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Editorial

The blissful Ramadan commenced with the National Assembly and Senate of Pakistan passing the momentous Constitutional Amendment Bill No. 31 on merger of Federally Administered Tribal Areas (FATA) in the Khyber Pakhtunkhwa Province on May 24 and 25, 2018 followed by the Adoption of same by provincial assembly on May 27, 2018. The day also saw historic victory by the Pakistan Cricket Team at the first test against England at the House of Cricket Lords with greatest margin ever of nine wickets. The President of Pakistan also approved the date of Wednesday, July 25, 2018 for forthcoming general elections for the National Assembly and the four provincial assemblies.

May 31, 2018 marks completion of ten years of consecutive parliamentary democracy that saw numerous ups and downs yet the country has made marked gains according to most recent UNDP human development report 2017 in peace and tranquility, education, health and over all well-being of masses due to stability in socio economic terms. The whole nation keeps its fingers crossed viz a viz the Election Commission and the caretaker government to fulfill their primary responsibility of holding free and fair elections ensuring neutral playing field for all parties in a peaceful congenial atmosphere, devoid of any political engineering or state interference. This June 2018 issue of PIPS Parliamentary Research Digest comprises an absorbing analysis on recently passed Prevention of Trafficking of Persons Bill 2018 and a summary of landmark initiatives taken by the 14th National Assembly of Pakistan. Further to key recommendations of the Senate already published in the May issue, we are as per tradition presenting the finally approved grants by the National Assembly of Pakistan at the conclusion of the Budget Session. The paper also draws a comparison of increase and decrease in various heads. This issue also includes text of Inter Parliamentary Union IPU 138th Assembly's unanimous resolution for rights of Palestinian People against illegal US policy of opening its Embassy in Jerusalem. The Institute continues to provide its legislative, research and capacity building services for the Senators, Members of legislative assemblies of Azad Jammu and Kashmir and Gilgit Baltistan and looks forward for new National Assembly and provincial legislatures commencing in August, 2018 InshALLAH. For any specific areas of importance that you want PIPS to send you research or briefing papers, don't hesitate to contact us at research@pips.gov.pk.

Muhammad Rashid Mafzool Zaka
D.G (Research and Legislation)

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Speaker National Assembly Sardar Ayaz Sadiq inaugurating the Launching Ceremony of PTV Parliament at Islamabad on 30-05-2018.



Inter-Parliamentary Union
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138th IPU ASSEMBLY AND RELATED MEETINGS

Geneva, 24 - 28.03.2018

The consequences of the US declaration on Jerusalem and the rights of the Palestinian people in Jerusalem in the light of the UN Charter and resolutions

*Resolution adopted by consensus¹ by the 138th IPU Assembly
(Geneva, 27 March 2018)*

The 138th Assembly of the Inter-Parliamentary Union,

Recalling the resolutions of the United Nations Security Council, including resolutions 181 (II) (1947), 242 (1967), 252 (1968), 298 (1971), 446 (1979), 465 (1980), 478 (1980), 1322 (2000), 2334 (2016), United Nations General Assembly resolutions and other relevant international documents,

Taking note of the final communiqué and resolutions adopted by the Extraordinary Islamic Summit Conference and the Extraordinary Meeting of the Council of Foreign Ministers of the Organization of Islamic Cooperation held in Istanbul on 13 December 2017 and the Istanbul Declaration on "Freedom for Al-Quds",

Rejecting any unilateral decisions dealing with any changes to the resolutions of the United Nations Security Council and General Assembly and other international covenants dealing with the legal status of the city of Jerusalem, whether through governments of States or the Israeli occupation or otherwise,

Deploring and condemning the announcement by the US Administration of the transfer of its Embassy to occupied Jerusalem by mid-May, which coincides with the anniversary of the Nakba (15 May 1948),

Reaffirming its support for the right of the Palestinian people in their legitimate struggle to end the Israeli occupation and to regain their rights to return and establish their independent state with East Jerusalem as its capital,

1. *Renews* its solidarity with and support to the Palestinian people in defending their just cause and their legitimate rights, including their historical and rooted rights in Jerusalem, guaranteed by the relevant resolutions of international legitimacy;
2. *Supports* all legal and peaceful steps taken by the Palestinian leadership at the national and international levels to consolidate the sovereignty of Palestine over the Holy City of Jerusalem and the Occupied Palestinian Territory;
3. *Affirms* its absolute rejection in its entirety of the recent US Administration's decision regarding Jerusalem and *considers* it null and void under international law;

¹ Delegations expressed their support for a two-State solution, but had concerns with some of the language and elements of the substance of the resolution. The following delegations expressed reservations on specific operative paragraphs: Finland, Italy and San Marino (para 2); France (paras 2 and 5); and Switzerland (paras 2, 4 and 5). France also expressed a reservation on preambular paragraph 5. Furthermore Andorra, Australia, Austria, Belgium, Canada, Czech Republic, Ecuador, Estonia, Fiji, Germany, Hungary, Latvia, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Serbia, Seychelles, Sweden, Thailand, United Kingdom, and Venezuela (Bolivarian Republic of) all expressed reservations on the resolution as a whole.

