence against Women in Pakistan 2010**, revealed the 'surprising' fact that 8,000 cases were reported across the country in 2010 against 8,548 cases in 2009.

According to the report, Lahore is the most violent city against women with 1,089 reported cases. Out of these cases, 521 comprised kidnappings, two acid attacks, 28 domestic violence, 110 rape, 19 honor killings, 109 murders, seven sexual assaults, 76 suicides, three burnings and 214 incidents of custodial violence, torture, trafficking, child marriage and attempted murder. The other top nine districts where cases of violence were reported include Faisalabad, Sargodha, Sheikhpura, Rawalpindi, Peshawar, Kasur, Okara, Multan and Sialkot respectively. Murder cases in the country, however, showed an increase from 1,384 in 2009 to 1,492 in 2010. Of the murder cases, 758 occurred in Punjab, 328 in Khyber-Pakhtunkhwa, 308 in Sindh, 27 in Islamabad and 15 in Balochistan. During 2010, 557 women are reported to have been killed for honor compared to 604 cases in 2009. The highest number of honor killings (266) was reported in Sindh. During the year, 2,296 incidents of abduction were reported across the country of which 1,890 were from Punjab. This figure constitutes 82.32% of the total number of abduction and kidnapping cases of women in the country. The NGO's officials, however, said that since Punjab has the largest population, the percentage of incidents of violence in Punjab was more or less the same as in other provinces. The maximum number of abductions in Pakistan took place in Lahore, where 521 women were kidnapped. The report also said that violence against women was the main drive behind suicide and 663 women reportedly committed suicide in Pakistan during 2010 while 683 cases were reported in 2009. Nine hundred and thirty-seven incidents of rape/gang rape were reported in the country in 2010, out of which 741 took place in Punjab.

The report also showed 32 cases of acid attacks on women, a decline from 52 cases recorded in 2009. According to the report, police cases were registered in 76.31% of all reported cases, no case was registered in 15.11% of the cases while no record could be found of the remaining 8.58%. Sources of data collection include news reports, First Information Reports, monitoring cells and citizen committees.

[The Express Tribune - July 06, 2011]

Crimes against Women Frequent In Urban Districts

As many as 29,505 FIRs were registered in 55 districts being monitored by the Free and Fair Election Network (FAFEN) during April 2011. Serious crimes such as murder and rape were frequently reported in urban districts of the country. The highest number of FIRs, 98, regarding murder was registered in Karachi while the district of Lahore reported the highest number of rape cases, 29. Crimes against women are generally regarded as the outcome of certain socially sanctioned prejudices against women, especially in rural and largely inaccessible Tribal Areas. However, data suggests that such crimes may be prevalent in developed urban centres of the country as well. In order to collect crime statistics, FAFEN governance monitors visited offices of the district police officers (DPO) in 55 districts. Of these, 23 districts were monitored in Punjab, 14 in Khyber-Pakhtunkhwa, 12 in Sindh, five in Balochistan and the Islamabad Capital Territory (ICT). More than half of all FIRs filed against each category of crime were lodged in DPO offices monitored in Punjab. On average, each monitored district in Punjab recorded a total of 1,069 FIRs. Sindh, ICT and KP followed with an average of 209, 205 and 136 FIRs, respectively. With an average of 58 FIRs in each monitored district, Balochistan emerged as the province with the least number of reported crimes. On the whole, more districts were monitored in Punjab. The region is also more densely populated, which may be a factor in the number of FIRs. It was noted that crimes causing physical harm to people made up a fifth of all FIRs registered in the country in April 2011. These included murders and attempted murders, which together made

47 percent of all FIRs registered regarding physical harm across the country. On average, 22 FIRs were registered against murder cases per day in the 49 monitored districts.

[Daily Times – July 21, 2011]

UN Highlights Lack of Women's Rights

Michelle Bachelet, the Executive Director of UN Women, said the document showed that many millions of women had no access to justice. The report reminds us of the remarkable advances that have been made over the past century in the quest for gender equality and women's empowerment. However it also underscores the fact that despite widespread guarantees of equality, the reality for many millions of women is that justice remains out of reach. For millions of women in both rich and poor countries, the search for justice is fraught with difficulty and is often expensive; laws and legal systems frequently discriminate against them. Progress of the World's Women: In Pursuit of Justice is a comprehensive survey of women's access to justice across the globe. The report offers 10 recommendations to overcome the paradox that while huge improvements have been made in the legal position of women over the last century, there is still a dramatic lag in translating that into equality and justice. For example, 127 countries do not have effective laws on marital rape, and attrition rates in cases brought by women are high, ensuring that only a fraction of reported rapes result in conviction. The report cites one 2009 European study which found that, on average, only 14 per cent of reported rapes ended in a conviction. The first of the 10 recommendations is providing support for women's legal organizations, which often step into the gaps left by inadequate legal aid systems. In a number of countries, women's groups have been at the forefront of cases that have led to laws being repealed, or new laws created, with a positive impact on women's lives. In Nepal, the Supreme Court ordered parliament to amend the rape law in 2002 to allow prosecutions for marital rape after a case brought by the Forum for Women, Law and Development. In Indonesia, a local NGO has trained community-based paralegals to support women to use the religious courts to get the marriage and divorce certificates they need to claim benefits. Other recommendations include further legal reform to ensure paid maternity leave, equal pay and equal property rights, support for services to deal with crimes such as rape, and an increase in the recruitment of women into the police.

The report highlights best practice around the world, arguing that change can be achieved with innovative policy. Nepal, for instance, has trebled female land ownership in the last decade by offering tax exemptions to drive the adoption of new inheritance laws. In Sweden, the introduction of "daddy leave"; reserved time off for fathers has helped narrow the pay gap. In South Africa, the Thuthuzela rape care centres have integrated medical treatment, counseling and court preparation the conviction rate in cases dealt with by one Soweto centre reached 89 per cent, against a national average of 7 per cent. The report offers a clear indication of some of the areas that UN Women is keen to priorities. But the new agency is struggling to rise the funding it needs. Only \$104m has been pledged towards its target of \$500m. Pressure groups are warning that the shortfall is jeopardizing the success of the agency. Gender has been identified as a priority issue by many donor agencies, but the report points out how little funding has gone into women's legal rights. Of the \$874bn spent by the World Bank in the last 10 years, \$126bn went into public administration, law and justice systems, but only \$7.3m on programmes aimed at gender equality. Gender has been designated as one of four priority areas for the World Bank. Other recommendations in the report include better training for judges to challenge the notion that women's behavior may contribute to rape, and using quotas to increase the number of female legislators. Of the 28 countries that have more than 30 per cent female representation in parliament, 23 have used quotas. Given how sexual violence is used in conflict, the report says more effort needs to be made to increase women's access to courts and truth commissions. The report recognizes that significant advances in international law have made it possible to prosecute sexual violence crimes. But courts now need to priorities gender-based crimes in prosecution strategies. Women have a crucial role to play in peace-building, but

the report argues that more attention needs to be paid to post-conflict justice mechanisms, such as reparations.

[Dawn – July 07, 2011]

Government Finally Submits Report on CEDAW to UN

After a delay of more than one year, the government has finally submitted the fourth periodic report on the Convention on the Elimination of all kinds of Discrimination against Women (CEDAW) to the United Nations. The due date to submit the report was April 2010, whereas the related departments working on women's issues received the information that the report has been submitted on July 1, 2011. Pakistan acceded to CEDAW in February 1996, a convention that was adopted by the UN General Assembly on December 18, 1979.

Acceding to the convention makes it obligatory for a member country to condemn any biases against women and take affirmative steps to make the society discrimination-free. The members are also asked to submit regular reports on the status of women and then defend them verbally before the experts' committee. Since acceding to the convention, Pakistan has failed to submit its reports in time. Its combined initial, second and third periodic report was submitted to UN committee after 9 years in March 2005. The MOWD defended these reports before a 23-member experts committee. In its response, the CEDAW committee expressed concern over the issue of violence against women and demanded further details on the issues of health, education, micro financing, citizenship laws, women representation in decision-making, institutional and administrative gaps, and women with disability. The committee asked the government to correct stereotypes, especially those related to religion while also showing its reservations on the 'jirga' and 'panchayat' systems. It also sought explanation in the next report on insufficient representation of women in state institutions and even lesser representation at policy and decision-making levels. In the year 2009, the CEDAW Follow-up and Reporting Project, a separate set-up established within the MOWD to draft the report, finally produced the first draft of the fourth report that contained answers to the queries posed by the committee.

The draft was presented before the National Assembly Standing Committee on Women Development that raised objections over its contents. The Standing Committee of the National Assembly reviewed the report in its meeting held on April 28. On the directives of the Standing Committee, MOWD constituted a working group for the improvement of the report and to avoid mismatch with shadow reports. The working group included representatives from federal ministries with three leading CSOs headed by National Commission on the Status of Women (NCSW) chairperson. The working group that was formulated in May 2009 finalized the report in September 2009. The issue was to synchronize government CEDAW report with the shadow reports to be produced by the civil society. The report then went through a review at federal and provincial levels and consultations were arranged with the civil society. The report then went to the federal cabinet and from there to the Foreign Office for vetting in February last year. According to the report delay was because of lengthy bureaucratic process involved in the approval of such reports. Foreign Office officials told that the report was sent back to the Federal Ministry of Women Development (MOWD), as they found some editing mistakes into the report. The fourth periodic report covers the period from January 2005 to 2009. Whereas, the combined initial, second and third report was submitted in June 2005 that covered the period from 1997 to December 2004. The MOWD officials informed that the fourth periodic report has two sections. First section is a response to the comments of the CEDAW Committee on the combined initial, second and third report and the second section cover the achievements of the government against the articles of the convention.

[The News – July 08, 2011]

Males Dominate Decision Making Process in Families

A **baseline study** conducted by the Individualland Pakistan (IL-Pakistan), a non-profit development organization shows that rural and urban societies in Pakistan are semi-conservative with the exception of Khyber-Pakhtunkhwa and Balochistan where the environment was found deeply conservative for women. Main features of the study were revealed at session of organized by Individualland Pakistan to increase media awareness about gender equality and equity. The research was conducted in the 23 districts of the country with the involvement of 180 media professionals and 1,150 men and women. Carried out with the partnership of Aurat Publication and Information Service Foundation, under USAID-supported Gender Equity Programme (GEP), the study is part of a project designed to sensitize media regarding gender equality and equity. The quantitative and qualitative analysis of the study clearly shows that male is the dominating gender in all societies that exist in Pakistan taking all the important decision in the household. In general, she said that the public was found open to new ideas but judges the new approaches in lieu of their religious and cultural values. The study mentions that despite overall conservative mindset of the society, both electronic and print media has been able to reach inside the homes and outside. The research shows that general public likes to keep themselves abreast of what is happening around them. Both men and women keenly watch television however, more men read newspaper, mostly in market and business areas, as compared to women.

