



LEGISLATIVE WATCH

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FOUNDATION

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EDITORIAL

The allocation of 17% reserved seats in the National and Provincial Assemblies was a big achievement for women. This was followed with a number of high successes of women legislators which include the first female Speaker of the National Assembly, Foreign Minister and a female Deputy Speaker in Sindh; seven pro women laws passed during the last seven parliamentary years with the notable support and participation of women parliamentarians and politicians; and the recognition of women parliamentarians by the public as politicians, as members of the legislature who will speak up for the rights of their constituencies and for women and other vulnerable persons.

However, despite this progression, there has been a lack of acceptance of women by the Government, State and political parties as equal members. This is evidenced by the fact that no women have held a number of vital posts including as Minister of Finance, Health, Interior Ministry etc; women were not included in the constitutional reform committee set up to examine amendments to the constitution in 2010; and the exclusion of women members of the assemblies and women party members from two of the most important functions of a state and party i.e. the budget-making process and the finalization of the political party manifestos.

The rights of the women legislators and women across the country are violat-

ed when important issues are decided unilaterally by men alone. A nation cannot afford to decide such important matters without the women's participation. The society needs and deserve women's knowledge and potential as equal and able citizens and the parliaments need to benefit women parliamentarians' potential in good governance.

This issue of the Newsletter draws attention to the exclusion of women from budgeting making and finalisation of the political party manifestos. It is vital that this issue is recognized and civil society must support and immediately advocate on behalf of the women parliamentarians to ensure their must be involved in the 2013 budget.

With the potential up-coming elections in 2013, political parties are in the process of finalizing their political manifestos from which women party members continue to be excluded. It is vital for women to be accepted as equal party members and take part in such decision making process. Alongside this, the manifestos must prioritise women specific issues. This newsletter provides civil society recommendations for inclusion in the political manifestos.

The time has come for the State, Government and Political Parties to give women equal recognition, as recognized in Article 25 of the Constitution 1973, and women representatives are made part of decision making processes.

The Health of Pakistan's Economy: Which Way Forward?

By S Akbar Zaidi

June 2012

Just how bad is Pakistan's Economy?

The general assumption, one articulated by many professional economists is, that Pakistan's economy is in very bad shape. One such economist, Ashfaq H Khan, a key member of the Musharraf economic team, has written that 'there is a general consensus within and outside the country that the economy of Pakistan has never been in such a bad shape since its inception in 1947. Pakistan has faced serious difficulties off and on over the last 64 years but has managed to sail through because of a competent economic team and strong leadership. Now there is a general view in the country that such leadership and economic team are missing today'. Sakib Sherani, another key Musharraf economic advisor, writing some weeks ago, stated, that the finance minister 'has presided over an economy whose condition has never been worse, in aggregate terms, in Pakistan's history'. Other economists, such as former State Bank Governor, Muhammad Yaqub have written that 'the real threat to the survival of the country was not from India, the US or from terrorism, but from an economic collapse that may be closer than people think if certain policy actions are not

taken'. It is seldom that one hears such strong and damning comments about Pakistan's economy. In order to be able to assess what the health of Pakistan's economy is like, it is important to address some of the concerns raised by these economists.

Many of the key economic numbers which were announced in June 2012 in the Economic Survey, show that some economic indicators are, indeed, the worst ever, or at least the worst in the last fifty years. While inflation was higher in the Z A Bhutto government, there has hardly been a month of the 51 months in power of this government, when it has not been in double digits; this is a notorious first. Similarly, the fiscal deficit has been in the range of 4-6.5 percent under this government, but was higher - often more than 8 percent of GDP - under General Zia ul Haq's military rule. The growth rate in the pre-9/11 Musharraf three years, 1999-2002, after which his government received a bonanza and huge windfall, was a mere 3 percent, but it has been lower, but only slightly so, over the last four years. Overall domestic debt, which has been growing over the last four years, is still much lower than that which was accumulated over the Zia ul Haq period and in the period between 1988-99. However, two indicators which are considerably worse and are particularly worrying, are the falling

tax-to-GDP ratio and investment.

Many of the indicators the doomsayers cite to make their case, are actually important economic indicators which can be used to analyse the state of the economy. They are correct in their analysis when they make the case, that inflation has been in double digits for every month this government has been in office, that the fiscal deficit is worsening and therefore, so is debt. They are also not wrong when they point out that public sector enterprises are in poor state, or that a power crisis continues to get worse, affecting investment. Again, their argument that exports have not increased significantly and that the tax-to-GDP ratio has fallen further, are also correct. Other indicators are also cited to make the case that the economy has, or is on the verge of, collapse and disaster. Yet, despite pointing out these negative trends, the economy has not collapsed. Not only that, alternative sets of indicators can also be shown which suggest that the economy is not as bad as many of these writers make it out to be. There are such trends in the economy, which show that certain sectors are doing much better than they have in the past. Rural incomes seem to be going up, consumer goods are in wide demand, banks have made very large profits in 2011-12 at a time when the doomsayers were arguing that all was

despair, and so on. Some large banks had annual profits for 2011-12 in excess of 57 percent, while the domestic production of cars, jeeps and motorcycles had increased by more than 8 percent in the last six months. These are not indicators of a train wreck or freefall. There are other numbers as well which counter the sky-is-falling claim. Clearly, there is a major disconnect somewhere.

There are numerous other indicators related to the economy, which have never been this good, despite problems in slowing trends. Per capita income continues to rise, albeit at a slower pace, remittances and exports have also improved, and poverty is probably lower than many were expecting, given Pakistan's slow growth and rising and persistent food inflation. Any fair, unbiased, account of the state of Pakistan's economy shows, that while parts of Pakistan's economy have been in poor state, this is certainly not the worst period ever. Moreover, many of the factors which have affected the current state of affairs, have their origin in the policies of the Musharraf era.

A criticism of those who argue that Pakistan's economy is collapsing, must not be seen as an endorsement or argu-

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ment in support of this government's economic policy. This government has failed miserably at providing a well-thought through economic policy. Its economic team is a complete failure and there is little disagreement with the group of people who criticise the government's economic programme. Yet, these critics need to re-read their own articles written over the last few years and to reassess their own biases and opinions. Their constant clamour of doom and collapse continues to be proven wrong, time and time again. They need to put their political biases aside and examine how the economy works. They have to be more honest in their assessment about why Pakistan avoids the sort of disastrous scenario which is emphasised in every article written by them. Perhaps the non-formal and parallel economy offers the answer to these questions, perhaps the textbook analysis which they use does not really capture real economic relationships and processes in Pakistan. Whatever it is, in order to answer just how bad Pakistan's economy really is, we need a far better, much wider, and most importantly, more honest and unprejudiced analysis.