ANALYSIS

The Prevention of Trafficking in Persons Bill, 2018 and the Way Forward

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The National Assembly of Pakistan has unanimously passed the Prevention of Trafficking in Persons Bill, 2018.¹ This paper narrates why it was so imperative for the National Parliament to take up this legislation for prevention of human trafficking and what different measures the bill prescribes to curb this menace in the country.

Human trafficking is often termed as modern form of slavery and Pakistan is ranked 6th out of 167 countries in terms of the highest prevalence of modern slavery, with an estimated 2,134,900 people subject to various forms of slavery.² Pakistan has been placed in “tier two watch list” for the fourth consecutive year and unless it is upgraded, it will drop to the third tier, the lowest level, alongside Iran, Russia, North Korea and Syria among others.³ On the other hand our neighboring countries such as India and Afghanistan are ahead of Pakistan and have been placed in tier 2.⁴ According to Trafficking in Persons Report, 2017, “Pakistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking.” This statistics calls for urgent action by the stakeholders including Parliamentarians and policy makers.

Let us first define the two key terms – i.e., human trafficking and migrant smuggling.

Human Trafficking vs. Migrant Smuggling

Migrant smuggling is the term which is often very closely associated with human trafficking but separate Protocols of the UN Convention Against Transnational Organized Crime help separate the two: the UN Protocol Against Trafficking in Persons and the UN Protocol against the Smuggling of Migrants by Land, Sea and Air, 2000. According to Article 3, paragraph (a) of the United Nations Convention against Transnational Organized Crime supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,⁵ human trafficking or trafficking in persons, means:

¹“NA unanimously passes Prevention of Trafficking in Persons Bill 2018,” *Daily Times*, May 23, 2018. Available at: <https://dailytimes.com.pk/243717/na-unanimously-passes-prevention-of-trafficking-in-persons-bill/>. Accessed on May 25, 2018

² Global Slavery Index Report, 2016. This report is produced as regular feature by Walk-Free Foundation and International Labour Organization of the United Nations.

³ U.S Department of State, *Trafficking in Persons Report 2017*, U.S Department of State office of the Under Secretary for Civilian Security, Democracy and Human Rights. Available At: <https://www.state.gov/documents/organization/271339.pdf>

⁴ Tier Placement, “*Trafficking in Persons Report, 2017*,” U.S State Department. Available at: <https://www.state.gov/j/tip/rls/tiprpt/2017/271117.htm>, accessed on May 16, 2018.

⁵ The United Nations Convention against Transnational Organized Crime was opened for signature on 15 November 2000 and entered into force on 29 September 2003. And its supplementary Protocol to prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children was opened for signature on 15 November 2000 and entered into force on 25 December 2003.

“the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

There are three essential elements of trafficking

- i. the Act (recruitment transfer, harbouring, receipt of person, etc),
- ii. the Means (how it is done – abduction, force, threat or coercion, etc) and
- iii. the Purpose, that means form of exploitation e.g bonded labour, sex trafficking, etc.

Article 3 of the Protocol against the Smuggling of Migrants by Land, Sea and Air⁶, supplementing the United Nations Convention against Transnational Organized Crime, 2000 defines the smuggling of migrants as: *“Smuggling of migrant shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into State Party of which the person is not a national or a permanent resident.”*

Trafficking is sometimes conflated with illegal smuggling and migration. But scholars argue that it is not valid to combine both terms (illegal smuggling or migration and human trafficking) because of element of force and coercion implicit in trafficking that may not be present in case of illegal migration or smuggling. Smuggling often involves some degree of consent between the smuggler and the person being smuggled. Smuggling is movement of person beyond international boundaries while trafficking can take place within a country. However, it is quite possible that a person being smuggled becomes the victim of trafficking. For instance, in cases involving transnational movement, victims themselves cross the borders illegally or they hire the services of smugglers, often become victims of trafficking in form of forced exploitation at destination country.⁷

Human Trafficking Practices in Pakistan: Apart from Trans boundary human trafficking, human trafficking also prevails inside the country in various forms such as:

- i. **Bonded Labour:** A large percentage of human trafficking occurs within the country in shape of bonded labour *“in which an initial debt assumed by a worker as part of the terms of employment is exploited, ultimately entrapping other family members, sometimes for generations.”*⁸ It is concentrated in agriculture and brick-making and, to a lesser extent, in fisheries, mining, and handicraft- and carpet-making. Feudal lords often use their political influence to

Pakistan is a party to the United Nations Convention against Transnational Organized Crime, however, has not signed or ratified its supplementary Protocol to prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

⁶ Adopted on 15 November 2000 and entered into force on 28 January 2004. Pakistan is not a signatory to this Protocol.

⁷ Farhan Navid Yousaf and Bandana Purkayastha, *Human Trafficking Admist Interlocking Systems of Exploitation*, (Kalkata India: Frontpage, 2015).