The study further points out the frequent use of words such as traditional values, respect and honor by both genders while they were answering the questionnaire. Almost all respondent agreed that they should play a positive role, but they were not clear what that positive role can be. It says that negative social practices not only affect that psyche of the society, but also add to their financial burden. Substantiating the argument with the example of dowry, the study further mentions that the custom enjoys a strong level of acceptance in rural and urban areas. Such practices cripple the common man financially forcing him to go in debt, which he then spends years to pay off. In some cases, they marry off their daughters to pay for the family debt. Such practices lead to frustration and other acts of unacceptable social behavior within the society like domestic violence and taboo social practices such as honor killing, early marriages and 'swara' are still acceptable in many parts of the country. Some of the stereotypes that they repeatedly came across while conducting the study and said that media needs to gauge these stereotypes so that it can become for more effective and responsive change. For example, many respondents felt that women's decisions are foolish. They believed that the husband's home is the real home of a woman and her father's home is her home until she is married. For unmarried or widowed women, they largely believed that such women can have a bad impact on the society and should get married soon. Commenting on honor killing, one respondent said to the research team that honor is the oxygen of life and it should be protected at any cost. It was not only men, but also women agreed to the discriminatory norms as they have internalized these concepts. A 25-year-old housewife from KP said that girls should not go to school and they do not have right to make decisions regarding their marriage or have share in the property.

[The News - July 26, 2011]

HR WATCH

Women & HR

The Great Escape: Women Cut Window Grilles, Flee ‘Shelter’

The inmates managed to flee by cutting the window grilles of Darul Aman. There were 17 women living in the shelter, 13 of whom escaped. Following the incident, the administrator of the shelter run by the Social Welfare Department of Balochistan, was suspended. This is the second such ‘great escape’ over the past four months. Earlier, four women escaped, who were later caught by law enforcers. The reason behind such incidents is a lack of facilities. Women want to get out of these Darul Amans because they are provided substandard food and not provided timely medical aid. There is one watchman at the shelter and he is said to be 65 years old. Director Social Welfare Mohammad Ali Durani said that a high-level inquiry has been ordered to investigate the incident. All women belonged to Sindh or Punjab and every month such incidents take place. However, Durrani blamed the ‘system’ for the incidents. Most women were brought by the police [there] on the orders of local magistrates. In some cases we found the relatives of some of the women, but heavy charges for their bail forced the relatives not to return.

[The Express Tribune - July 05, 2011]

Contraception A No-Go Area for Most Women

Tahira, a 28-year-old woman, living in a shanty town in Lahore, has given birth to five children in her eight years of marriage. Her oldest child is a seven-year-old son and her youngest are three-years-old twins — a girl and a boy. Her second child died as an infant. After her third child, she compulsively went to a government health unit to get contraceptives as she did not want more. They placed an implant. But it reacted adversely with my system. I gained weight and started having severe body pain, so I decided to give up contraceptives altogether. Now the couple is facing financial conundrums as her husband earns a meager salary of Rs. 9,000 a month. Tahira has decided to get an operation; a treatment medically known as sterilization. But she fears since her previous treatments did not go well. Dr. Muhammad Saeed, a gynecologist, explains about misconceptions about contraceptives in Pakistan. Women tend to believe that all illnesses occurring after using contraceptive methods are related to them, without any biological correlation. Since reproductive health units come under the social welfare department, staffers do not consult medical experts from the health department and this creates a serious problem in addressing health issues related to contraceptives.

After the recent devolution of the Ministry of Population that funding “is now becoming a major issue in giving quality reproductive health services”. But he expects that the federal government will honor its commitment of providing Rs. 3 billion for the on-going year to develop this sector. Political and social support is what we still lack and that is why population is not on the priority list of our government either. About religious problems encountered with government initiatives, the government should alter the slogan, adding that instead of highlighting “two children are enough” it should focus on “space between children” since they had difficulty breaking the mind barriers associated with birth control. The world needs to work together to meet the needs of some 215 million women in developing countries who want to plan and space their births but do not have access to modern contraception.

[The Express Tribune - July 12, 2011]

Female Illiteracy: 41% of Pakistani Girls Fail To Complete Primary School

Approximately 41% of Pakistani girls fail to complete primary schooling, according to a report published by the Global Campaign for Education (GCE) and American NGO Results. Girls in Pakistan lag behind due to social and cultural restrictions in a patriarchal society. The report says that one of the primary issues concerning education in the country is the nominal budget for education and its low priority. In the last four years, GDP allocation for education has remained below two per cent. The current budget covers operational costs and salaries but nothing significant for educational development, including construction of new schools. Out of a total of 146,691 primary schools, an estimated 43.8% are for boys and 31.5% are for girls. According to the report, governments and international financial institutions need to redress the balance and give girls a fair deal. On the positive side, the report highlighted how in the last decade more girls have been able to start school, but they remain more likely than boys to be forced out again. It also says that the best means of protecting girls from early marriage is to keep them at school. Officials working in the development sector say that Pakistan's education ministry never adopted the concept of gender sensitivity and responsive budgeting. The ministry needs to chalk out sensitive and responsive budgeting with allocation for boys and girls in different brackets.

[The Express Tribune - July 20, 2011]

No Going Back: Man Chops Off Sisters Legs for Coming Home

A man allegedly chopped off his sister's legs with an axe after she returned home from her in-law's house. According to police officials, Moza Kalari resident Shahnaz Bibi recently returned to her parent's house after a quarrel with her in-laws, upon seeing her back home her brother, Asif took an axe and chopped off her legs. Shahnaz Bibi was shifted to Allied Hospital in serious condition and doctors said that her legs could not be reattached. Dr. Qasim Safdar said that she lost too much blood and she would not be able to walk again. Shahnaz Bibi's mother Maryam Bibi said that her son, Asif had fled after attacking his sister. Shahnaz's husband Taru Sanbal said that he had registered a case with the local police against his brother-in-law. They had a quarrel and she returned to her parent's house but the issue was not serious. Her husband was giving her time to cool off before bringing her back home. Shahnaz's parents have told police that they do not know the whereabouts of their son. Station House Officer Rehmat Qadir said that police is conducting an investigation and searching for the accused.

[The Express Tribune - July 11, 2011]

Child Rights

Juvenile Suicide: They May Not Be Successful, But It Doesn't Mean They Aren't Trying

The information, collected by the Human Rights Commission (HRCP) of Pakistan and Lawyers for Human Rights and Legal Aid (LHRLA), only includes children under 18 years old. It shows a slight increase in actual suicides from 2009 to 2010 – 185 to 187 – but the numbers may be higher as a lot of suicide cases do not mention the age of the deceased. The issues Pakistani children face today are well known. There is trafficking and kidnapping, violence and custodial abuse, begging and homelessness, bonded labor and juvenile injustice, but most people do not understand what would push someone so young to take their own life. Incidents such as the suicide bombing at Abdullah Shah Ghazi's shrine by two teenage boys and the occasion where a 15-year-old inmate killed himself in December 2010 are seen as terrorism and faults in the legal system. The studies also show that ingesting poison is the most common method used – 51.7% in 2010. Firearms are a distant second at 17.2% while 16.8% hang themselves. Less common is

drowning, electrocution, incineration, jumping in front of a train, impaling oneself and suicide bombing.

According to the police, hospital administration and non-government organizations (NGOs) working for youth, the number of suicide cases in Islamabad and Rawalpindi are increasing with each passing day but majority remain unreported due to social norms and taboos. A lack of focused research means that this increase cannot be explained. HRCP and LHRLA are among the very few organizations that document juvenile suicides nationally. HRCP's assistant coordinator Abdul Hayee told that while such cases are documented there are no specific studies because most of them are above 14 years old. As suicide is a crime according to the law, it becomes a legal matter. Dr. Muhammad Ishaque Sarhandi says that depression is common among children as young as eight or nine, which is a leading cause of suicide, even in adults. However, cases of child suicide are still very rare. Sarhandi ruled out the common misconception that violence on television or video games pushes children towards suicide. However, factors such as a negative home atmosphere, unsettled families with divorced parents and financial problems also have a bad impact on children. Small families and 'spoiling' a child can be an issue but then again so can neglect. Childhood experiences such as these can lead to a suicidal tendency later in life.

Suicide and deliberate self-harm both are against the law in Pakistan. Children above 12 years reportedly hurting themselves must be referred to the Medico Legal Officer in government hospitals – to be punished. The Mental Health Ordinance, Section 49, also calls for the psychiatric assessment of attempted suicide survivors. This is why researchers fear that the entire problem is grossly underreported. Who wants to come forward? The Pakistan Penal Code's (PPC) Section 82 grants children below seven years blanket immunity as they are not mature and have no criminal responsibility. It allows for concessions in sentencing if the child is between seven and 12 years old as they cannot judge the consequences of the 'offense'. However, anyone above 12 years must take full responsibility. This makes a child equally punishable under PPC Section 325, 1860 – since the law is same as adults for children – that orders a sentence for up to a year, or a fine, or both. However the Pakistan Medical and Dental Council code of ethics 2001 states that a doctor is not legally compelled to disclose an attempted suicide if the information was confidential. Sarhandi says that treating children is the same as treating adults. The child has to undergo psychotherapy and assessment and be given anti-depressants if needed. Doctors and experts alike recommend sending children to school, raising awareness among the parents and school-based intervention programmes. Schools should make their student's mental health a priority. They also recommend restricting access to the three most common means of suicide – poison, firearms and hanging.

[The Express Tribune - July 05, 2011]

'Juvenile Delinquents Mistreated At Borstals (*Youth Prisons*)'

Explaining the situation for children in jail, Hina Jillani said that the police keep the children in jails unlawfully and do not provide them with legal help. Despite the fact that they are bound to produce the children in court within 24 hours of their arrest. She said that the state is responsible for providing free legal aid to juvenile delinquents, whose physical and psychological health are badly affected due to improper treatment by jail officials. Saba Sheikh, the Child Rights Unit coordinator, told that the behavior of the police greatly affected the children. The police tend to turn the children into hardened criminals. After they are released, the children either suffer from inferiority complex or become hardened criminals. She suggested that there should be an education programme for children in jail. The speakers urged for the implementation of the Juvenile Justice System Ordinance, 2000 to provide the protection of rights of the children involved in litigation.