Nevertheless, what is perhaps striking about the last four years, has been the poor and wavering economic management and leadership of the economic team. The absence of vision, insight and any clear idea of what needs to be done, given Pakistan's persistent and in many cases, serious and growing, economic problems, has been the most striking aspect in the leadership of the Ministry of Finance and the Planning Commission. A committed, and more able, leadership was critical to improving Pakistan's economic situation, and this is perhaps the government's biggest failure. While it is clear that the economy's overall performance has certainly not been the 'worst ever', the verdict on the economic team and its leadership, is less certain. This view is

endorsed by an assessment of the last budget of this government, announced in June 2012.

The more general and more valid criticism of this budget is, that it really does nothing, is unimaginative, uncreative and one which overlooks and actively ignores the interventions in the economy which are now essential. But that is exactly what constitutes the economic policy of this government. In that regard, the budget has been true to form and consistent with the absence of imagination and commitment to economic reform shown by the economic team. The fact that there are no surprises in the budget this year, is a reaction similar to that of the budgets of the earlier years of this government. For five years now, with the exception of the very first budget when the PMLN was still in partnership with the PPP government, all budgets have ignored necessary interventions.

While the real, underground and informal segments of Pakistan's economy continue to manage, and perhaps even thrive, there is little doubt that the government's finances - the monetary economy - have deteriorated over the last few years. There are some relevant and explicable reasons for this, but government policy inaction, is probably the top of the list. This government will be remembered for many admirable achievements. Economic management will certainly not be one of them. By not taking necessary measures in the budget, it is clear that the numbers which matter to the government, will all deteriorate. While this is not the same as stating that Pakistan's overall economy will also deteriorate, it is improbable that it will improve substantially, despite the real economy managing to keep people's lives steady.

Key Problems and What Needs to be Done

While one can make an argument that Pakistan's economy is not as bad as

some economists argue, and that the informal sector and remittances give Pakistan's economy a safety net, this does not detract from the fact that the quality of life of most Pakistanis has not improved in the last few years. The main factors which would account for this are, persistent inflation, in double digits for the last 50 months, the absence of new employment, and the energy crisis, where energy is now a basic need for all sorts of economic activities, and not a luxury. With changes in the economy and its structures, energy requirements are key to create jobs and for the economy. Assessments show that if Pakistan's energy problem was resolved, the growth rate would rise by 2-4 percentage points.

We have argued above, that the main shortfall in the economic environment is the policy and initiative of the incumbent government. While there are some key factors which have an impact on the economy - such as global recession, high energy prices, the law and order situation in Pakistan -- there is no excuse for poor economic management. This aspect of Pakistan's economy is probably the weakest. What the government needs to do, is to be able to collect a team of economists and policy makers who have credibility and have the ability to lead and give direction. The current economic teams lacks dedication and conviction. We have seen that even within this tenure of the government, there have been dynamic individuals who at least attempted to bring about changes. The fact that they were not able to do so reflects the barriers and constraints that they have to face, but nevertheless, with dedication and commitment, initiatives can be made. This is the minimum requirement for any government which comes to power.

In terms of what economic policy should be focused on, it is clear that the few areas which matter are energy, investment and taxation. Whether it is by dealing with circular debt or import-

ing electricity from other countries, this issue has to be at the forefront of every government's economic policy. The investment rate in Pakistan has fallen to its lowest in many decades, if not the worst ever. The energy crisis is one reason why investment has fallen, but so also is the image of the economic team which has not been very favourable. Investment can be raised if investors feel that there is some direction to the economy being given by economic managers. The fiscal deficit and debt situation has deteriorated in Pakistan over the last decade, and one reason for that is the falling tax-to-GDP ratio. This government, as well as many before it, have failed to raise taxation from the rich in Pakistan. Only one percent of Pakistanis pay any income tax, and there is increasing evidence that many of the rich and elite do not pay any tax. This includes individuals in high public office. Unless Pakistan's tax situation is improved, many of the problems that have been identified, will persist.

What should civil society do under such conditions? Political pressure and political action are key in such conditions where democratic spaces exist to voice criticism and counter proposals. Civil society needs to identify the failure of government in addressing key economic issues, particularly inflation, employment and the energy crisis, and needs to put pressure on government to have a pro-active policy which addresses these issues.

If one can make the case that most of Pakistan's economic problems are not structural, but are such that they can be addressed through better management, reform and administration, then it becomes the role of civil society to play an active role in pointing that out. Civil society needs to take the lead in mobilising citizens to put pressure on their elected representatives to improve the economic condition of all Pakistanis. — *The author is an independent economist and development expert.*

Demystifying the Gender Responsive Budget for Women Legislators

By Iffat Ara

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It is generally believed that budget is a routine document and day to day affairs are not affected by it. In reality, budget is the most important policy document of the government which affects entire population either visible or invisible way. While budget is presented once in a year, it affects prices and other macroeconomic variables throughout the year by various channels. It reflects underlying policy directions of the government for coming years and also states its seriousness in realizing its commitments envisaged in the preceding year. Government

often makes a great deal of commitments to deliver for the betterment of people but the actual facts and initiatives are those that are supported by reasonable monetary allocations along with affirmative action. This article is an attempt to exemplify the concept of gender-responsive budget and demystify the gender implications of budget.

What is budget?

Budget is the most important policy statement of the government and reflects the direction of underlying national and provincial policies. It shows monetary allocations planned to be spent on non-development (government's routine expenditures) and developmental schemes/programmes. It generally appears to be a gender-

neutral policy instrument, however it affects the genders-women and men, girls and boys-differently.

Why gender in budget?

The purpose of bringing a gender perspective to the budget is to ensure that budgets and associated economic policies address the needs of women and men, girls and boys of different backgrounds equitably, and attempt to narrow the social and economic gaps that exist between them.

What is gender-responsive budget?