⁸ U.S Department of State, *Trafficking in Persons Report 2017*, U.S. Department of State office of the Under Secretary for Civilian Security, Democracy and Human Rights. Available At: <https://www.state.gov/documents/organization/271339.pdf>

- prevent child labor cases against them.⁹ Employers hire labour on low wages and exploit their abilities to earn maximum benefits.
- ii. **Organized Begging Rings:** There are begging rings, which kidnap, sell and rent innocent children to earn money. There is also evidence of their supply to shops, hotels, bus stations and shrines for sex trafficking. Young boys are most vulnerable to sex trafficking in these areas.¹⁰
 - iii. **Kidnapping/ Buying of Children:** In borderline territories, non-state militant groups kidnap or buy children. Sometimes these groups coerce parents with threats or fraudulent promises of bright future for giving their children. These non-state militant groups often use such children to spy or even fight in both countries.¹¹ Drug addicted parents have been vulnerable to sell their children to earn money.
 - iv. **Sex Trafficking:** A structured system of sale and sex trafficking of women and girls flourishes under nose of law enforcement agencies that ignore prostitution by accepting bribes. In some areas, women and girls are sold in forced marriages. Trafficking has to be addressed in more nuanced way than in a vague way. Usually there is a lack of understanding about nexus between marriage and trafficking in women. Traffickers in many cases use marriage as a tool and shield to trap vulnerable girls and women.¹² Women and girls are brought to Pakistan for sex trafficking from Afghanistan, Azerbaijan, Bangladesh, China, Iran, Russia, Nepal, and Uzbekistan. Similarly, refugees from Afghanistan, Bangladesh, and Burma, as well as religious and ethnic minorities such as Christians and Hazaras, are particularly vulnerable to trafficking in Pakistan.¹³ Trafficking in Persons Report (TIP) (2017) reveals that in some areas their husbands prostitute them in Iran or Afghanistan. Technological advancements and modern form of communication have helped traffickers to easily transport people within and across the country.
 - v. **Informal Justice Systems:** In some areas, women and girls are used as a currency to settle disputes outside the courts by tribal lords through *Jirga/ panchayat*, which exploit women in the name of traditional practices such as *vani* or *swara*.
 - vi. **Men and Human Trafficking:** Men who are the bread winners of their families are also vulnerable as they become victims of trafficking, bonded labour and organ removal. In poverty stricken areas, traffickers usually exploit the needs of poor people and trap them into unending cycle of small loan and increasing interest. To repay the loan and debt, families are bound to work in brick kilns or as domestic servants in the home of moneylenders. Many poor people are forced to sell their organs to pay off the loans.¹⁴
 - vii. **Disasters & IDPs:** Large scale disasters such as floods and earthquake affect wide range of communities, who become vulnerable to trafficking because of their acute resource and desperation for new opportunities of livelihood and shelter. Internally displaced people IDPs due to natural disasters and domestic military operations are also vulnerable to trafficking.¹⁵ IDPs who do not possess a) Computerized CNIC or are not from government declared “notified area,” do not receive criterion receive government assistance package leaving the people at risk of exploitation.¹⁶

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Yousaf and Purkayastha, *Human Trafficking Admist Interlocking Systems of Exploitation*.

¹³ U.S Department of State, *Trafficking in Persons Report 2017*.

¹⁴ Yousaf and Purkayastha, *Human Trafficking Admist Interlocking Systems of Exploitation*.

¹⁵ U.S Department of State, *Trafficking in Persons Report 2017*.

¹⁶ Yousaf and Purkayastha, *Human Trafficking Admist Interlocking Systems of Exploitation*.

Legislative Framework & Gaps in Human Trafficking Laws: The Constitution of Pakistan guarantees the safeguard of basic human rights of every citizen. Article 3 calls upon State to eliminate all forms of exploitation. Article 11 prohibits all forms of forced labour and trafficking in Human beings. Article 25(3) and 26 (2) require the state to make special provision for the protection of women and children. The country possessed number of laws to deal with the menace of Human Trafficking, which address some aspect or the other.

- i. **Prevention & Control of Human Trafficking Ordinance, 2002(P&CHTO):** This law provides legal basis for anti-trafficking interventions and policy making. It provides severe punishments for the offenders, repeaters and organized gangs to a maximum of 14 years. Pakistan has also developed “Prevention and Control of Human Trafficking Rules, 2004”. It only deals with movement of persons into and out of Pakistan which clearly illustrates that this law is silent on internal trafficking.¹⁷
- ii. **Pakistan Penal Code (PPC):** Various sections in penal code criminalize few forms of human trafficking, such as slavery, selling and buying a child for prostitution, and unlawful compulsory labor, trafficking by way of kidnapping or abduction, prescribing punishments for these offenses that range from fines to life imprisonment. “Section 369A prescribes penalties ranging from five to seven years imprisonment, or a fine between 500,000 to 700,000 Pakistani rupees (PKR) or both. These penalties are sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape.”¹⁸ Moreover, “Section 369A does not define the prostitution of children younger than age 18 as an act of human trafficking in the absence of coercive means, the standard of the 2000 UN TIP Protocol.”¹⁹
- iii. **Bonded Labour System (Abolition) Act, 1992 (BLSA):** This Act deals with the cases of trafficking into bonded labour. The law provides two to five years imprisonment or fine of at least PKR 50,000/- or both for the person who compels other person for bonded or forced labour. In wake of 18th Constitutional Amendment in 2010, provinces have greater responsibilities to initiate legislation and counter trafficking.
 - a. Khyber Pakhtunkhwa, Punjab and Sindh have adopted BLSA.
 - b. Punjab and Sindh have also passed legislations restricting the employment of children.
 - c. Punjab has also passed legislation regarding restricting child labor at brick kilns.
- iv. **Pakistan Action Plan for Combatting Human Trafficking (2005):** In December 2016, the government amended its national strategic framework against trafficking in persons and human smuggling to extend through 2020.²⁰

Pakistan’s International Commitment towards tackling Human Trafficking: Pakistan has ratified following UN Conventions which call for action against human trafficking, slavery, child sex abuse and forced labour.²¹

- i. UN Convention against Transnational Organized Crime (UNTOC) 2000, ratified on 13 January 2010.
- ii. Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, ratified on 11 July 1952

¹⁷ Ibid.