According to the report a total of 1,061 children were jailed in 2010 compared to the 1,951 in 2009. Sixty-five per cent of the children were between 16 and 18 years of age; 34 per cent were between 12 and 15 years; and only one per cent was between seven and 11 years. Among the

total detained children, 34 per cent were charged with assault, murder and attempt to murder, 25 per cent with offences against property, 18 per cent sexual offences, 11 per cent possession of weapons and the rest with miscellaneous offences including drugs. There was a decline in charges relating drug use over the years. Nearly 76 per cent of the children remained in jails for as much as four months in pre-sentence detention, 18 per cent from five to eight months and five per cent spent 9 months or more. Twelve children had undergone a pre-sentence detention of more than a year. Out of the 63 children interviewed by the child rights unit, 60 said that they were not produced before a court within 24 hours of their arrest. In December 2010, the number of juvenile convicts stood at 84. They were detained at Bahawalpur and Faisalabad borstals. On average, however, there were 64 convicts in borstals. Most of the child convicts had been sentenced to three to seven years (23) followed closely by life imprisonment of 25 years (20). The longest sentence awarded was in February 2010 when an 18-year-old from Bahawalpur, detained at Faisalabad borstal, was sentenced to 492 years in rigorous imprisonment and fined Rs. 32 million. The child was charged for murder and terrorism. A 17-year-old from Jhelum convicted in April 2009 of murder and assault was sentenced to 75 years in rigorous imprisonment, fined Rs. 100,000 and ordered to pay Rs. 500,000 in compensation. These sentences were contrary to the Juvenile Justice System Ordinance, 2000, that prohibits rigorous imprisonment for children.

[The Express Tribune - July 06, 2011]

Child Bureau Reunites Children with Parents

Child Protection Bureau (CPB) officials returned 14 children to the custody of their parents in Multan. Bureau officials told that over 32 children were currently being housed at the district child protection offices. Nearly all of these children were picked off the streets and we are now schooling them and providing them with boarding and lodging. When picked up most of these children upon conducting an initial inquiry into whom their parents were. Separate cases were registered and filed for each child but we didn't return them to their parents until we were sure that they would not be put back on the streets to beg. According to child protection officials, all of the children are placed under state protection the moment they are picked up by the bureau. All of the children had been allowed to meet their parents once-a-week and the parents were given counseling. The males were helped to get secure jobs and the women were inducted into vocational training courses under other government schemes. Now the children are being returned with the understanding that if they are not in school they will become permanent wards of state.

[The Express Tribune - July 16, 2011]

Conflict Watch

Whereabouts of 83 Missing Persons Traced

The Supreme Court was informed that the Commission on Missing Persons had traced 83 persons who had gone missing in the country. A two-member bench of the apex court comprising Justice Javed Iqbal and Justice Ghulam Rabbani heard the missing person's case. Commission on Missing Persons Secretary Farid Ahmed Khan presented a report before the court, stating the commission has traced whereabouts of 83 persons after December 31, 2010. The report further revealed that out of the total 228 cases pending before the commission, 20 had been deleted as they did not come under forced disappearance, while five cases had been removed as legal heirs or relatives failed to provide accurate information about their missing persons. Similarly, the report also revealed out of the total cases, the commission had disposed of 108 cases, adding 138 cases were filed with the commission on December 31, 2010 with 198

new cases. During the hearing, the court directed Islamabad SSP Tahir Alam to provide within one week DNA reports of those killed during the Lal Masjid operation. The court also directed that the Commission on Missing Persons take up cases of Lal Masjid victims. KK Agha, additional attorney general, told the court that the process of providing families of the missing persons a monthly allowance had been started.

[The News - July 13, 2011]

'Disappeared' still haunt Balochistan: HRWAP July 28, 2011

The abductors often show up in sleek pickup trucks, wearing civilian clothes but sometimes flanked by Pakistani troops. They often beat and blindfold their victims before spiriting them away. And while the prisoners may wind up dead, odds are the captors will never face justice. Despite ousting a military ruler three years ago, Pakistan's civilian leaders have failed to stop security agencies from carrying out such "enforced disappearances" in Balochistan province, where Baloch separatists have led a long-running insurgency, according to a Human Rights Watch report released on July 28.

The report documents cases of such abductions, most of them from 2009-2010, and relies on interviews with more than 100 people, including relatives of victims and people who were detained, then later released. Three cases involved disappeared children as young as 12. Though not limited to Balochistan, the report found that such disappearances are "a distinctive feature" of the conflict in the southwest region, where ethnic Baloch have many grievances, including a desire for a larger share of the revenue from the area's natural resources.

Bashir Azeem, an activist with the Baloch Republican Party, was seized at least three times, in 2005, 2006 and 2009. He told the New York-based rights group that he was subject to interrogations, threats and physical torture. In the last episode, he said "they pushed pins under my nails, put a chair on my back and sat on top of it, and put me for 48 hours into a room where I could only stand but not move. When they took me out, my legs were so swollen that I collapsed on the floor and fainted."

It's unclear exactly how many people in Balochistan have been detained in this manner or killed under such circumstances. Anti-government Baloch nationalists say thousands have vanished, while government officials have given numbers ranging from 1,100 to a few dozen. Some activists have been seized multiple times, the report found. Those in custody are typically tortured, through beatings, sleep deprivation and other methods, the report said. It noted that media organizations have reported more than 70 bodies of missing people were found between July 2010 and February 2011 in Balochistan.

The report also noted that the country's Supreme Court has been instrumental in forcing police and lower courts to pursue some of the cases, but said that the bench's primary motive appears to be tracing the missing instead of punishing the people behind the disappearances. "This approach suggests that the court does not treat these cases as crimes, undercutting the deterrent effect of the law," the report said. "By doing so it has contributed to the impunity enjoyed by security agencies, which for good reason believe and act as if they are above the law."

[Dawn – July 28, 2011]

Complete report is available on HRW website.

Political Violence: '216 Incidents Reported In Three Months'

FAFEN released its quarterly report based on media monitoring of political and electoral violence in the country. The report stated that on average, seven people were killed, 12 injured and one reportedly kidnapped every day during March to May 2011. In this quarter, 222 people

died in Khyber-Pakhtunkhwa, 160 in Sindh, 92 in Balochistan, 80 in Punjab, 40 in Fata and one in Islamabad Capital Territory (ICT). Of the total 1,740 victims across the country, 52 victims were directly affiliated with political parties. According to FAFEN, the Muttahida Qaumi Movement (MQM) was the most targeted political party with 18 victims followed by the Pakistan People's Party with 10 victims, MQM- Haqiqi with eight victims, Awami National Party with six victims, Jamiat Ulema-i-Islam-Fazl with four victims, Sunni Tehreek with two victims, and Jeay Sindh Qaumi Mahaz, Balochistan National Party, Jamaat-i-Islami and the Pakistan Muslim League-Nawaz each with one victim. Sindh experienced the highest number of incidents of political violence, due to increased target killings in Karachi. During this reporting period, around 50% of all incidents of political violence were recorded in Sindh. Target killing was the most frequently reported category of violence during the previous quarter and remained so with 56 recorded cases during March to May 2011. Attacks on political party candidates/workers and attacks on state security forces followed with 53 and 23 cases respectively. Apart from targeted victims, 270 people became victims in collateral damage in attacks on state security forces and 24 in attacks on political party candidates/workers. However, no victim of collateral damage was reported in the incidents of target killings. During the reporting period, 186 of the total 216 incidents of political violence involved human victims, 20 incidents involved damage to property, whereas in eight incidents, both life and property were harmed. As many as 28 (13%) of the total incidents of violence were perpetrated by militants during this period. One incident was carried out by tribal/village leader while the perpetrators of the remaining 186 incidents (86%) could not be identified.

[The Express Tribune - July 06, 2011]

Target Killings in Karachi

Target Killings and Other Terrorist Incidents in Karachi during July

Following are the major incidents of target killings which took place in Karachi during the month of July:

- **July 1:** SSP and Sunni Tehreek cadres exchanged fire over the control of a hospital located near Muslim Stop in Godhra area of New Karachi locality killing seven cadres and injuring seven others.
- **July 5:** At least five FC personnel were killed and six injured when their vehicle hit an IED in Tumpt Gozani area of Mand tehsil in Turbat District near the Iranian border. The BLF claimed responsibility for the attack.

Five dead bodies of unidentified persons were recovered from a bus in the Gulshan-e-Iqbal area of Karachi in the morning.

- **July 7:** At least 10 commuters lost their lives near Banaras Bridge when unidentified assailants riding bikes fired shells at a minibus.

Three people were killed and eight others, including women and children, wounded when a passenger coach was targeted by unidentified gunmen in the limits of the SITE Police Station.

In Pirabad area, three people, identified as Akhter, Azam, Shahzad, and two unknown persons, were killed in shooting by unidentified assailants.

Three people were killed in Mominabad area.

- **July 8:** Four persons, three of whom were identified as Hussain, Ghanchi and Maojee, were killed, when the assailants opened indiscriminate firing in Bhimpura area.
- **July 11:** Three people were shot dead and many injured in a gunfight between the residents of Lyari in Karachi, belonging to the Kachi community and the Lyari gangsters.

- **July 12:** Three people, including a supporter of MQM, were killed as the gun battle between Kachhi Rabita Committee (KRC) and Lyari gangster group continued in Lyari in Karachi.
- **July 14:** At least 18 persons were killed in Karachi. In one of the incidents, five people fall prey to violence in areas of Jinnahabad, Gulistan-e-Johar, Lea Market, Lyari and Surjani Town.
- **July 17:** Three people, including one Police Constable, identified as Sajid Khan Afridi, were shot dead in Sector 8 of Baldia Town within the jurisdiction of Saeedabad Police Station.
- **July 18:** Eight militants and a trooper were killed in an encounter in Dabori area of Orakzai Agency in FATA.
- **July 22:** 13 persons more were killed in the ongoing target killing in Karachi when the MQM- Haqiqi, attempted to stage a comeback in strongholds of the MQM. City Police Chief Saud Mirza said the violence was sparked when "some men of a group entered Khokhrapar area of Malir and targeted their opponents".
- **July 24:** Three people, namely Ikhlas, Kala Khan and Khalid, were shot dead in Gulberg area of Karachi. Three people, Zafar, Iqbal Furqan and Iqbal, were shot dead and one Afnan was injured by unidentified assailants near Disco Mor of Karachi.