Gender responsive budget (GRB) is not a separate budget for women. Also, it is not a budget that place 50 percent share of female and 50 percent share of male in

monetary allocations. In fact, it is a budget that is formulated by considering the role and responsibilities of individuals as defined by the cultural norms and society. It is a budget that recognises the ways in which (mainly) women contribute to the society and economy with their unpaid labour in bearing, rearing and caring for the people in the country. It is designed by focusing on the perspective and needs of women and men, girls and boys and ensuring that the interests of individuals from different social groups are addressed. It analyses and allocates any form of public expenditure or method of raising public money from a gender perspective. Moreover, it is a tool for testing a government's gender mainstreaming commitments.

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GRB is needed because policy affects women and men differently due to the existing pattern of gender inequalities in the society. Women, in particular, perform unpaid care work or family business. Evaluate the impact on the unpaid economy as well as paid economy. It needs to be mentioned that there is a difference in gender-targeted /specific and gender-responsive/sensitive budget. While the former means a budget different for male or female, the later means a budget that addresses gender issues or imbalances. Gender-targeted/specific is not necessarily gender sensitive/responsive.

Analysis of the Budget by Gender

In general, there are five steps to prepare and analyse the budget by gender. First, it is important to describe the existing situation of the area or sector before making any budgetary allocations. Considering the case of primary schools, it is essential to find out the factors that are hindering girls to go to school. For example, whether co-education schools are required or separate schools for boys and girls, type of facilities required for females in schools and

so on. Second, it is to make sure that the policies made for construction of primary schools are gender sensitive. This needs to be verified in line with the situation of each area that was analysed in the first step. Third is to confirm that adequate budget is allocated to implement the gender-sensitive policy. Fourth, it is equally important to assess whether the expenditure made was as per plan. The fifth step is to examine the impact by drawing out their outcome of the policy and expenditure made.

Benefits of gender-responsive budget

The experiences of other developed and developing countries shows various benefits of gender responsive budgeting. Some of these benefits are presented below.

- Reduce socio-economic gender inequalities: Since GRB allocates resources by targeting areas; it reduces the socio-economic inequalities in the society. GRB through situation analysis find the factors that create gender imbalances and then through budgetary allocation tries to address these imbalances. For example, to address the inequalities that exist in primary

education, area specific policy is needed. Almost every education strategy in Pakistan commits to invest in primary education. Even then, female enrollment rates remain less than that of male. This indicates that building schools is not the only initiative to increase female enrollment rates. There could be other factors that hinder girls to go to school e.g. poverty, cultural issues, quality of education and so on. The need is to investigate and pay attention towards demand-side issues and allocate resources in the budget to overcome them. For example, selection of appropriate site girls' schools, provision of trained female teachers for girls, transportation to and from school, separate toilet for girls and food might help bringing more girls to the school. Interventions such as the provision of free schooling; free textbooks; stipends; etc. especially for the population living below poverty line and allocations for improving awareness could put forth a positive impact.

- Improve policy and expenditure efficiency: improvement in targeting and allocation of resources accordingly bring effectiveness in expenditures. As result, the required results

become achievable by spending rationally and controlling wastage of unplanned funds. This eventually led to efficiency in policies and expenditure undertaken by the government.

- Improve transparency and accountability: Situation analysis often involves civil society organisations, local community and other relevant stakeholders. Due to this all the stakeholders become aware of the planning of development programmes and funds allocated to implement them. In this way the entire process will remain transparent and since the stakeholders were aware they can question the government in case of default. Consequently, the government would be accountable for those things which it committed and did not implement. Output and outcome.
- Promote partnership with civil society and improve development impact: Government's working under participatory approach by involving all the stakeholders help highlighting development needs. This will strengthen not only the public private partnership but also enhance the impact of development plans and schemes.

GRB: Opportunities for Women Legislators

The women legislators primarily need to focus on 3 aspects under GRB process: pursuing initial approach, developing gender links with policies and budget, and producing gender budget statement.

Initial approach

The initial approach is based on four steps: reviewing of the research, bringing gender related issues in parliamentary debates, monitoring of the budget through gender lens, and advocacy for GRB. Research shows that education spending in Pakistan largely benefits the male segment of the society compared to female segment many of whom are not using publically provided educational facilities. Such findings need to be targeted and ought to be debated in parliament. Legislators also need to discuss issues addressing gender inequalities through monitoring of budget through gender lens. It might be possible that these debates and policy discussion remain unheard in the beginning but greater advocacy for GRB may deliver the required result in medium to long run.

Gender Links with key government policies and budgets

The GoP has two overarching policy documents: Poverty Reduction Strategy Paper (PRSP) and Millennium Development Goals (MDGs). The former focuses on the neediest and priority sectors while the later (an international commitment of which Pakistan is signatory) targets gender equality goals including universal primary education, maternal mortality, women political participation. Similarly, there are two types of documents that describe the monetary allocation of resources in order to meet commitments made in the policy documents namely Annual Budget and Medium Term Budget Framework (MTBF). Annual Budget is a yearly implemented document. presenting incre-

mental change in majority of the categories. For example, it yields an increment in the component of salaries of government employees by taking into account the rate of inflation and the increase in employees. The monetary allocations given in the budget document do not explicitly indicate allocation of resources by gender. A computation exercise can disaggregate them by gender only for some development programmes but for many components it is not possible at all to disaggregate the given allocation by gender. In contrast, the MTBF indicates three-year planning and allocations. It illustrates each programme and scheme by its objectives and outcomes.

The government considers 2 aspects while preparing these documents: the sectoral priorities/needs and international commitments. Since each ministry, department and sector has its own policies and priorities, the ministry of finance invites proposal from all the ministries and line departments by issuing them call circulars at the start of the process of budget making. When talking of gender budgeting, the Ministry of Human Rights and Women's Development Departments need to play their role in focusing on women's needs. Given that MTBF explains clearly that why spending under certain category is to be made and what has been achieved as a result of that spending and given that it is a three year framework, there is enough scope to address the allocation of money by prioritizing the needs by gender.

Gender budget statement (GBS)

GBS is a document that explains gender-relevant information from the government budgets, focusing on programmes which get sizeable money as well as important for gender equality. GBS is a summary accountability tool used by government to give information about the manner it utilizes the budget to

progress towards gender equality. It is kept short in order to encourage people to read it.