¹⁸ U.S. Department of State, *Trafficking in Persons Report 2017*.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ministry of Foreign Affairs, Government of Pakistan, *List of International Treaties/ Conventions Pakistan has Acceded to/ Ratified*, Accessed on May 21, 2018.

- iii. Supplementary Convention on The Abolition of Slavery, The Slave Trade, and Institutions and Practices Similar To Slavery 1956, signed on 7 September 1956, ratified on 20 March 1958²²
- iv. Optional Protocol on the involvement of Children in Armed Conflict, ratified on 17 November, 2016
- v. Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and Child Pornography, ratified on 05 July 2011. (Though not directly related to human trafficking, yet it clearly depicts Pakistan's stance against sale of children and child prostitution.)
- vi. ILO Forced Labour Convention, 1930, ratified on 23 December, 1957²³
- vii. The Abolition of Forced Labour Convention 1957, ratified in 15 February, 1960.²⁴
- viii. UN Sustainable Development Goals specifically call for action against human trafficking in three goals (5, 8 & 16).

Existing Institutional Framework to deal Human Trafficking Cases: It is necessary that federal government set up a treaty compliance cell to watch on the efforts of provincial governments viz a viz implementation of treaties.²⁵ Bureau of Immigration and Overseas Employment also needs to facilitate implementation of the new legislation.

The Federal Investigative Agency (FIA) has developed anti-trafficking law enforcement joint taskforces at federal, provincial and local level to directly address the issue of trafficking. The Immigration Wing of Federal Investigation Agency (FIA) is responsible to main 21 exit/entry points all over the country) in order to prevent illegal immigration, unlawful emigration & human trafficking in an out of the country.

FIA has recently claimed that it has nabbed 7381 persons involved in human trafficking during the last two years. It registered 7430 cases of human trafficking as part of its country wide campaign.²⁶ But in most of the cases, FIA did not differentiate between trafficking and smuggling. It is a huge dilemma of the country due to which there are no official disaggregated statistics of human smuggling and trafficking in Pakistan. FIA does not have any jurisdictional authority in provinces after 18th amendment and it also lacks any proper mechanism and capacity to stop human trafficking inside the country.²⁷

Prevention of Trafficking in Persons Bill, 2018: The Bill which was initially introduced as a Presidential ordinance is now deliberated, improved and passed by the national legislature and pending for assent of the President. The Bill addresses three specific areas: prevention and combating of trafficking in persons; protection and assistance of victims of such trafficking; and lastly, promotion and facilitation of national and international cooperation in this respect. The salient features of this bill are as under:

²² <https://treaties.un.org/doc/Publication/MTDSG/Volume%20II/Chapter%20XVIII/XVIII-4.en.pdf>

²³ International Labour Organization Ratifications of C029 - Forced Labour Convention, 1930 (No. 29), http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO::P11300_INSTRUMENT_ID:312174

²⁴ International Labour Organization, Ratifications of C105 - Abolition of Forced Labour Convention, 1957 (No. 105), Available At: http://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300_INSTRUMENT_ID:312250

²⁵ Muhammad Majid Bashir, "Ins and Outs of Human Smuggling and Trafficking," *Pakistan Today*, February 21, 2017.

²⁶ "7,430 cases registered under campaign against human trafficking: FIA," *Geo News*, December 22, 2017.

²⁷ Riaz ul Haq, "Human Trafficking: Pakistan on US watch list for 4 years, NA panel told," *The Express Tribune*, March 27, 2018.

- i. It covers both forms of human trafficking i.e., internal, trans boundary human trafficking.
- ii. Any person who commits an offence of trafficking in persons is liable to imprisonment which may extend to seven years or with fine which may extend to one million rupees or with both.
- iii. The imprisonment period is even lengthier if the victim is a child or a woman (for this case it may extend up to ten years or with fine which may extend to one million rupees or with both).
- iv. Under aggravating circumstances, the imprisonment of the offender has been extended to maximum fourteen years and minimum three years and fine which may extend to two million rupees.
- v. Where victim is a child (under 18 years of age) the prosecution may not prove the use of force, fraud or coercion and courts may not consider the consent of the victim, his parents or guardians as a defense.
- vi. Police will deal with cases of internal human trafficking whereas FIA will deal with “transportation of victim into or out of Pakistan.”
- vii. Human trafficking has been declared cognizable and non-bailable offence.
- viii. Under this law, the federal or the provincial government may take appropriate measures to ensure that a victim, witness of an offence under this Bill, or any related person is provided adequate protection if their safety is at risk.
- ix. The court may direct the offender to pay compensation to the victim under section 545 of the Code of Criminal Procedure, 1898.
- x. Court may conduct proceedings in camera, seal or restrict access to records of proceedings, permit evidence of the victim or witness behind a screen or through video link, or use of other communication technology and use a pseudonym of a victim or a witness.
- xi. The law allows the government to increase public awareness regarding offences of trafficking in persons, promote and strengthen development programs and national and international cooperation to deal with the root cause of human trafficking and the special vulnerabilities of children, establish procedures to collect data and to promote research in relation to trafficking in person.
- xii. In the PPC, Section 369-A shall be omitted.
- xiii. The Prevention and Control of Human Trafficking Ordinance, 2002 will be repealed after the passage of this legislation.