(Compiled From Different Dailies)

Terrorist Incidents in July

| SR. NO. | DATE | PLACE | KILLED | INJURED |
|---------|---------|---|--------|---------|
| 1. | July 3 | Chakasar Road/Shangla District/Khyber-Pakhtunkhwa | 3 | 1 |
| 2. | July 4 | Kitkot Area/Mamoond Tehsil/Bajaur Agency/FATA | 4 | - |
| 3. | July 5 | Tumplt Gozani Area/Mand Tehsil/Turbat District/Iranian Border | 5 | 6 |
| | | Swati/Qasba Colony/Orangi | 6 | 10 |
| | | Hormuz Village/ Mir Ali Tehsil/NWA/FATA | 6 | 2 |
| | | Miranshah/NWA | 3 | 14 |
| 4. | July 6 | Operation Koh-I-Sufaid/Kurram Agency/FATA | 40 | - |
| | | Orangi Town | 11 | 15 |
| 5. | July 7 | Zakhakhel Tribal/Tirah Valley/Khyber Agency/FATA | 4 | - |
| 6. | July 8 | Operation Koh-E-Sofaid/Kurram Agency/FATA | 50 | - |
| 7. | July 9 | Operation Koh-E-Sofaid/Kurram Agency/FATA | 7 | - |
| | | Jawakai Tribal Area/Peshawar/Khyber-Pakhtunkhwa | 5 | 11 |
| | | Tirah Valley/Khyber Agency | 3 | - |
| 8. | July 10 | Upper Dir District/Khyber-Pakhtunkhwa | 11 | - |
| | | Qambrani Road/Quetta | 3 | - |
| | | Khad Kucha Area/Mastung District | 3 | - |
| | | Rakhni Area/Barkhan District | 3 | - |
| 9. | July 11 | Battagram District | 7 | 25 |
| 10. | July 12 | Barmal/South Waziristan Agency/FATA | 31 | 15 |

| | | | | |
|-------------------------------------|---------|---|------------|-----------|
| | | Gorwaik Area/Datta Khel Town/North Waziristan Agency | 17 | - |
| | | Zakhakhel/Tirah Valley/Khyber Agency | 4 | 4 |
| 11. | July 14 | Chaman Town/Qilla Abdullah District | 4 | 9 |
| 12. | July 15 | Chamalang Area/Kohlu District/Balochistan | 15 | - |
| 13. | July 16 | Parachinar Town/Kurram Agency/FATA | 10 | - |
| | | Quetta | 4 | - |
| 14. | July 18 | Dabori Area/Orakzai Agency/FATA | 8 | - |
| | | Ormegai Area/Kurram Agency/FATA | 11 | - |
| 15. | July 19 | Pir Khel Village/Shakai Area/Wana/SWA | 5 | 2 |
| | | Angoor Adda Area/SWA | 4 | 2 |
| 16. | July 20 | Neka Ziarat Area/Central Kurram Agency | 6 | - |
| | | Dera Allah Yar Bypass/Jaffarabad District | 4 | 3 |
| 17. | July 21 | Khushali Toori Khel Area/Mir Ali Tehsil/North Waziristan Agency | 4 | - |
| | | Neka Ziarat Area/Kurram Agency/FATA | 7 | 8 |
| 18. | July 22 | Sheraki Area/Orakzai Agency | 6 | 3 |
| | | Gizigi Area/Khuzdar District/Balochistan | 4 | - |
| 19. | July 23 | Parachinar/Kurram Agency/FATA | 13 | - |
| | | Kisankuri Area/Naushki Town/Naushki District | 5 | - |
| 20. | July 24 | Ali Sherzai Area/Kurram Agency/FATA | 11 | 6 |
| | | Sandapal Area/Tirah Valley/Khyber Agency | 9 | 8 |
| TOTAL (killed & injured) | | | 356 | 14 |

(Accessed From: <http://www.satp.org>)

Minority Rights

Despite Quota, Minorities Beg For Work

Another Gojra resident works as a bootlegger. He sheepishly explained that there are no jobs, so he has to do this. The current government allocated a five per cent quota for minorities for federal jobs, but it requires contacts and bribes to secure an appointment. According to State Minister for Interfaith Harmony and Minorities Affairs Akram Masih Gill, the issue of quotas was brought up by minority parliamentarians in a meeting with Prime Minister Yousaf Raza Gilani. The prime minister has asked for a report on the quota's implementation and the hurdles that are faced. They have also been asked for the five per cent quota to be implemented in the military and the judiciary. Currently, the military's quota for minorities is one per cent. With five per cent, at least 30,000 people can be employed. The problem isn't just the number of jobs, but the continuous discrimination in recruitment and at the workplace. Quoting several examples of discrimination in employment such as selecting minorities for police jobs on merit instead of reserved quota, Gill said it is important for attitudes to change. Otherwise the ill-feeling and economic conditions of minorities will not improve. There can be repercussions. There are several constituencies where there is a minority vote in tens of thousands. When their representatives can't deliver, they won't be voted in. It does not end there. Minorities are

discriminated against at schools and colleges, both as students and as faculty members. Major-General (Rtd.) Dr. MMH Nuuri, who served as a cardiologist in the Pakistan Army and now heads the Tahir Heart Institute says his experience in the army had little to do with his faith. There is discrimination, but he was also promoted to the highest rank available. While a crisis was averted then, the current state of minorities and their future has raised alarm bells. After meeting the prime minister, Gill was hopeful that the issues raised will be dealt with. However, implementation remains a pipe dream for those struggling to get hired.

[The Express Tribune - July 05, 2011]

Minority Report: In a Month or So, Sikhs to Start Lining Up For NICs in Karachi

The Sikh community is in the process of starting a campaign to promote the registration of their legally adult (18+) community members with the National Database and Registration Authority (NADRA). The Sikhs face a problem in getting jobs, school admissions, visas and national identity cards. Pakistan wants to help the Sikh population in the country. According to Singh, they also want to initiate the process of procuring marriage certificates for couples who get married at the Gurdwara (Sikh place of worship). Sikh community has reached this decision after meeting NADRA officials, who have promised their full cooperation in procuring their National Identity Cards (NIC). The campaign will kick off from Karachi in a month or two, and spread into Balochistan where a majority of the Sikh community resides. It will then eventually move on to other parts of the country. Reportedly, Jasmeet Singh, a resident of Daharki, wasted an entire academic year due to a mistake on his B form. When Jasmeet applied for his BSc at Khairpur University, his date of birth was written as 1992 instead of 1990, which showed that he was only six months older than his younger sister, Jaspreet Kaur. Because of this mix-up, both of their NICs were blocked and his sister wasted an academic year as well. NADRA has also decided to end the problem of marriage certificates by recognizing the Anand Karaj (Sikh marriage ceremony) as a valid marriage contract. The Sikh community members met NADRA's deputy chairman, Tariq Malik, and decided that a Sikh marriage ceremony presided over by a granthi (Sikh priest) from the Gurdwara, or the president of any Sikh organization of the country, would be accepted. According to Malik, there are around 30,000 to 40,000 Sikhs in the country. So far only 5,852 Sikhs are registered: 3,105 Sikh men and 2,747 women. Singh added that knowing the exact number of Sikhs in the country would not only help keep track of their community, but would also help the government allocate resources to the minorities.

[The Express Tribune - July 11, 2011]

Love Hurts: Hindu Couple Marries Outside Press Club as a Sign of Protest

Mukhesh and Padma walked around fire, seven times, to tie the knot, but without the pomp and splendor which is the essence of traditional Hindu weddings. The ceremony served a dual purpose; it was a wedding and a protest. It highlighted the Hindu community's demand for laws that register their marriages in Pakistan. Since 1947, Hindu couples have not been legally accepted as husband and wife. Consequently, many domestic, social and psychological problems arise for Hindu families, especially for the women. The demonstration was organized by a local leader of scheduled caste communities, Ramesh Mal. He said that since the creation of Pakistan there have been no laws for Hindu marriages. The Pakistani government should take a cue from India and introduce laws to protect Hindu marriages. According to Hindu community members, they have problems acquiring national identity cards and passports, registering married women, and conducting property transfers. Even travelling becomes difficult for them inside the country. Many young girls from Hindu community are abducted, forced to convert to other religions and forcefully married. This happens because laws to protect these Hindu girls do not exist in Pakistan. The protesters chanted slogans, urging President Zardari to issue an ordinance for their marriage registration laws, until a law is enacted. The newlywed couple, hailing from

the district of Khairpur, said that, though their wedding may have seemed strange because it was performed in an unusual manner, in front of the media, outside the press club, it marked the beginning of their new life. The purpose of doing it this way was to show the world that they were deprived of this basic right. Quoting the 1998 census, Mal told that scheduled caste Hindus, who led the protest, comprise more than one-third of the 3.4 million Hindus in Pakistan. He said that the parliament has eight minority MNAs to represent the Hindu community, but their fight for marriage registration laws have yet to produce results.

[The Express Tribune - July 11, 2011]

Dalits Complaint against Discrimination

Pakistan's scheduled caste minorities or Dalits have expressed serious concern over social and economic discrimination against them, including organized attempts to reduce their share in the overall population of Pakistan in the house counting and forthcoming census. As well as in forced labor, abduction of Dalit girls and then their forced conversion to Islam and illegal occupation of religious places of the minorities. Representatives of the scheduled caste were speaking at a meeting of the Pakistan Dalit Solidarity Network held at the Pakistan Institute of Labor Education and Research Centre (PILER). The participants expressed their concern over the exclusion policies against the Dalit population everywhere in Pakistan and demanded the government to provide protection to them and allot government land to the landless peasants of the low-caste minorities' communities. A large number of Dalit families are working at the lands of big landlords, where they face torture and bonded labor. The representatives of the scheduled cast communities demanded that the share of Dalits in employment, educational scholarships, national resources, development schemes and in parliament is inadequate, which should be enhanced according to their proportion in the overall population. The primary schools in many areas in Tharparkar district are either closed or not functioning and there are no health facilities in the localities of Dalits. They decried that political parties are providing assembly tickets for the reserved seats of minorities to only the upper caste Hindus, whereas actually the scheduled caste population is much more than the upper caste Hindus in Pakistan, but in practice it is ignored. They feared that in the forthcoming census, the population ratio of Dalits in the overall minorities would further be reduced, as many scheduled caste people could include themselves in the category of Hindus, where a separate category of "Scheduled Caste" is also included in the religion column. They underlined the need to create awareness among Dalit families for getting them registered in the census as a "Scheduled Caste."

[Daily Times – July 26, 2011]

GOVERNANCE WATCH

Political Governance

Federal & Provincial Governments

Expansion: 4 New Ministers Inducted

Four members of the Sindh Assembly belonging to the Pakistan Muslim League-Functional and PML-Quaid took oath as ministers at Governor House to fill the places vacated by the Muttahida Qaumi Movement. Acting Governor Nisar Ahmed Khuhro administered the oath as Chief Minister Qaim Ali Shah, PML-Q leader Chaudhry Shujaat Hussain and other cabinet members and bureaucrats looked on. The new ministers are Jam Madad Ali, who was serving as the joint opposition leader in the Sindh Assembly, and Rafique Banbhan from the PML-F. Ghous Bux Mahar's son MPA Shaharyar Mahar and MPA Muhammad Ali Malkani are from the PML-Q. The portfolios of the new ministers would be announced soon. The Sindh government also appointed Haleem Adil Shaikh and Shah Hussain Sheerazi of the PML-Q as advisers to the cabinet. There were reports that one adviser would be appointed from the PML-F.