GBS upon departments completion of the process of drawing up the budget and allocating resources to different programmes in response to the annual call circular. Preparation of GBS therefore is not a part of the process of prioritisation of policies and budgets rather it is drawn up after the finalisation of policy and budget. However, reflections of government officials, parliamentarians and civil society on what is contained in GBD could result in changes in prioritisation in the following budget year.

As an accountability tool as it matches the GoP's overall objective of gender equality, as illustrated in the PRSP, with budgets and MTRDF because no policy or programme will succeed without money. GBS therefore shows government's intention to do something and can be used as a powerful tool to examine whether or not governments' commitments towards gender equality are reflected in public spending and revenue collection. Also, it holds governments accountable with respect to meeting international agreements on gender equality.

The women legislators can perform their responsibility by exercising their gender oversight to monitor the implementation of gender-sensitive laws and policies as well as regional and international agreements that promote gender equality and eliminate discrimination. Since much of parliament's important work is carried out by forming different committees, both female and male legislators can play an effective role in these committees. For example, by concentrating on gender-related issues relevant to the policies of each ministry, and identifying gender issues and gender-target allocations specific to given sectoral budgets such as agriculture, education, health and population welfare.

Women's Issues Must be Addressed in Political Party Manifestos

Struggle for women's empowerment hit important milestones during the last decade, but only due to multi-pronged strategy. One of these strategies was reaching out to political parties and advocating for up-grading their manifestoes with reference to women's empowerment. Aurat Foundation, in collaboration with the civil society, actively campaigned for this during the last two general elections.

Keeping up with the process of getting women's rights included and prioritised into political parties' manifestos, as the next general elections are nearing, Aurat Foundation, after a series of small group meetings with different stakeholders from four Provinces (Punjab, KPK, Sindh & Balochistan), organized a two-day national consultation on 'Political Parties' Manifestos - Suggestions for Women's Empowerment' on 26-27 June 2012. Participants included civil society representation, as well as female legislators representing all the major political parties from all the provinces and regions. Civil society demanded the inclusion of women specific issues and agendas for women's empowerment in all Political Party Manifestos. All political parties must show their commitment to women and combatting women's issues by ensuring gender mainstreaming throughout their manifestos and prioritising women's issues.

The draft of the recommendations presented in Legislative Watch Newsletter No. 40 focuses only on civil and political rights and is an amalgamation of recommendations based on an Aurat Foundation's publication 'Suggestions for Women's Empowerment', Women's Action Forum, National Commission on the Status of Women and from recommendation from the Gender Reform Action Plan (GRAP) (Kamal S, Gender Reform Action Plan (GRAP) Vol-I, Draft for submission to Federal Cabinet, MoWD, Social Welfare and Special Education, GoP, Islamabad, June 2004).

Recommendations for Political Party Manifestos 2012

Prohibition of the use of Religion for Discrimination by the State and State Functionaries

The use of religion, religious sentiment and customs has often resulted in its exploitation for improper and corrupt usage. Religion is also used to maintain the control and supremacy of those with power is threatened. In order for the Government and State prohibit the use of this illegal and exploitative use of religion, we believe that:

1. Policies devised by, and the governance of the State must be exercised without any use and therefore, exploitation, of religion.
2. No person or forum, except for the State's legal institutions, has the right or power to punish and penalize whether in the name of custom or religion.

Effective Governance of the State and Special Measures for Protection of Women

To ensure the proper democratic running of the State and institution of proper governing procedures ensuring law and order without discrimination against women, we believe that:

1. Provinces decentralized post the 18th Amendment must be ensured with clear demarcations of power, financial support during transition and quick decisions in cases of confusion.
2. Local government system should be immediately restored in all provinces and immediate elections on party basis are held while ensuring 33% reserved seats for women in addition to adequate representation of minorities, peasants and workers.
3. Transparency, monitoring and accountability must be ensured in all government institutions and departments, including planning, rationale of resource allocation and spending of budget. Information must be made readily and easily available to the public.
4. Provincial Commissions on the Status of Women must be formed

and made operational in provinces and the law must be extended to all regions, including Gilgit-Baltistan, Kashmir and FATA.

5. The National Plan of Action (NPA) must be revised due to its nullity after the 18th Amendment. Due to the fundamental and cross cutting nature of women's issues, as is recognized by Article 25 of the Constitution of Pakistan 1973, these must be declared a national subject and the NPA must be revived as national guidelines to be implemented by the provinces in order to ensure uniform special measures for the protection and empowerment of women.

Ensure Effective Policing, with a Focus on Women Police

With the increasing rates of violence being committed, specifically against women, it is necessary that the institution of the police must become a strong, incorruptible force and be able and trained to deal with these situations. In order to be an effective force, we believe that:

1. Women Police Stations must be strengthened and empowered with real and actual powers.
2. It is necessary to expand, upgrade and train female police force, including gender sensitization training, establish women's cells in all police stations in a phased programme and must be part of all units including investigation, forensics etc.
3. Political interference in police appointments must be stopped with immediate effect.
4. Excessive police violence must be given special attention with penal punishments.
5. The police force must adopt the Sexual Harassment Code and set up an inquiry committee.
6. The Gender Crime Cell must be given adequate support, training and appointments.
7. Moral or vigilante policing must be seen as a precursor to militancy and banned.

Women Quotas and Appointment of Women

It is necessary to ensure the representation of women in all organs of the state, as well as in all professions. This representation is not adequate and is mostly only one so due to quotas. It is necessary to ensure this representation. Accordingly, we believe:

1. The 10% quota of women in all civil service, government, semi-government and autonomous bodies in all pay scales must be ensured with appointments being made on the basis of qualifications and not political or personal motivations.
2. Women's reserved seats in the national and provincial assemblies, Senate and local government should be protected and preserved and their proportion is increased from 17% to 33%;
3. Women must be recruited into the judiciary as judges in the High Courts and the Supreme Court, as well as administrative staff of courts.