Critical Appraisal and Way Forward:

- i. **Improved Ranking in TIP:** Parliament of Pakistan has taken a giant leap in drive towards combating human trafficking in the country. It will improve Pakistan’s ranking from Tier 2 watch list to tier two where it will be counted in the list of those countries whose governments do not fully meet the TVPA’s minimum standards, but are making significant efforts to bring themselves into compliance with those standards.
- ii. **Tackling Internal Human Trafficking:** The new bill clearly mentions internal and trans-boundary human trafficking cases and prescribes penalties for the offenders. Moreover, it specifically focuses on women and children who are vulnerable to trafficking and in such cases lengthier imprisonment is proposed.
- iii. **Inclusive Legislation (Deal with every form of Human Trafficking:** National Parliament and provincial legislatures should bulge the legislative inadequacy by drafting customized bills incorporating international best practices to devise all-encompassing laws in prohibiting and penalizing every form of trafficking.
- iv. **Offences to be Cognizable and non-bailable & Omission of Section 369A of PPC:** Article 8 of P&CHTO reads “All offences under the ordinance shall be cognizable, non

bailable and non-compoundable as constructed by the Code.” However, under this new legislation, the offences are cognizable and non-bailable. The word non-compoundable has been omitted. Under Section 369A of PPC, the cases of human trafficking are cognizable, non-bailable and compoundable. One must keep in mind that in some of the cases such as sex trafficking and prostitution the human trafficking is of serious nature. Therefore if legislature opts to omit section 369A from PPC, the offences under this new legislation should be non-compoundable.

- v. **Presumption in Case of Child Victim:** One of the very upright features of this bill is that it does not allow the prosecution to prove actual use of force, fraud and coercion in case of fraud and coercion. Generally a child lacks maturity and experience to differentiate between various forms of trafficking.
- vi. **Safety of Victims:** Under this law, the Government or provincial government can take appropriate measures to ensure the victim, is provided adequate protection, if his/her safety is at risk. For the implementation of the Prevention of Trafficking in Persons bill 2018, the rules to be formulated must opt for inclusion of clause 6 of P&CHTO that says that-“Government may make arrangements for the shelter, food and medical treatment of victim being an unaccompanied child or a destitute woman.” This Bill does not cover rehabilitation which is important for victims facing trauma. In developed societies of Europe and the US, the State provides the victims with complete rehabilitation and mitigation including shelter and subsistence, security and even appropriate lawyers to prosecute against the criminals.
- vii. **Establishment of Data Collection Procedure:** According to this law, government can establish procedures to collect data and promote research in relation to trafficking in persons which was very much needed. The Ministry of Human Rights at federal level as well as Home and Social Welfare departments at the provincial governments in addition to Human Rights Commission of Pakistan and Federal Bureau of Statistics can collect data from police and FIA.
- viii. **Training of Enforcement Agencies:** Given the criminal nature of the human trafficking, the capacity and coordination of FIA, police force, intelligence agencies and border forces is utmost important to deal with it. In this regard a laid out cooperation mechanism among various law enforcement agencies and training programme on professional lines and regular basis must be held. Also, specialist training for FIA, police officials and magistrates tasked with dealing with the offense, to ensure effective implementation of the law, is foremost. Judicial officers should also be trained of specialized nature of crime and implementation mechanism of the Prevention of Trafficking of Persons Bill, 2018.
- ix. **Need to address Informal Justice System:** Trafficking laws in Pakistan including this new legislation are silent about traditional practices such as vani, swara, watta satta, walwar, forced/ fake marriages etc which act as contributing factors of trafficking of girls and women. This lack of understanding of the complex nature of human trafficking is a serious institutional constraint due to which the cases of human trafficking are not correctly reported, investigated and prosecuted.²⁸ Therefore government must take into consideration the ways and means of tackling such cases in the upcoming legislation.
- x. **Development of Information Programs to create Public Awareness:** This legislation reflects government’s attempt to combat human trafficking through incorporation of long demanded public awareness program. A lot can be done by devising a two prong public-awareness strategy that can firstly inculcate at the educational institutions the knowledge of what human trafficking is; what are their means and how can citizens keep themselves prevented from these heinous crimes. State and private TV channels can in

²⁸ Yousaf and Purkayastha, *Human Trafficking Amidst Interlocking Systems of Exploitation*.

public-private partnership produce TV dramas to be aired on popular channels having mass viewership. 10 % airtime allocated for public awareness campaigns can be utilized to disseminate information and increase public awareness regarding offences of trafficking in persons and dangers to victims. Radio Programs can also be used as a tool to raise awareness in general masses.

- xi. **National and International Cooperation:** This bill focuses on increased national and international cooperation in order to address the root-causes of trafficking. Increased cooperation within UN member states and among Asian nations, political parties, experts and legal fraternity across countries to share ideas, case studies of laws and actions taken within various states. Best practices learnt and shared, can go a long way in formulation of a sustained endeavor with committed zeal to root out human trafficking from the country as well as the Asian Region.