[The Express Tribune - July 15, 2011]

Federal Development Priorities

After devolving 18 divisions to the provinces, the federal government is expected mainly to focus on physical infrastructure. Its Public Sector Development Programme (PSDP) should concentrate on upgrading the rapidly deteriorating assets in energy, water and national transport. One of these sectors, energy, is experiencing intensified public protest. Sadly, the PSDP 2011-12 is prioritized differently. Of the total allocated amount of Rs. 300 billion, Rs. 36.8 billion are earmarked to keep the aid-funded projects running. Another Rs. 10 billion go to the Earthquake Rehabilitation and Reconstruction Authority (Erra). No special mention is made of flood projects. Discretionary political programmes, Peoples Works Programme I and II, claim Rs. 33 billion, which is 45 per cent higher than the revised allocation last year. Out of the 33-odd divisions still left with the federal government, only four handle infrastructure. At a time of grave infrastructure shortages, the practice of doling out development money to all divisions continues. Infrastructure gets 57 per cent, not quite commensurate with the responsibilities of the federal government after the Eighteenth Amendment. Within infrastructure, the major share of Rs. 62.6 billion is reserved for transport and communications. Power gets Rs. 54.4 billion and water Rs. 38.5 billion.

The National Highway Authority is the main player in the transport and communications sector. It gets Rs. 39.9 billion out of a total sector wise allocation of Rs. 62.6 billion, 89 per cent of which is for ongoing projects. The remaining allocation includes Rs. 15 billion for railways, Rs. 3.6 billion for provincial roads and Rs. 1.5 billion for defense production division. The emphasis on the water sector reflects the structure of political power. Priority is given to irrigation, drainage and enhancement of storage capacity. The raising of Mangla Dam, the largest water sector project, has been given the largest allocation of Rs. 6 billion. The Right Bank Outfall Drain from Sehwan to Sea (RBOD-II) gets the next big allocation of Rs. 2.6 billion. With Chinese support, three ongoing and three new small dams are also part of the programme. The Annual Plan 2011-12 recognizes that substantial resource injection is required in the energy sector to achieve growth targets of agriculture, manufacturing and services. The budget allocates Rs. 32.5 to WAPDA and Rs. 20.2 billion for nuclear power projects under the head of power. WAPDA and PEPCO must finance the balance of the total programme cost of Rs. 137 billion themselves — a big ask by any reckoning. Being mostly semi-public or private, less than a billion is allocated for

petroleum and natural resources. The bulk of the allocation is for long-term projects. Immediate relief is not in sight. The promise of providing 1655 MW last year and another 2110 MW by December 2011 has to be taken with a pinch of salt. The energy sector, where reform could push conservation and efficient utilization of capacity for quick additions to supply, fails the test miserably. Short of the New Economic Growth Framework (NEGF) rhetoric, the Annual Plan 2011-12 is no different from what these plans have always been.

[The Express Tribune - July 15, 2011]

New Regulations Give Legal Cover to Detentions in Tribal Areas

The federal government, through two recently issued regulations, has provided legal cover to the armed forces for unlawful acts committed during the military operations in both federally and provincially administered tribal areas. They allege that hundreds of suspects were kept in unauthorized detention centres during military operations in tribal areas. The two regulations, which are almost identical, have been given effect from Feb 1, 2008, to provide legal framework to the military operations conducted in Federally Administered Tribal Areas (FATA) and Provincially Administered Tribal Areas (PATA) since that date. Legal experts say that these regulations provide wide ranging powers to authorized officers and armed forces besides empowering an interning authority to intern a suspect till the continuation of action in aid of the civil power by the armed forces. The armed forces have also been empowered to occupy any property with the approval of the federal or the provincial government.

The president on June 23 signed the two regulations — Actions (in Aid of Civil Power) Regulation, 2011— for Fata and PATA. Till now the contents of the regulations have been kept secret and only some selective portions, favoring the government, have been released to media. Contrary to the provisions of Qanun-i-Shahadat (Evidence Act), these regulations provide that a statement or deposition by any member of the armed forces, or any officer authorized on his behalf, shall be sufficient for convicting an accused. Similarly, all evidences, information, material collected, received and prepared by the interning authority, or its officials, shall be admissible in evidence and shall be deemed sufficient to prove the facts in issue. Furthermore, the regulations give a set of offences, which are punishable with death penalty or imprisonment for life or up to 10 years along with fine and forfeiture of property. The regulations authorize the federal and provincial governments or any person authorized by it to act as interning authority having the powers to intern a person. Section 14 of these regulations provide setting up of oversight board comprising two civilians and two military officers to review cases of each person interned within a period of time not exceeding 120 days, from the issuance of the order of internment. The laws also empower the authority to set up notified internment centres. Furthermore, the misuse of force during actions in aid of civil power has been prohibited. Section 5 (1) of the regulations provides: “If any abuse or misuse of the use of force during action in aid of civil power is alleged or attributed to any member of the armed forces, the same shall be investigated within the hierarchy of the armed forces.” Meanwhile, lawyers of Peshawar High Court have termed the regulations repugnant to the injunctions of Islam and the Constitution of 1973. Around 65 lawyers have signed a requisition moved by Abdul Karim Mehsud and Habibur Rehman Afridi and submitted it to the secretary general, Ameenur Rehman, for convening a general body meeting on the issue.

[Dawn - July 13, 2011]

KP Lacks Political Will to Undertake Reforms

Intergovernmental Group of Twenty-Four on International Monetary Affairs, an initiative of the United Nations, in year 2005 came up with the notion that failure in programme design and their implementation in the developing countries is due to lack of country ownership of the

reform programmes. One of the major factors leading to failure of the reform programmes, as acknowledged by the UN's research body, is the fact that conditions attached are often unrealistic and worked out in an environment where the aid recipient party acts in submissive manner. Since the aid recipient governments need money, they just agree with what they are advised to. And this is what happened throughout the years in Khyber-Pakhtunkhwa, where reforms and capacity building of public sector institutions have become the buzzwords. Both the past and present governments accepted aid and loans for introducing efficiency in the civil administration so that it responded well to the needs of the citizens it was supposed to be serving. Under a three-year Structural Reform Credit Programme, which involved a soft loan of \$270 million, was introduced in year 2000 by military-cum-civilian government for introducing a multi-sector reforms programme in the civil administration. The money pouring into the provincial kitty was supposed to be spent on improving governance in almost each and every department. The subsequent MMA government continued with the programme till the life of loan package. The second generation reforms are supported by the United Kingdom Department for International Development (DFID), which is focusing on improving the performance of public financial management, human resource and the province abilities on planning and development.

The reform programme gave birth to some five designated reform units each operating under the finance, planning and development, health, establishment departments and the chief secretary's office. Main purpose of these specialized units was to offer out-of-the-box solutions for introducing efficiency in the otherwise dead government departments. The level of efficiency of any department is measured from the feedback of those availing their services. No doubt, there has been massive growth in population that has overburdened and incapacitated the departments, but little effort is being made to put things on the right track. The biggest problem with the current model through reform programmes are being run is that it lacks ownership of the departments. Some of these reform units may have their offices within the premises of their respective line departments, but they work in isolation. That is the reason that a number of reform proposals, mainly prescribed in the health sector, are not implemented by the departments. The failure of reform programmes in Khyber-Pakhtunkhwa is also the result of lack of political will on the part of ruling parties. The successive governments had made commitments with the World Bank and other lending agencies for introducing various reforms in return of soft loans, but now after almost a decade these reforms such as fixing the province wage bill at 4 per cent of the total budget, at least two and half years tenure of officials at one station, output-based budgeting etc, are nowhere to be seen. Reform or change has many enemies, but it is not an impossible task. The guiding principal is, where there is a will there is a way.

[Dawn – July 21, 2011]

Law and Order Expenses: KP the Only Province to Decrease Security Spending

Finance ministry statistics on government spending for the first nine months of the fiscal year show that the federal and four provincial governments spent about Rs. 116 billion on security and maintaining public order, about an 18.4% increase over the same period in the previous year. Law and order spending includes expenses relating to coping with the aftermath of terrorist attacks, including compensation to the victims, dealing with internally displaced persons and the salaries and benefits of law enforcement personnel. The government's total spending is a fraction of the total estimated costs of the "war on terrorism", which the finance ministry estimates has cost the country over Rs. 5.8 trillion (\$67.9 billion) over the last decade, more than the total amount of deposits in all the banks combined.

The federal government's public order spending rose by about 36% to Rs. 41 billion for the first nine months of the fiscal year ending June 30. The Sindh government's spending in the same category rose by more than 30% to Rs. 21 billion. The province's capital Karachi has become a

battleground between rival ethnicity-based factions over the past several years. The sharpest surge came in spending in Balochistan, which increased its law and order budget by 40% to Rs. 7 billion for the first nine months. The province has seen a rise in sectarian and militancy-related killings over the last year. Punjab's budget, meanwhile registered a below-inflation rise of 6% to Rs. 36 billion during the same period. Meanwhile, Khyber-Pakhtunkhwa was the only jurisdiction where law and order spending went down, by about 9% to reach Rs. 11 billion for the first nine months of fiscal year 2011. The nine-month figures hide the tremendous surge in spending in the third quarter of the fiscal year 2011 (January to March), when law and order expenses touched Rs. 43 billion, or about 37% of the total for the nine months. It was also about 19.4% higher than the average of the first six months.

[The Express Tribune - July 01, 2011]

Local Governance

Restoration of Local Government System Urged

The demands were made in a resolution unanimously adopted at a roundtable consultation titled 'Voices of stakeholders: Challenges to local government and way forward', arranged by South Asia Partnership-Pakistan. 85 participants were drawn from all over the country. Terming the local government management by commissioners a product of neo-colonialism, the resolution said the practice must be abandoned immediately. It also urged review of local government system to make it more accountable. LG laws under review should be made public, new laws and amendments should be introduced for redistribution of duties and responsibilities among Nazims and councilors. It said necessary explanatory notes should be added to the election rules and regulations in order to ensure true representation of farmers, laborers, religious and ethnic minorities and women. It said a union council should be considered as basic unit of local government system by making it more dynamic. Election to various offices of local government should be held through direct franchise. Financial, administrative and political autonomy should be ensured for the local government system by eliminating the federal ministry concerned and transferring its all powers to provincial governments; which should be compelled to comply with Section 142-A of 18th Amendment. Duties and responsibilities of provincial and district governments should be revisited and the financial resources of district governments should be re-examined. It suggested that local government fund should be established and local tax base should be expanded while the Provincial Finance Commission should continue. Consultation and legislation process related to local government system must be the sole domain of provincial governments. Proposing activation of local government commission at provincial level by completing its formation on merit, the resolution called for an appropriate mechanism for accountability and monitoring while reinitiating the consultation process to bring basic changes in the election format of district and tehsil nazims. The resolution stressed the need for capacity building of stakeholders terming it a lacuna in running the affairs of local governments smoothly. It also emphasized focused research on devolution or decentralization in the local government system. The electoral constituencies should be revisited on the basis of demography and geography to avoid conflicts and discriminations.