Women as Equal Citizens

The Constitution of Pakistan 1973, all citizens are equal. However, the laws can clearly be seen to discriminate against women, therefore violating the Constitution and discriminating against women. In order to recognize women as equal citizens, we believe:

1. Women, especially single women, need to be recognized as heads of households and as equal qualifiers for CNICs etc
2. The age of adulthood for women needs to be fixed according to international conventions signed and ratified by Pakistan.
3. Women's citizenship rights in the law must be equal as that of men with regards to citizenship for foreign husbands of Pakistani women.
4. The Law of Evidence must be amended to ensure equal rights to women.

Women's Political Participation

Women are ensured a part in the

National and Provincial Assemblies due to reserved seats and they can be seen to have performed admirably. Despite this, these women continue to be sidelined and be discriminated against, whether by their funds being taken away, or not being allowed to participate in decision making in the party etc. To ensure women's political empowerment through effective participation and representation at all levels of public life and decision-making, we believe that:

1. Women's 33% reserved seats in the national and provincial assemblies and the Senate must be filled through constituency-based direct elections.
2. Additional seats (1/3 of existing 12 seats) should be created and reserved for women in the tribal areas in the National Assembly.
3. Political parties must commit to inclusion of 33% women in their general membership, as well as 33% representation of women in the decision-making bodies e.g. central and provincial executive committees, parliamentary boards etc.
4. Political parties must ensure democracy within their own party, mandating elections for all positions.
5. Political parties must award at least 15% tickets to women on winnable general seats in elections for provincial and national assemblies and; political parties fund women candidates' electoral campaign.
6. Women parliamentarians must be given a definitive budget for their use alone, which cannot be taken away from them.
7. Political parties who do not have women's wings, must establish women's wings. All women's wings must be strengthened and empowered.

Women and Elections

Women are allowed an equal vote during elections, however, they have often been stopped from doing so. Further, their participation is not noted due to the lack of gender disaggregated data,

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thus it becomes impossible to ascertain how many women actually do participate in the process. In order to ensure the participation of women in the election process, we believe that:

1. Election Commission of Pakistan must include women within its ranks.
2. Election Commission of Pakistan must collect Gender Disaggregated data of total votes polled during elections, at each polling station
3. Election Commission of Pakistan must declare the elections null and void in such constituencies where women are restrained from their right to vote.

Women's Legal Rights

Laws are meant to provide protection to the citizens of a state. However, it is being used to discriminate against women and other vulnerable segments of society. To ensure equality of rights of all and status for women in all spheres of life and to end all forms of discrimination against women, we believe that:

1. Discriminatory laws and provisions in the statute e.g. Hudood Ordinances, Qisas & Diyat Provisions in PPC & CrCP with the focus on 'honour killings' and the Citizenship Act should be repealed or amended to ensure equal legal status for women.
2. Blasphemy Law should be repealed.
3. Family Laws should be immediately amended and improved, particularly with regard to 'child marriages', 'polygamy' and 'right to divorce for women' in Nikahnama (marriage contract), dowry and; personnel laws of minorities are improved in consultation with representatives of their community, all social sectors, castes, classes, women and legal experts .
4. All negative and customary practices should be penalized in accordance with the law and parallel legal or quasi-legal systems (jirga, panchayat etc) should be abolished.
5. The Constitution and the laws must be in compliance with the international conventions ratified by

Pakistan including Compliance of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Child Rights Convention (CRC).

6. Laws relating to women specific issues and women's needs must be promulgated, including laws on domestic violence; domestic workers; women workers including labourers, farmers and home based workers.
7. NADRA must record and issue birth, marriage, divorce and death certificates.

Ending Violence Against Women

Violence Against Women (VAW) has become an epidemic across the country as increasing number of cases are being reported daily. There are lapses from the state and state institutions of recognising the increasing VAW, the new forms of VAW and to take effective action against this gender specific violence. To ensure a violence-free society and zero tolerance on violence against women by combating all forms of violence against women, we believe that:

1. A holistic national policy for combating gender-based violence must be developed, introduced and implemented to ensure institutional response and effective mechanisms for combating all forms of violence against women.
2. A formal monitoring mechanism of violations of the child marriages law, dowry laws, family laws, post-divorce maintenance, polygamous marriages and the 'judgments' of jirgas must be implemented.
3. Domestic violence legislation should be introduced and implemented on priority basis to criminalise domestic violence and; measure are undertaken to ensure that all cases of domestic violence against women and children are registered and prosecuted.
4. New progressive gender-based legislation, including the 'law on honour killings', 'Protection against Harassment of Women at Workplace Act 2010' and 'Prevention of Anti-Women Practices' should be implemented with strict monitoring and evaluation mechanisms and become part of curriculum.
5. Political parties and all government institutions including the Senate, National and Provincial Assemblies and the police must be mandated to form inquiry committees under Sexual Harassment Act 2010 within their parties.
6. Support structures like shelter homes, crisis centers, centers for legal aid and counseling, and burn units for women survivors/victims of violence should be established at district levels in all provinces and regions, including Gilgit-Baltistan, Kashmir and FATA, with regularized, trained staff; and those existing must be further strengthened with effective support and referral systems, adequate budgets and furnished with the modern facilities and trained and regularized staff. In conflict and disaster situations, such services may be expanded into fully resourced multi-purpose centres, including trauma and health needs for women, but otherwise must be independent, rights-based services.
7. Methods must be established to allow women easier access to the police and legal systems, such as women help lines etc.
8. Rape Assistance Centers must be formed with adequately trained, permanent staff.
9. A database must be set up with mandatory registration of offenders and repeat offenders.
10. Reforms be made address the problems in criminal justice system for women in relation the difficulties women face in accessing the system, to the discrimination against women within the system and to ensure time caps whilst dealing with cases of violence against women.
11. Holding of Jirgas/Panchayat as alternate dispute mechanisms will be legally banned with criminal consequences.
12. Those harassing/threatening/persecuting minorities will be dealt with strictly according to the law.