Conclusion: No doubt the Prevention of Trafficking of Persons Bill 2018 entails unprecedented resolve of the elected parliamentarians and the government of Pakistan to ensure that internal and trans-boundary human trafficking is curbed with sufficiently stringent implementation. But it is tied with improvements in the criminal justice system professionally to deliver timely justice. The weaknesses in the justice system embolden criminals to continue indulgence in crime without fear. Rule of law and consistency in completion of trial in due course and penalizing culprits needs to be ensured. At the same time mass awareness and employment opportunities can help eradicating human trafficking from the society.

PARLIAMENTARY BUSINESS

Federal Budget 2018-19 - Demands for Grants and Appropriations Approved by National Assembly and Comparison to Federal Budget 2017-18

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<u>CHARGED</u>						
S. No.	Ministries / Divisions	Demand No. as per 2018-19 Budget	Budget Estimates Financial Year 2017-18	Budget Estimates Financial Year 2018-19	% Wise Increase/ Decrease with Previous FY Original Estimates	Vertical Allocation to each head as of Total Charged
1	Superannuation Allowances and Pensions	38	3,898,000,000	3,865,000,000	-1%	0.0163%
2	Grants-In-Aid and Miscellaneous Adjustments between the Federal and Provincial Governments	39	12,000,000,000	14,000,000,000	17%	0.0590%
3	Other Expenditure of Foreign Affairs Division	49	250,000,000	150,000,000	-40%	0.0006%
4	Civil Works	51	7,000,000	8,000,000	14%	0.0000%
5	Other Expenditure of Law and Justice Division	78	208,000,000	236,000,000	13%	0.0010%
6	National Assembly	84	1,637,000,000	1,752,000,000	7%	0.0074%
7	The Senate	85	1,273,000,000	1,698,000,000	33%	0.0072%
8	Pakistan Post Office Department	92	50,000,000	22,000,000	-56%	0.0001%
9	Pakistan Railways	94	1,500,000,000	1,000,000,000	-33%	0.0042%
10	External Development Loans and Advances By The Federal Government	146	186,871,000,000	171,867,000,000	-8%	0.7242%

11	Staff, Household and Allowances of the President		960,000,000	1,036,000,000	8%	0.0044%
12	Servicing of Foreign Debt		132,016,000,000	229,230,000,000	74%	0.9659%
13	Foreign Loans Repayment		286,612,000,000	601,754,000,000	110%	2.5356%
14	Repayment of Short Term Foreign Credits		39,774,000,000	174,163,000,000	338%	0.7339%
15	Audit		4,194,000,000	4,633,000,000	10%	0.0195%
16	Servicing of Domestic Debt		1,231,000,000,000	1,391,000,000,000	13%	5.8612%
17	Repayment of Domestic Debt		13,163,216,000,000	21,129,748,000,000	61%	89.0343%
18	Supreme Court		1,817,000,000	1,964,000,000	8%	0.0083%
19	Islamabad High Court		487,000,000	527,000,000	8%	0.0022%
20	Election		2,348,000,000	2,531,000,000	8%	0.0107%
21	Wafaqi Mohtasib		670,000,000	722,000,000	8%	0.0030%
22	Federal Tax Ombudsman		225,000,000	243,000,000	8%	0.0010%
	Total Charged		15,071,011,000,000	23,732,150,000,000	57%	100%

VOTED

S. No.	Ministries / Divisions	Demand No. as per 2018-19 Budget	Budget Estimates Financial Year 2017-18	Budget Estimates Financial Year 2018-19	% Wise Increase/ Decrease with Previous FY Original Estimates	Vertical Allocation to each head as of Total Voted
1	Cabinet	1	198,000,000	263,000,000	33%	0.0071%
2	Cabinet Division	2	5,925,000,000	6,343,000,000	7%	0.1720%
3	Emergency Relief and Repatriation	3	258,000,000	276,000,000	7%	0.0075%
4	Other Expenditure of Cabinet Division	4	7,120,000,000	6,207,000,000	-13%	0.1683%

5	Aviation Division	5	90,000,000	97,000,000	8%	0.0026%
6	Airport Security Force	6	5,984,000,000	6,275,000,000	5%	0.1701%
7	Meteorology	7	1,079,000,000	1,235,000,000	14%	0.0335%
8	Capital Administration and Development Division	8	19,584,000,000	21,294,000,000	9%	0.5773%
9	Establishment Division	9	2,278,000,000	2,734,000,000	20%	0.0741%
10	Federal Public Service Commission	10	575,000,000	636,000,000	11%	0.0172%
11	Other Expenditure of Establishment Division	11	1,993,000,000	2,138,000,000	7%	0.0580%
12	National Security Division	12	47,000,000	51,000,000	9%	0.0014%
13	Prime Minister's Office	13	917,000,000	986,000,000	8%	0.0267%
14	Board of Investment	14	250,000,000	272,000,000	9%	0.0074%
15	Prime Minister's Inspection Commission	15	67,000,000	70,000,000	4%	0.0019%
16	Atomic Energy	16	8,584,000,000	9,412,000,000	10%	0.2552%
17	Stationery and Printing	17	94,000,000	113,000,000	20%	0.0031%
18	Climate Change Division	18	569,000,000	614,000,000	8%	0.0166%
19	Commerce Division	19	4,912,000,000	4,912,000,000	0%	0.1332%
20	Textile Division (Old Textile Industry Division)	20	400,000,000	432,000,000	8%	0.0117%
21	Communications Division	21	5,450,000,000	7,663,000,000	41%	0.2077%
22	Other Expenditure of Communications Division	22	2,709,000,000	3,507,000,000	29%	0.0951%
23	Defence Division	23	1,565,000,000	1,687,000,000	8%	0.0457%
24	Survey of Pakistan	24	1,207,000,000	1,322,000,000	10%	0.0358%