[Dawn – July 07, 2011]

ANP Wants Local Government Elections in Sindh

A seven-member delegation of the ANP, which is a coalition partner of the PPP, called on President Asif Ali Zardari and made the demand for LB elections. The meeting which lasted three hours is considered significant because it took place soon after the restoration of the

commissionerate system in Sindh despite its opposition by the Muttahida Qaumi Movement (MQM). When contacted, president's spokesman Farhatullah Babar said that the issue of local bodies' polls was also discussed during the meeting. The ANP leaders were assured that elections would be held after the provincial assembly adopted the local government bill to be presented in a few days. Only Balochistan has so far enacted a local government bill. The delegation praised the steps taken for restoring peace in Karachi and making the administration more responsive to a law and order situation in the province. The president said the government is committed to protect the life and property of citizens because that is the prime responsibility of a democratic government. The decision of restoration of the commissionerate system in Sindh and we will soon replicate the system in Khyber Pakhtunkhwa. The meeting also reviewed the law and order situation in Karachi and the ANP demanded across-the-board action against elements involved in target killings, arson and looting. The president had not accepted the resignation of Sindh Governor Ishratul Ibad in order to keep the doors of reconciliation open.

[Dawn – July 12, 2011]

Demand for New Province

PML-Q Promises Support for Hazara Province

PML-Q, a coalition partner of the PPP-led government, has called for the bifurcation of Khyber-Pakhtunkhwa (KP) to create a new Hazara province. PML-Q chief Chaudhry Shujat Hussain said that they will soon meet the president and the prime minister to seek the formation of a commission to bring all stakeholders on board and to remove obstacles, if any. The delegation reminded Shujaat Hussain and his cousin Chaudhry Pervaiz Elahi their promise to the people of Hazara; that before joining the government, the PML-Q leadership had announced support for the creation of Hazara and Saraiki provinces. Muqam, who was initially against splitting up K-P, said the new name of the province had created rifts based on linguistic identities. The PML-Q believes that by supporting the renaming of the NWFP as K-P, the Pakistan Muslim League-Nawaz (PML-N) suffered a serious political setback in Hazara division. By supporting the movement for a Hazara province, it can cash in on the reduced support for PML-N. Shujaat said the PML-Q and PPP have agreed to make Hazara a new province and for this purpose, the Awami National Party will also be taken on board.

[The Express Tribune - July 21, 2011]

ECONOMIC GOVERNANCE

Facts & Figures

FBR Achieves Target of Rs. 1,588 Billion

Pakistan's tax authorities have crossed the revised tax collection target of Rs. 1,588 billion and displayed Rs. 1,590.462 billion in the outgoing fiscal year that ended on June 30, 2011. This has made the FBR chairman confident of the revival of the \$11.3 billion IMF-sponsored programme which has been halted for 13 months. Achieving the revenue target of up to Rs. 1,590 billion will ensure revival of the IMF programme. The IMF programme of Standby Arrangement (SBA) for Pakistan has been suspended since May 2010 and Islamabad failed to obtain any tranche after the completion of the fifth review. The fiscal deficit was the main concern of the IMF and other donors and improved tax collection and excellent expenditures management would enable Islamabad to restrict its deficit in the range of 5.2 percent of GDP. The tax to GDP ratio will be standing at 9.2 percent with FBR's collection of Rs. 1,590 billion and will go up to 9.3 percent if the board achieves Rs. 1,600 billion. Taxpayers were allowed to deposit their due taxes till midnight so the FBR expected a few billion more to land up in the national kitty.

In the last financial year, the FBR collected advance taxes worth Rs. 5 billion to show achievement on revenue collection front. However, another top official of the government's economic team told that the country achieved its desired fiscal deficit target of just over 5.2 percent of GDP or Rs. 959.3 billion for outgoing fiscal year ending June 30, 2011. The fiscal deficit shot up by 0.2 percent of GDP because the US did not provide its committed amount of \$381 million under the Coalition Support Fund (CSF). It was envisaged by the government that the budget deficit would be restricted at 5.1 percent of GDP or Rs. 916 billion but slippages on the CSF front paved the way for further spike in deficit between 5.2 to 5.3 percent of GDP. The IDB's loan of \$160 million was dropped because the government managed to achieve its FBR's tax target of Rs. 1,588 billion. The provinces also generated the desired revenue surplus of Rs. 120 billion because the WB loan of \$162 million for health and education sectors in Punjab and Sindh could not be spent in a single day, paving the way for achieving the desired revenue surplus.

[The News - July 01, 2011]

Exports Rise to All-Time High of \$24.8b in Fiscal 2011

Exports broke all previous records as they rose 29 percent to \$24.83 billion in financial year 2010-11, according to the Federal Bureau of Statistics. Imports increased 16 percent during the year to \$40.41 billion and the trade deficit stood at \$15.59 billion, one percent higher than the previous year. The export target for the year was \$21 billion, which was later revised downward to \$19 billion after the floods, figures showed. Exports had increased both in terms of value and volume, adding the major contribution came from textiles, which fetched higher prices in the international market. Exporters now face the challenge of maintaining these record levels as regional markets were being targeted, including the extremely important market of China. The country was also focusing on value addition besides traditional exports and the strategy was expected to yield dividends in the near future. According to June statistics, exports rose 36 percent to \$2.43 billion while imports increased 20 percent to \$3.86 billion compared to the same month last year. Exporters will face difficulties in the international market because of the sharp drop in cotton prices, power shortages and political instability.

[The Express Tribune - July 13, 2011]

Current Account Surplus at \$542m after Six Years

Record inflows of remittances and export receipts helped the current account balance to post a surplus of \$542 million in FY11 after witnessing deficit since FY05. The current account balance for the last fiscal was improved after it posted a deficit of \$3.946 billion in FY10. The current account surplus of \$1.445 billion was last seen in FY04, which declined from \$4.082 billion during the preceding year. Analysts attributed the surplus in FY11 to historic high of remittances sent home by the overseas Pakistani and record export receipts that not only maintained the exchange rates, but also helped the foreign exchange reserves to touch a historic high of \$18.247 billion. The remittances sent home by the overseas Pakistanis hit a record high of \$11.2 billion during the last fiscal year, showing a growth of 25.77 percent, or \$2.295 billion against \$8.905 billion received during the preceding fiscal year. The exports touched an all-time high of \$24.827 billion in FY11 against \$19.24 billion in the preceding year, depicting a rise of 28.7 percent. The higher exports kept the trade deficit flat at \$15.587 billion during the last fiscal year against \$15.42 billion in FY10. The analysts said that high prices of textile products in the international market due to sharp increase in cotton prices helped the exporters fetch increased prices from the foreign buyers. The highest current account deficit of \$14.036 was seen in FY08 due to increased oil import prices and slowdown in textile exports during that year. In FY01, the country witnessed a surplus of \$326 million that was achieved for the first time in the history of Pakistan. The government aims at 4.2 percent GDP growth for FY12 that means imports side would increase, especially the import of oil, which was already witnessing sharp rise in prices after 2008. On the other side, the textile exports would also not performed as done in FY11 because the international cotton prices normalized after hitting a record high level in 2010.

[The News - July 19, 2011]

The Cook Eats a Quarter of the Pie

Out of every Rs. 100 spent in the name of development in Pakistan, about Rs. 22 is used for payment of salaries, purchasing cars and miscellaneous and contingent expenses related to the project, reveals a latest review of the Public Sector Development Programme (PSDP). The Planning Commission (PC) launched its first-ever analytical review of the PSDP portfolio that currently stands at Rs. 4,108 billion. The review discloses that the delivery cost of Rs. 4,108 billion worth of projects is Rs. 890 billion or 21.6% of the portfolio. According to the review, the biggest chunk, Rs. 582.5 billion, of the cost goes to contingent and miscellaneous expenditures. The second biggest head is salaries of employees that amounts to Rs. 268 billion or 6.5% of the total portfolio. Utilities cost Rs. 22 billion while another Rs. 17.5 billion is spent on purchasing cars for these projects. It is not surprising to find project officials, entitled to just a single vehicle, use several, including luxury cars. Of the PSDP allocation, Rs. 2,350 billion or 58% of the total project portfolio is allocated for civil works, Rs. 558 billion or 14% has been earmarked for purchase of machinery and Rs. 220 billion or 5.4% for land purchase and resettlement. Of the funds set aside for civil works, Rs. 591 billion has been allocated for energy and power projects, Rs. 471 billion for motorways and roads, Rs. 442 billion for dams, canals and barrages, Rs. 20 billion for rails and ports, Rs. 365 billion for housing and works (buildings) and Rs. 462 billion for 'other civil expenses'. The PSDP incentivizes project development but not public service delivery or productivity and no attempt is made to deliver real benefits to the people. The analytic review also highlights issues being faced by the authorities, including the impact of the 18th amendment and the 7th NFC Award on federal development portfolio, the problem of arranging funds for incomplete projects. The report says that approving bodies have been continuously clearing new projects without considering their fiscal implications.

[The Express Tribune - July 20, 2011]

Government Admits It Missed Revenue, Deficit Targets by Huge Margin

The government admitted that it had failed to achieve the budget deficit and revenue collection targets by a massive margin in the last financial year and that this would mar its efforts to get the IMF's \$11.3 billion programme back on track. For the first time in the country's history the FBR has also backtracked on its announced revenue collection figure; earlier tax authorities had claimed that they had collected Rs. 1590 billion but Chairman FBR conceded that net revenue collection stood at Rs. 1550 billion. The overall fiscal deficit target swelled to 5.9 percent of GDP till June 30, 2011 against an earlier envisaged target of 5.3 percent of GDP. If the power sector subsidies of Rs. 120 billion are included, the budget deficit touched 6.5 percent of GDP. The hike in the budget deficit is caused by a delay in US reimbursement that hiked the deficit by 0.3 percent of GDP while revenue shortfall also caused 0.3 percent deficit in GDP. The budget deficit has increased because of non-availability of the Coalition Support Fund amount and revenue shortfall. The provinces generated surplus revenue of Rs. 134 billion, which helped the government curtail deficit to 6 percent of GDP. The government also retired a Rs. 30 billion net loan of SBP on June 30, 2011. Sources said that Rs. 1550 billion revenue collection and a deficit of Rs. 1174 billion (6.5 percent of GDP) could dampen the revival of the IMF programme. The only option left with Pakistan is to obtain a new programme, which will come with the toughest conditions. Chairman FBR said that the huge difference between the June 30 figure and the final figure was because of misunderstandings about gross and net sales tax collection. He said the gross sales tax collection of Rs. 675 billion had been assumed as net collection.