Women and Media

The media has risen with immense potential as a tool for consciousness raising and changing attitudes. However, as positive a potential it has, it can also be a negative without adequate measures such as a code of

ethics etc are not implemented. To ensure the role of the media does not discriminate against women, does not harm their dignity and functions in an ethical and unbiased manner, we believe that:

1. Media policy of political parties should be made public.
2. Code of Ethics and Disciplinary Procedures for all media personnel must be established.
3. Code of ethics regarding media should be introduced with in political parties.
4. Develop a strict code of ethics for reporting on cases of VAW to ensure the cases are not sensationalised.
5. Establish mandatory gender sensitisation training courses for all media personnel.
6. The use of media, such as FM Radio, must not be allowed to be used by state or non-state actors for the use of intimidation, creation of fear, threats and forwarding their own agenda which is a threat to the state.
7. Private media needs to be curtailed, penalized and if necessary, offending channels should be terminated if found to be promoting vigilantism, hate-crimes, religious intolerance or disinformation about fundamental, democratic rights of the people.
8. Informal media methods such as pamphleteering and picketing against women's basic right to vote and which encourage violations against basic human rights need to be addressed as a systematic discriminatory policy.
9. Women and girls will be given sufficient representation in senior level positions in both print and electronic media.

Women of Religious Minorities

1. Constitutional, legal and social discrimination against religious minorities will be prevented and their right to equal citizenship established.
2. Those harassing/threatening/persecuting minorities will be dealt with strictly according to the law
3. Inheritance and personal law for minorities must be enacted and/or updated.

Women in Distress and Detention Operationalized!

Under the provision of Women in Distress and Detention Fund Act 1996, a fund of amount 25 million, allocated to Women in Distress and Detention, is now fully operationalized under Ministry of Human Rights, Islamabad. The purpose of this fund shall be to provide financial and legal assistance to women in distress and detention.

Criteria for women eligible are following:

- Women in detention (under trial or convicted, or in Dar ul Aman, for provision books, payment of

stipend or women assigned teaching jobs, cases of extreme hardships for purpose of rehabilitation.

- Disabled women;
- Deserving women suffering from serious ailments including mental ailment or who are in distress and need medical aid;
- Burn cases;
- Distress women and their minor children in need of shelter;
- Women seriously maltreated by their husbands;
- Similar cases of grave distress and legal help to

women in detention or distress.

Application Process:

Applicants could send their applications directly to Secretariat:

The Secretary,
Women Distress and Detention Fund
Ministry of Human Rights
State life Building, Atta Turk Avenue,
Islamabad.

NCSW: Government Shuts Eyes on Women's Concerns

By Maliha Zia

There was a great deal of celebration in March 2012 when President Asif Ali Zardari signed the National Commission on the Status of Women Bill 2012 into law. While signing the Bill, the President "expressed the hope that the Commission would play a significant role as a watchdog of women's rights and would help in bringing positive change in policies and legislation." (8th March 2012, Business Recorder).

The bill gave financial autonomy and independence to the Commission and stated its agenda to work towards the empowerment of women and the protection of their rights.

The President and the Government have time and again reiterated this Government's commitment to raising the status of women.

With this commitment of the Government in mind; the celebration of the NCSW Act 2012 and the enhanced role of the NCSW, it is astonishing to see the unexplained long delay in the appointment of a new chairperson and members of the commission.

The 2012 law initiated a new procedure to appoint the chairperson. A Parliamentary Committee will be set up to facilitate this process. Nominations for the chairperson will be made in response to a public advertisement. The Federal Government shall short list the candidates. The Prime Minister, in agreement with the Leader of the Opposition will make a short list of three candidates. If the two cannot come to an agreement, both the



President Asif Zardari signing the National Commission on the Status of Women Act 2012 in the presence of Anis Haroon, Chairperson, National Commission on the Status of Women (as she was then).

Prime Minister and the Leader of the Opposition will make their own short list. The lists will be sent to the Parliamentary Committee, which will examine these candidates and make the final decision, whereby the Prime Minister will appoint the chairperson.

An advertisement was published on April 3 2012, on the basis of which 10 names were reportedly short-listed. There are many reports that the list may have been further shortened. However no parliamentary committee has been formed and no further action has been taken.

To add to this, functioning staff that provided support and information on women's issues, has been forced to go back to their respective supporting donor agency. Such a step has been taken first time in the history of NCSW as after the conclusion of tenure of last two Commissions the technical support provided by the

donors were given the room to keep on working without taking critical decisions and keep the secretariat alive.

The appointment of the chairperson is still pending, with no clear timeline given. Thus NCSW is without a legally authorized board and chairperson since 25th March 2012.

Furthermore, there have been reports of the increasing involvement of politics in the making of this decision. This raised worry and speculation that the process may not be transparent and favouritism and bias will swing the decision in favour of certain persons for the positions of chairperson and members of the Commission.

There is a great deal of anxiety within civil society with regards to all of this. It raises questions as to its actual commitment and its ability to implement a

law in a proper and transparent manner passed by its own Government. This, in fact, seems to demonstrate the Government's lack of priority and concern on women's issues when the State's own institution is made non functional by removing technical support from the secretariat .

Civil society demands:

- The Government takes notice of this issue and implement the NCSW Act 2012 in its spirit:
- That transparent and fair selection process identified in the 2012 law be followed strictly and ensured;
- That the Parliamentary Committee be set up as per the 2012 law;
- That the selection of new office bearers be made not on the basis of politics and connections, but on the basis of experience, merit and contribution to the cause and someone who is respected in civil society for their work and dedication;
- That the NCSW's technical support is revived with immediate effect and existing staff be allowed to function;
- That a short and definitive timeline be identified for appointing the chairperson and the members of the Commission and this timeline must be strictly followed;
- That the Government proves its commitment to the empowerment of women by ensuring that the NCSW is functional with its chairperson and members as soon as possible.

Mainstreaming Rights of Widows and Single Women in Public Policy

Aurat Foundation, in collaboration with South Asian Network for Widows' Empowerment in Development (SANWED), hosted a two-day South Asian consultative workshop in Islamabad, Pakistan, on 23-24 May 2012. The workshop focused on the introduction of issues of widows and single women for the first time in Pakistan. These women are very often discriminated against, ostracized by society and are vulnerable in terms of security and of the protection of their fundamental rights. SANWED was formed as a collective idea in 2005; it has been 7 eventful years since the network has been highlighting widows' issues globally and regionally. Pakistan officially joined the SANWED network in this conference and unanimously chose Dr. Masuma Hasan, President, Board of Governors, Aurat Foundation, as the SANWED representative in Pakistan.

The two day consultation focused on issues and challenges faced by widows and single women across South Asia and aimed at creating synergies and



Group photo of the SANWED consultation participants on the first day of workshop.

linkages at local, regional and international levels for mainstreaming their rights in public policy and institutional frameworks.