25	Federal Government Educational Institutions In Cantonments and Garrisons	25	5,273,000,000	5,717,000,000	8%	0.1550%
26	Defence Services	26	920,000,000,000	1,100,000,000,000	20%	29.8199%
27	Defence Production Division	27	651,000,000	698,000,000	7%	0.0189%
28	Power Division	28		245,000,000		0.0066%
29	Petroleum Division	29	361,000,000	377,000,000	4%	0.0102%
30	Geological Survey of Pakistan	30	461,000,000	489,000,000	6%	0.0133%
31	Other Expenditure of Petroleum Division	31	91,000,000	98,000,000	8%	0.0027%
32	Federal Education and Professional Training Division	32	1,263,000,000	1,476,000,000	17%	0.0400%
33	Finance Division	33	1,611,000,000	1,809,000,000	12%	0.0490%
34	Controller General of Accounts	34	5,442,000,000	5,887,000,000	8%	0.1596%
35	Pakistan Mint	35	558,000,000	602,000,000	8%	0.0163%
36	National Savings	36	2,824,000,000	3,047,000,000	8%	0.0826%
37	Other Expenditure of Finance Division	37	14,852,000,000	17,061,000,000	15%	0.4625%
38	Superannuation Allowances and Pensions	38	244,102,000,000	338,135,000,000	39%	9.1665%
39	Grants-In-Aid and Miscellaneous Adjustments Between The Federal and Provincial Governments	39	81,500,000,000	92,500,000,000	13%	2.5076%
40	Subsidies and Miscellaneous Expenditure	40	457,240,000,000	563,190,000,000	23%	15.2675%
41	Higher Education Commission	41	62,183,000,000	65,000,000,000	5%	1.7621%

42	Economic Affairs Division	42	5,072,000,000	5,296,000,000	4%	0.1436%
43	Revenue Division	43	349,000,000	378,000,000	8%	0.0102%
44	Federal Board of Revenue	44	4,102,000,000	4,419,000,000	8%	0.1198%
45	Customs	45	7,437,000,000	8,088,000,000	9%	0.2193%
46	Inland Revenue	46	12,242,000,000	13,335,000,000	9%	0.3615%
47	Foreign Affairs Division	47	1,405,000,000	1,524,000,000	8%	0.0413%
48	Foreign Affairs	48	12,764,000,000	14,457,000,000	13%	0.3919%
49	Other Expenditure of Foreign Affairs Division	49	2,136,000,000	2,583,000,000	21%	0.0700%
50	Housing and Works Division	50	148,000,000	160,000,000	8%	0.0043%
51	Civil Works	51	3,549,000,000	3,800,000,000	7%	0.1030%
52	Estate Offices	52	143,000,000	143,000,000	0%	0.0039%
53	Federal Lodges	53	92,000,000	100,000,000	9%	0.0027%
54	Human Rights Division	54	320,000,000	438,000,000	37%	0.0119%
55	Industries and Production Division	55	307,000,000	331,000,000	8%	0.0090%
56	Department of Investment Promotion and Supplies	56	15,000,000	6,000,000	-60%	0.0002%
57	Other Expenditure of Industries and Production Division	57	810,000,000	936,000,000	16%	0.0254%
58	Information and Broadcasting Division	58	641,000,000	735,000,000	15%	0.0199%
59	Directorate of Publications, Newsreels and Documentaries	59	288,000,000	331,000,000	15%	0.0090%
60	Press Information Department	60	619,000,000	725,000,000	17%	0.0197%
61	Informantion Services Abroad	61	807,000,000	807,000,000	0%	0.0219%

62	Other Expenditure of Information and Broadcasting Division	62	5,650,000,000	6,105,000,000	8%	0.1655%
63	National History and Literary Heritage Division	63	1,009,000,000	1,085,000,000	8%	0.0294%
64	Information Techonology and Telecommunication Division	64	3,701,000,000	4,075,000,000	10%	0.1105%
65	Interior Division	65	739,000,000	831,000,000	12%	0.0225%
66	Islamabad	66	7,626,000,000	8,444,000,000	11%	0.2289%
67	Passport Organization	67	2,123,000,000	2,752,000,000	30%	0.0746%
68	Civil Armed Forces	68	44,980,000,000	60,344,000,000	34%	1.6359%
69	Frontier Constabulary	69	8,227,000,000	8,920,000,000	8%	0.2418%
70	Pakistan Coast Guards	70	1,818,000,000	1,994,000,000	10%	0.0541%
71	Pakistan Rangers	71	19,702,000,000	21,963,000,000	11%	0.5954%
72	Other Expenditure of Interior Division	72	3,488,000,000	4,167,000,000	19%	0.1130%
73	Inter-Provincial Coordination Division	73	1,785,000,000	1,907,000,000	7%	0.0517%
74	Kashmir Affairs and Gilgit - Balitistan Division	74	346,000,000	371,000,000	7%	0.0101%
75	Other Expenditure of Kashmir Affairs and Gilgit - Baltistan Division	75	29,000,000	31,000,000	7%	0.0008%
76	Gilgit Baltistan	76	239,000,000	248,000,000	4%	0.0067%
77	Law and Justice Division	77	514,000,000	555,000,000	8%	0.0150%
78	Other Expenditure of Law and Justice Division	78	3,510,000,000	3,817,000,000	9%	0.1035%
79	Council of Islamic Ideology	79	104,000,000	120,000,000	15%	0.0033%
80	District Judiciary, Islamabad Capital Territory	80	358,000,000	387,000,000	8%	0.0105%