[The News - July 23, 2011]

Mounting Dues: Specter of Circular Debt Haunts Fuel, Power Supply

Cash-strapped PSO is close to defaulting on payments to international fuel suppliers due to non-payment of dues by the power sector. PSO owes Rs. 99.58 billion to international fuel suppliers as well as in payments to retire letter of credits to import oil from the Kuwait Petroleum Corporation. PSO's payables to fuel suppliers crossed Rs. 150 billion while its receivables from various clients, including the power sector, reached Rs. 136.4 billion. Secretary Petroleum Ijaz Chaudhry confirmed that he has sent a letter to the finance and water and power ministries to arrange Rs. 60 billion for PSO. Non-payment of dues could lead to international suppliers halting fuel supplies to PSO. Oil refineries have stopped fuel supplies to PSO in the past but resumed them after the intervention of the petroleum ministry. Meanwhile, sources also added that due to chronic circular debt, the country's fuel stock has already plummeted and could fall further, pitching the country into darkness and bringing it to a grinding halt.

[The Express Tribune - July 6, 2011]

ELECTION WATCH

ECP & Election Related Updates

35m Bogus Voters Removed From Electoral Rolls

The Election Commission (EC) informed the Supreme Court that 35 million unverified voters have been removed from the National Database and Registration Authority's (NADRA) record while around 36 million new voters have been added to the database. This information was disclosed when a three-member bench of the Supreme Court headed by Chief Justice Iftikhar Chaudhry resumed the hearing of a petition, filed by Pakistan Tehreek-e-Insaf (PTI) chairman Imran Khan, who raised questions on the authenticity of voters who participated in the 2008 general elections. Almost half, or around 45.7% of the total 81.2 million voters in the 2007 electoral rolls were dubious, if not downright bogus, raising serious doubts on the credibility of the electoral process of the country and authenticity of the 2008 general elections. In its first phase of preparations for the new electoral rolls, the election commission found that over 37 million voters registered in the electoral register compiled in 2007 were dubious as they were either duplicated, multiple or bogus entries. The verification process revealed that only 44 million voters could be verified. The secretary said that the government has, in principle, decided to introduce such a system and has in this regard constituted committees. The system has so far been introduced mostly by developed countries, adding that India took 22 years to introduce an electronic voting system. Imran Khan, in his petition, also asked that the election commission be directed to include photographs of voters in the electoral rolls to which the secretary submitted it has been decided that all available photographs would be added in the voters' lists but would be given only to the presiding officer because of security reasons. The court also directed the election commission to resolve the issue pertaining to 28 lawmakers who have been declared winners in by-polls as under the 18th constitutional amendment, by-elections could not be held without the commission's reconstitution. The court directed that these elected representatives should be provided an opportunity to present their case.

[The Express Tribune - July 5, 2011]

Election Bar Exists On Dual Nationality Holders: ECP

They were discussing the question of eligibility of holders of dual nationality from contesting elections under the amended Article 63-1 (c) of the Constitution, which bars a non-Pakistani national from taking part in elections. Members of the commission, who met here under the Chief Election Commissioner, Justice (Rtd.) Hamid Ali Mirza, observed that the law disqualified such people from being elected, or chosen as, and from being a member of the parliament, if "he ceases to be a citizen of Pakistan or acquires the citizenship of a foreign state". There are a number of sitting members of parliament who hold dual nationality, and thus are liable to lose their seats. Article 63-1 (c) was added to clauses relating to election qualification criteria under the 18th Amendment. An official of the Election Commission said that there was no mechanism to implement the law, adding that the commission had no data regarding how many lawmakers held dual nationality. The Peoples Representation Act needed to be amended so that a column could be added in nomination papers to seek information from aspiring candidates in this regard. The commission ordered the authorities to accelerate the process of pressing charges against those holding questionable academic qualifications.

[The Express Tribune - July 5, 2011]

Karachi Polls Postponed Again

Even as both the MQM and PPP appear to be moving towards reconciliation, elections for the two seats in the Azad Jammu Kashmir Legislative Assembly that represent the Kashmiri Diaspora in Karachi have been postponed again. The elections, which had been scheduled for July 20 after having been originally postponed from June 26, had been the single biggest apparent cause of the MQM's decision to leave the PPP-led ruling coalition. While the PPP had claimed that the postponement was for law and order reasons, the MQM claimed that the PPP had sought to enter into a 'seat adjustment' arrangement, whereby the MQM would not contest one of the two seats. The MQM had won both seats in the last AJK election in 2006. However, officials at the Election Commission told The Express Tribune that the decision to postpone the election had been politically motivated. The sources, who wished to remain anonymous, said that the Election Commission had received the ballot papers and had made all of the arrangements. They claimed to be prepared even now to go ahead with a by-election, should the government give a go-ahead.

[The Express Tribune - July 16, 2011]

PPP Clinches Six Out Of Eight AJK Assembly Reserved Seats

PPP Azad Jammu Kashmir (AJK) won six out of eight reserved seats in the elections for AJK's Legislative Assembly, raising its strength to 29 in the House of 49. Elections for the reserved seats were held at the assembly building. PPP secured six seats, three for women and one each for ulema mashaikh (religious scholars), technocrats and overseas Kashmiris, while Pakistan Muslim League-Nawaz (PML-N) and the Muslim Conference won one woman seat each. Those who were elected on five reserved seats for women included PPP's Shazia Akbar, Sadaf Sheikh and Shaheen Dar, Fauzia Ashraf of PML-N and Meher-u-Nisa of Muslim Conference. Sardar Abid Hussain Abid, Pir Attiqur Rehman and Raja Wajid of PPP were elected on the seats of technocrats, ulema mashaikh and overseas Kashmiris respectively with the majority vote of 25. Prime Minister Yousaf Raza Gilani felicitated the PPP candidates on winning the six out of eight reserved seats in the elections for AJK's Legislative Assembly. The Prime Minister, in his message, said victory of candidates of PPP by majority in the elections was a manifestation of the confidence reposed by people in policies of the party. He hoped that the newly elected members of AJK's Legislative Assembly would serve the people by discharging the entrusted responsibilities with devotion and national spirit.

[Daily Times - July 25, 2011]

REGIONAL POLITICS

Pakistan's Foreign Relations

Pakistan, India Promise 'New Era' of Cooperation

India and Pakistan's foreign ministers insisted relations were back on track after peace talks that highlighted a "new era" of cooperation over the ruptures of the past.

Although their meeting in New Delhi produced little in the way of substantive agreements, the tone was one of forward-looking optimism that acknowledged a joint responsibility to bring stability to South Asia. It was the first meeting of the arch-rivals' foreign ministers for a year, and followed the formal resumption in February of the comprehensive peace dialogue suspended by India after the 2008 Mumbai attacks. After the talks, Indian Foreign Minister SM Krishna said ties were back "on the right track," while his Pakistani counterpart Hina Rabbani Khar spoke of a "mindset change" that had ushered in a "new era of cooperation". "We have some distance to travel, but with an open mind and a constructive approach ... I am sure we can reach our desired destination of having a friendly and cooperative relationship," Krishna said.

Khar said the peace dialogue was now an "uninterruptable" process that both countries were committed to taking forward. "A new generation of Indians and Pakistanis will see a relationship that will hopefully be much different from the one that has been experienced in the last two decades," she said. A joint statement outlined the commitment of both sides to fight militancy, boost trade and keep the peace process going. The pre-talks atmosphere had been soured by Khar's decision to meet Kashmiri separatist leaders immediately after her arrival in New Delhi on Tuesday. A senior Indian government source said the meeting was "not a good idea at all" and served "no useful purpose." But Pakistani Foreign Secretary Salman Bashir played down the issue, saying it had done nothing to cloud the Khar-Krishna meeting.

Both foreign ministers stressed the role constructive ties between New Delhi and Islamabad would play in ensuring peace in the wider South Asia region. The two agreed to work more closely in fighting terrorism and to ease commerce and travel across the Line of Control dividing. They also agreed their countries' should explore dialogue on nuclear issues beginning in September — marking the first time they might share nuclear information since the late 1990s when both were conducting nuclear tests. The Himalayan territory of Kashmir — a major source of tension that fuelled two of three wars fought by the rivals since 1947 — will continue to be discussed "with a view to finding a peaceful solution," Krishna said. Krishna said that he was "satisfied at the progress achieved" in the talks held today with his Pakistani counterpart. The Indian foreign minister said, "We have reaffirmed our commitment to resolve all outstanding issues through a comprehensive, serious and sustained dialogue." agencies

[Daily Times – July 28, 2011]

The joint statement by S.M. Krishna and Hina Rabbani Khar is available on:
<http://www.thehindu.com/news/resources/article2299053.ece>

US Punishes Pakistan Army in Major Shift

The US confirmed that direct and indirect aid worth \$800 million to the Pakistan Army had been withheld while Pakistani diplomats disclosed that a 10-point list had been given to the GHQ, compliance of which would determine how much and when the flow of money would restart. The 10-point list was given some time back and diplomats said Pakistan had taken positive action on two points and had failed to act on another two while the rest of the demands were pending. The two points Pakistan complied with were providing access to US and CIA officials to

the family of Osama bin Laden and allowing the US experts to visit and inspect the Abbottabad compound where Osama was killed and taken away. The main point where Pakistan failed to comply was with the US demand to act against factories where explosive devices were being manufactured. Pakistani diplomats, however, gave a different explanation, saying the aid had not been “formally and officially” suspended but that “cheques were ready but had not been mailed to Rawalpindi”. The White House Chief of Staff, Tom Donilon, while confirming suspension of the aid, described the relations with Pakistan as “difficult” and that it “must be made to work overtime”. Till Pakistan get through these difficulties, some of the money that the American taxpayers have committed to give will be with held. Donilon said the Obama Administration’s policy towards Pakistan had not changed, even though it has become more complex and complicated. The truth of the matter is that the relationship with Pakistan is very complicated. The New York Times had earlier reported that the Pak-US relationship needed to be improved and until then money will stop flowing to the Pakistani armed forces.