The consultation resulted in the draft-

ing of the Islamabad Declaration. The drafting committee comprised of Ms. Margaret Owen from England, Ms. Lily Thapa from Nepal, Dr. Mohini Giri from India, Ms. Ferdous Ara Begum from Bangladesh, and Tahira

Abdullah, Neelam Hussain, Saima Munir from Pakistan. Upon the culmination of the two-consultation, the Islamabad Declaration was unanimously adopted. We are pleased to share it with you in the next columns.

Islamabad Declaration

On the Needs, Roles and Rights of Widows

Islamabad, Pakistan, 24 May 2012

We, the members of South Asian Network for Widows' Empowerment and Development (SANWED) from Afghanistan, Bangladesh, India, Nepal, Pakistan and Sri Lanka, with Widows for Peace through Democracy (International Focal organization for SANWED), agree to adopt the following declaration during the SANWED's South Asian Consultative Workshop on "Mainstreaming Rights of Widows and Single Women in Public Policy", held in Islamabad, Pakistan on 23-24 May 2012, in collaboration with Aurat Foundation, Pakistan.

Recognizing the critical importance of issues pertaining to women who are single, divorced, never married, abandoned, or are spouses of missing/enforced disappeared persons, we are, nevertheless, focusing on the needs and rights of widows in this Declaration;

Reaffirming our commitment to our goal for a world in which all widows irrespective of age, ethnicity, religion, class or political allegiance, enjoy their full human rights, live with dignity without any form of discrimination;

Reaffirming our strong commitment, solidarity and integrity to fearlessly express and preserve our unity in pursuance of our common goals for the empowerment of widows;

Asserting that widows across the region must not be seen exclusively as poor, elderly, vulnerable and needy but as key players with important roles in social and economic development building and should be recognized as effective agents of change;

Noting also that widows have unique roles as peace builders and peace makers, through their ability to link hands with widows across ethnic, religious, political and national divides: all of them sharing common experiences of discrimination and abuse, and united in their hopes for peace, justice, and good governance;

Recognizing that widowhood, as a consequence of armed conflict, insurrection, enforced disappearances, and natural disasters, is one of the root causes of poverty to be addressed through implementation of the MDGs (Millennium Development Goals)

Recognizing that human rights of widows, their equality and access to justice are core components of democracy, socio-economic development and peace in the region;

Noting that there is no special reference to discrimination and abuse of widows in the United Nations Security Council Resolutions 1325 and 1820, Beijing Platform for Action and Convention of All Forms of Discrimination against Women;

Endorsing the recommendations and demands of the Charter for the Rights of Widows (2005), the ICW Johannesburg Resolution (2009), the Kathmandu Widows' Declaration (2011), and the Delhi Recommendations (2011);

We commit to work together to eliminate all forms of discrimination, abuse and violence facing widows and wives of missing persons to protect and uphold their human rights; reduce their poverty and accord

them due recognition and support them in their pivotal roles in families, communities and societies.

We commit to take forward our efforts for widows' empowerment from the SANWED platform as a registered regional network with the Secretariat in Kathmandu, Nepal, and with Widows for Peace through Democracy (WPD), United Kingdom as its international focal point.

We call upon SAARC to effectively implement Article 32 of the Colombo Declaration, recognize and endorse the global Charter for the Rights of Widows, formulate a Regional Policy on Widowhood, to be adapted as a National Policy by each Member State; and to recognize and accord official consultative status to SANWED.

We call upon SAARC and our respective Governments to ensure that rights of widows are mainstreamed in regional and national policies and programmes through consultation with SANWED and national associations/federations of widows in each member country within the national and global frameworks of gender equality, development and peace such as CEDAW, Vienna Declaration on Human Rights, the Beijing Platform for Action, the Copenhagen Declaration of the World Summit on Social Development, UNSCRs 1325 & 1820, the MDGs for 2015 and the National Action Plans.

We call upon SAARC, our respective Governments and UN to take urgent steps towards the eradication of absolute poverty and promote regional demilitarization, peace-making and peace-building, both intra- and inter-country, with the active and effective participation of widows in all decision-making fora and processes.

We call upon our respective Governments to compile, maintain and regularly update databases on widows and their dependents, for the purpose of registration of widows for national identity cards, passports, licenses, social security, pension, compensation, health and education benefits, workers' benefits, employment and training opportunities.

We call upon our respective Governments to ratify the Optional Protocol to CEDAW and to incorporate the situation of widows in their regular reports to the UN/CSW on CEDAW implementation; and to the UN/HRC/UPR, as per CEDAW Articles 2 and 16. We also call for progress reports on the situation of widows at each successive SAARC Summit as per Article 32 on widows of SAARC/Colombo Declaration.

We demand of our respective Governments to enact laws to provide and protect widows' right to inherit and exercise control over their husbands' property, land and assets, irrespective of customary traditions and unjustly sanctified injunctions seeking to minimize or limit widows' share in inheritance.

We demand of our respective Governments to provide widows, particularly in conflict-areas, access to justice through repeal of discriminatory laws; through the criminalization and prosecution of war crimes and other atrocities.

We demand of our respective Governments to enact legislation to criminalize forced marriages of widows either within or outside their marital fami-

lies, trafficking, forced prostitution and sex slavery; and to recognize and protect widows' right to choose to marry or not.

We demand of our respective Governments to provide special support to the widows in the case of infection with HIV/AIDS to allow them to fulfil this role fully.

We call upon SAARC and our respective Governments to facilitate, promote and provide support for the setting up of widows' associations and networks at all national, state/provincial and local levels, with linkages to the regional SANWED network.

We call upon the United Nations, International and Bilateral Organizations to:

- Recognize widows as a Special Category in the Cross-Cutting Issues and Thematic Groups for integration and mainstreaming of concerns;
- Appoint a Special Rapporteur on widowhood;
- Commission a Special Report on the situation of widows in conflict and post-conflict situations;
- Formulate a General Recommendation on widowhood for States Parties by CSW/CEDAW Committee to identify and address the situation of widows;
- Initiate and respond to SANWED reports requesting for enquiry process by CSW/CEDAW Committee on widowhood under Article 8 of Optional Protocol;
- Establish a special unit focusing on widows' issues at the UN Women level for coordination and advocacy and; to extend support with adequate financial and technical resources to SANWED and its national chapters;
- Ensure that the issues of widowhood are incorporated and integrated into their policy-making, planning, programming, and funding exercises, at all tiers of the UN system.