Pakistani sources said the withheld money included \$300 million in cash for reimbursement under the Coalition Support Fund (CSF) while \$500 million were in the form of equipment which the US had provided under the Pakistan Counter Insurgency Fund and had taken back from the Pakistan Army after US trainers were told to leave Pakistan following the Abbottabad raid and the reaction against it in Pakistan. The \$800 million in military aid and equipment is almost one-third of the total US aid of over \$2 billion. The NYT said some of the curtailed aid is equipment that the US wants to send but which Pakistan now refuses to accept, like rifles, ammunition, body armor and bomb-disposal gear that were withdrawn or held up after Pakistan ordered more than 100 Army Special Forces trainers to leave the country in recent weeks. Pakistani diplomats said this equipment was for counter-terrorism efforts. Some equipment, such as radios, night-vision goggles and helicopter spare parts, which cannot be set up, certified or used for training because Pakistan has denied visas to the American personnel needed to operate the equipment. According to the NYT, some American officials say Pakistan has only itself to blame, citing the Pakistani military’s decision to distance itself from American assistance in response to the humiliation suffered from the American commando raid in Abbottabad, that killed Osama bin Laden. The decision to hold back much of the American military aid has not been made public by the Pakistani military or the civilian government. But it is well known at the top levels of the military, and a senior Pakistani official described it as an effort by the Americans to gain “leverage”.

[The News – July 11, 2011]

US Assures Pakistan of Economic Support

The US also partly agreed to Pakistan’s demands of financing mega energy projects under the Kerry-Lugar civilian assistance package while insisting on sustaining the allocation of funds to small-scale projects, mainly to accommodate the US Congress ‘wish list’. At the State Department, Deputy Spokesperson Mark Toner told that Deputy Secretary of State Thomas Nides telephoned the Pakistani finance minister and discussed with him the importance of continuing cooperation on the US-Pakistan civilian assistance programme. A finance ministry official confirmed that both the countries would shortly review the status of all ongoing projects under the Kerry-Lugar package. A meeting between the finance minister and the US Ambassador to Pakistan Cameron Munter was held for this matter. Pakistan has been pushing the US to allocate a larger chunk of aid resources for bigger projects in order to make better use of the funds, in addition to making money available for early completion of the projects. The United States Agency for International Development (USAID) has a portfolio of about \$2 billion, of which \$1 billion is for 32 Kerry-Lugar funded projects. The US deputy secretary of state told the finance minister that it would not be possible for Washington to only finance mega projects. The US wanted its footprints in sectors that it deemed fit to carry forward its objectives. Since the Kerry-Lugar Act is earmarked, members of congress have a great say in the allocation of resources to projects in various sectors. Consequently, in order to win support for

appropriations, the administration has to take into account the areas of interest of members on various committees of the Congress. According to the Pakistani authorities the US has so far released only \$374 million, under the Kerry-Lugar Act. But Toner noted that since the passage of the Kerry-Lugar bill, the US had disbursed about \$2 billion in civilian assistance, which included over \$550 million in emergency humanitarian assistance during the floods. United States remains committed to work in partnership with Pakistan to fuel economic growth and to improve its energy, education and health sectors. The crux of the conversation was about the continuing flow of civilian assistance and how best to ensure that it meets Pakistan's needs. The US previously signed an agreement to spend \$1,025 million through government channels and the remaining amount of \$475 million through its own system for the first year of the Kerry-Lugar Act.

[The Express Tribune - July 16, 2011]

Pak-Afghan Border: 'Additional Troops to Be Deployed'

The jirga was held in the Barawal Bandi area of Dir. Operations Commander Lower and Upper Dir Brigadier Nadeem Mirza, Khyber-Pakhtunkhwa Assembly member Anwar Khan, former provincial minister Inayatullah Khan, District Coordination Officer (DCO) Dir Ghulam Muhammad, District Police Officer (DPO) Mir Qasim Khan and elders belonging to different areas of Barawal tehsil were present during the meeting. Elders of the area expressed concern over the volatile situation around the border and asked the army officials to take stern action against the militants to put an end to cross-border infiltration. The jirga decided to provide every possible support to security forces deployed around the border areas and told army officials that their peace committee members would also take part in routine patrol if the forces required. They had requested to establish a security check post on the Pak-Afghan border. Brigadier Mirza welcomed the support offered by the jirga and said that security forces would establish check posts around different parts of Nusrat Darra, Shengara Darra, Suni Darra and areas of Barawal tehsil. Mirza said that they would need local support to secure the border. Without their support, they cannot achieve the target. DCO Upper Dir Ghulam Muhammad said the jirga was very successful and the elders assured their full support, the security had been tightened after fresh contingents were deployed in the area.

[The Express Tribune - July 16, 2011]

Indian Politics

Indian Parliament Set To Wrestle Reforms amid Muted Hopes

India's parliament is poised to tackle thorny, though pivotal economic reforms when it reopens next week including bills to trim the tax burden on firms and fast track industrial projects, but political wrangling could strangle hopes for swift progress. Amongst the proposed bills are those to streamline multiple taxes now hobbling businesses nationwide through a goods and services tax (GST) and to bolster payouts to poor villagers from industrial projects developed on rural land.

Analysts say it's a crunch moment for India to improve its business climate and realise its vast, though stilted potential. Hopes, though, for an immediate breakthrough are low. "It doesn't appear there's any likelihood of parliament being quiet and intelligent discussion taking place. It's more likely to be a bazaar scene," said D.H. Pai Panandikar, head of New Delhi-based think tank RPG Foundation. As is often the case in India, domestic political tussles may trump development priorities with the main opposition Bharatiya Janata Party (BJP) likely to disrupt proceedings and instead challenge the Congress-party led government over a slew of corruption

scandals and high inflation. “(The bills) may become very controversial. I don’t think it’ll be easy to pass them,” Panandikar told Reuters.

The Indian economy, which roared to 8.5 percent growth in 2010-11, is showing signs of a slowdown and analysts say Prime Minister Manmohan Singh’s government needs to usher in a second-generation of reforms to build on growth unleashed by liberalisation of the economy two decades ago. Despite obvious economic benefits, there remains a lack of political consensus within and outside the ruling coalition, with populist parties worried reforms may alienate its core voter base amongst farmers and the rural poor.

Protests and land squabbles have held up major projects from a \$12 billion steel mill by South Korea’s POSCO to plans for tens of thousands of apartments outside New Delhi. “When we take a bill to the parliament we hope it will be passed but we cannot put a deadline,” said Law Minister Salman Khurshid. “We all hope that the bill will be passed as soon as possible, but we cannot anticipate (when).” The land bill, along with other proposals to share mining royalties with local communities and to expand a scheme to give cheap foodgrains to the poor, is pivotal to Congress’ chances of cementing its rural voter base ahead of national polls in 2014. Despite the food bill posing a huge fiscal drain, possibly doubling food subsidies to more than \$22 billion, and the mining bill on profit sharing likely to deter investors, they’re being championed by powerful Congress chief Sonia Gandhi and her son, Rahul, seen as a prime minister in waiting.

There are signs the Singh government may be shaking off its policy paralysis including a recent fuel price increase, and moves to allow greater foreign investment in supermarkets in India’s potentially lucrative retail sector. Investors, however, want far bolder steps. “There will come a point when they will have to address those issues. Eventually there will be constraints on growth, and they’re probably holding back growth as of now,” said Andrew Kenningham, an Indian economist at London’s Capital Economics. India is also watching the fate of a tough anti-graft bill which was promised to placate popular social activist Anna Hazare whose April hunger strike succeeded in stirring public support for an independent ombudsman to crack down harder on entrenched public corruption after a string of scandals including a multi-billion dollar telecoms scam.

[Reuters – July 29, 2011]

India Mining Scam ‘Caused \$3.6bn Loss to Government’

An Indian judge investigating corrupt mining practices in a resource-rich southern state said that illegal extraction had cost the public \$3.6 billion. He accused politicians in Karnataka, including the state’s chief minister B.S. Yeddyurappa, of causing the losses from 2006 to 2010 through the illicit mining of iron ore, much of which is thought to have been shipped to China. Some 160.8 billion rupees (\$3.6 billion) “has been lost to the exchequer between 2006 and 2010 due to the illegalities and irregularities linked to the grant of licences and the export of iron ore,” Judge Santosh Hegde said in state capital Bangalore. “In the illegal mining and irregularities committed in the export of iron ore, we have found the involvement of some 100 mining companies, about 600 officials, powerful politicians including the chief minister,” Hegde said.

The report, totalling 25,228 pages, said the federal and state government exchequers had lost money in the form of royalties, central excise duties, value-added taxes and other levies. The report also said that the chief minister’s family members, including one who is a member of the national parliament for the opposition Bharatiya Janata Party (BJP), had benefited from the mining fraud. The report found massive illegalities committed by four members of the state cabinet including the revenue and infrastructure ministers, former chief minister H.D. Kumaraswamy, a national Congress parliamentarian and another BJP lawmaker.

Media reports have suggested rampant connivance in the scandal, highlighting one incident in March 2010 when investigators stumbled across 800,000 tonnes of ore stored for shipping at a

local port without the necessary paperwork. The Indian Express newspaper said the seized iron ore was worth 2.5 billion rupees. According to Hegde, iron ore, used in steelmaking, was being mined in the state's Bellary district and then transported and shipped from three ports in Karnataka and from one in the nearby state of Andhra Pradesh. His probe report also suggested China was the largest importer of Bellary ore while some of the illicit product, without any paperwork, was also being marketed in eastern Asian countries and in Brazil. "We have recommended wherever illegalities have been committed cancel their (mining) lease and recover four times the value of the stolen ore from them," the judge said. "We have also recommended the export of ore should be stopped because it is not a regenerable commodity."

[AFP – July 27, 2011]

Political Instability in Nepal

Nepal Maoists Threaten to End Government Support

Nepal's Maoist party vowed to pull out of the government if the Premier fails to appoint its lawmakers as cabinet ministers, threatening fresh political turmoil in the Himalayan nation. "We will withdraw our support to the government if the prime minister fails to administer the oath of office (to our members) by Sunday," said Maoist spokesman Dinanath Sharma.

The withdrawal of Maoist backing would mean the collapse of Prime Minister Jhulanath Khanal's administration. The Maoists want Khanal to appoint 19 of the party's members to the cabinet, swelling its membership to more than 40. Khanal, of the Unified Marxist Leninist party, was chosen as premier by lawmakers in February after winning the support of the Maoists, the once underground rebel force that emerged as the largest party in parliament after elections in 2008. Khanal's selection as prime minister followed a damaging seven-month-long leadership vacuum in the poverty-stricken nation.

[Daily Times – July 31, 2011]

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