Legislative Watch is produced by the Resource Service of the Legislative Watch Programme for Women's Empowerment of Aurat Publication and Information Service Foundation at Islamabad.

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Printing funded by: MFA, Norway

Role of women legislators in provincial budget discussed

Aurat Foundation's Legislative Watch Program for Women's Empowerment, Karachi office, organised a pre-budget panel discussion on 'Provincial Budget: Role of Women Legislators in Budget Making Process' on May 17, 2012. The panel discussion focused on the necessity of significant allocation of funds for addressing women specific issues and concerns and on the importance of including women parliamentarians in the process to ensure that women's voices are heard. Iffat Ara, Chief Economist, SPDC, gave a presentation on the need for introducing gender responsive budgets and exploring the role of women legislators in the process. Shahid Hussain Siddiqui, renowned economist, gave an overview of the 2012 budget, and discussed what a good budget include. He emphasized that the budget should be result-oriented and stated that the country urgently needed a revolutionary budget with fool proof mechanism to expand its taxation network. Other speakers included Nasir Nizamani, Advisor to the Chief



(L-R) Mr. Nasir Nizamani, Mr. Izhar ul Haque, Mahnaz Rahman, Dr. Shahid Hassan Siddique, Mr. Taj Haider PPP and Adv. Rubina Brohi.

Minister Sindh, Izhar ul Haque, Advisor to the Chief Minister Sindh and Taj Haider, Secretary-General, Pakistan People's Party, Sindh.

In memorium: Fauzia Wahab

Aurat Foundation mourns the tragic death of Fauzia Wahab (1956-2012). Fauzia was a courageous woman, known politician, and held many political portfolios. For AF, she was much more - a women's rights activist groomed through a long process, she remained member of AF's Legislative Watch Group and was a close member AF's family. She will forever be remembered for her extensive work on human rights issues and her many achievements.



Women's participation in general elections stressed

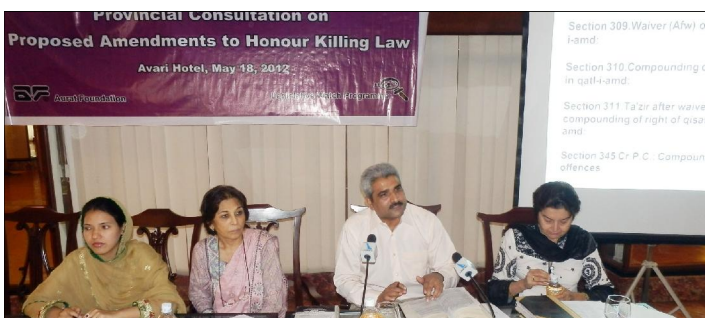
The importance of women's participation in the political process was highlighted by a seminar organised by Aurat Foundation's Quetta on May 8, 2012. The event also aimed at motivating women leaders to participate in the upcoming general elections more effectively. Rahat Malik, senior politician and writer, stressed on women's key role within their political parties and their role in policy making. He also expressed the need for enhancing their political knowledge and skills. Muhammad Farrukh, Manager Operations NADRA, briefed participants about steps taken by NADRA for maximum CNIC registration of women. Participants also stressed on political parties to strengthen their women-wings and create opportunities for women by appointing them on the decision making positions within their parties. The participants of the seminar included current and former MPAs, women politicians from different political parties, former women councilors, lawyers, government officials, NGO representatives, political and social activists and journalists.



(L to R) Sobia Kiran, Dr. Shama Ishaq, Rahat Malik, Muhammad Farukh and Amir Ali.

Amendments in 'honour' killings law proposed

A 'Provincial Consultation on Proposed Amendments to 'Honour' Killings Law' was held by AF, Lahore on 18 May, 2012 as a followup to recommendations from its 2011 publication " 'Honour' Killings' in Pakistan and the Compliance with Law". Hassam Qadir Shah, legal expert and advocate of Supreme Court, presented the draft amendment of the law. The participants has called upon the government to make necessary amendments in 'honour' killing law and declare 'honour' killing as non-compoundable offence. Justice (R) Nasira Javaid Iqbal was also on the panel. Mehnaz Rafi (women's rights activist, ex MNA), eminent lawyer Afzal Haider, Advocate Shamim ur Rehman also spoke..



Hassam Qadir Shah Advocate giving presentation; on his left Justice (R) Nasira Javaid Iqbal, on his right, Nasreen Zehra and Shamaila Tanvir.



Ms Shehla Raza, Deputy Speaker Sindh Assembly, centre; on her right Ms Marvi Rashidi, Ms Rubina Brohi, and on her left Ms Zareen Majeed.

Civil society demands inclusion of women's issues in political manifestos

Aurat Foundation' Legislative Watch Programme for Women's Empowerment held a two day 'National Consultation on Political Parties Manifestos - Suggestions for Women's Empowerment' on 26 and 27 June, 2012. AF has long been advocating with political parties to upgrade their manifestos to ensure inclusion of women specific issues and commitment to women's empowerment. With respect to this, AF conducted a series of meetings with civil society across the country to collect and consolidate a recommendations to the political parties to include in their manifestos. The culmination of this process resulted in the national consultation which included women representatives from all four provincial assemblies and all major political parties. The political representatives were invited to present the main agenda points of their political parties. Alongside this, civil society shared their recommendations with the political representatives and advocated for these to be included in the final party manifestos.



Protest camp to condemn the assassination of Farida Afridi in Khyber Agency

Farida Afridi, an employee of an NGO Sawaira in Khyber Agency, was shot dead on July 4, 2012, outside her residence by unidentified assailants. She was volunteer of Aurat Foundation and working to highlight women's role in peace. AF, in collaboration with CAMP, Peshawar Press Club, PFUJ and SAFMA, organized a protest camp on 9th July 2012 in Peshawar to condemn this brutal assassination. Mian Iftikhar Hussain, Minister for Information, KP, also participated and condemned the murder of Farida Afridi stating that anti-Islam elements were defaming the country and religion by issuing death decrees against women. He lamented that after attacking mosques, educational institutions and public places, militants were now targeting working women.