81	National Accountability Bureau	81	2,439,000,000	2,634,000,000	8%	0.0714%
82	Maritime Affairs Division (Old Ports and Shipping Division)	82	725,000,000	782,000,000	8%	0.0212%
83	Narcotics Control Division	83	2,476,000,000	2,672,000,000	8%	0.0724%
84	National Assembly	84	2,184,000,000	2,404,000,000	10%	0.0652%
85	The Senate	85	1,085,000,000	1,297,000,000	20%	0.0352%
86	National Food Security and Research Division	86	3,866,000,000	4,176,000,000	8%	0.1132%
87	National Health Services, Regulations and Coordination Division	87	1,851,000,000	2,004,000,000	8%	0.0543%
88	Overseas Pakistanis and Human Resource Development Division	88	1,244,000,000	1,341,000,000	8%	0.0364%
89	Parliamentary Affairs Division	89	365,000,000	395,000,000	8%	0.0107%
90	Planning, Development and Reform Division	90	1,039,000,000	1,110,000,000	7%	0.0301%
91	Postal Services Division	91		58,000,000		0.0016%
92	Pakistan Post Office Department	92	17,503,000,000	18,584,000,000	6%	0.5038%
93	Privitization Division	93	154,000,000	166,000,000	8%	0.0045%
94	Pakistan Railways	94	88,500,000,000	86,500,000,000	-2%	2.3449%
95	Religious Affairs and Inter Faith Harmony Division	95	456,000,000	490,000,000	7%	0.0133%
96	Other Expenditure of Religious Affairs and Inter Faith Harmony Division	96	581,000,000	626,000,000	8%	0.0170%
97	Science and Techonology Division	97	468,000,000	503,000,000	7%	0.0136%

98	Other Expenditure of Science and Techonology Division	98	5,926,000,000	7,640,000,000	29%	0.2071%
99	States And Frontier Regions Division	99	111,000,000	127,000,000	14%	0.0034%
100	Frontier Regions	100	9,108,000,000	10,601,000,000	16%	0.2874%
101	Federally Administered Tribal Areas	101	21,859,000,000	25,505,000,000	17%	0.6914%
102	Maintenance Allowances To Ex-Rulers	102	3,000,000	3,000,000	0%	0.0001%
103	Afghan Refugees	103	508,000,000	523,000,000	3%	0.0142%
104	Statistics Division	104	2,291,000,000	2,357,000,000	3%	0.0639%
105	Water & Power Division		444,000,000			0.0000%
106	Water Resources Division	105		236,000,000		0.0064%
107	Federal Miscellaneous Investments	106	19,949,000,000	19,436,000,000	-3%	0.5269%
108	Other Loans and Advances by the Federal Government	107	28,324,000,000	49,076,000,000	73%	1.3304%
109	Development Expenditure of Cabinet Division	108	37,660,000,000	14,741,000,000	-61%	0.3996%
110	Development Expenditure of Aviation Division	109	4,349,000,000	4,677,000,000	8%	0.1268%
111	Development Expenditure of Capital Administration and Development Division	110	5,188,000,000	13,906,000,000	168%	0.3770%
112	Development Expenditure of Establishment Division	111	49,000,000	25,000,000	-49%	0.0007%
113	Development Expenditure of National Security Division		100,000,000	-	-100%	0.0000%

114	Development Expenditure of SUPARCO	112	3,500,000,000	4,700,000,000	34%	0.1274%
115	Development Expenditure of Climate Change Division	113	815,000,000	803,000,000	-1%	0.0218%
116	Development Expenditure of Commerce Division	114	1,200,000,000	1,500,000,000	25%	0.0407%
117	Development Expenditure of Textile Division (Old Textile Industry Division)	115	218,000,000	280,000,000	28%	0.0076%
118	Development Expenditure of Communications Division	116	13,660,000,000	14,481,000,000	6%	0.3926%
119	Development Expenditure of Defence Division	117	500,000,000	531,000,000	6%	0.0144%
120	Development Exp. of Fed. Govt. Educational Institutions In Cantt. and Garrisons	118	35,000,000	110,000,000	214%	0.0030%
121	Development Expenditure of Defence Production Division	119	4,468,000,000	2,810,000,000	-37%	0.0762%
122	Development Expenditure of Federal Education and Professional Training Division	120	2,962,000,000	4,337,000,000	46%	0.1176%
123	Development Expenditure of Finance Division	121	171,875,000,000	143,987,000,000	-16%	3.9033%
124	Other Development Expenditure	122	17,724,000,000	13,795,000,000	-22%	0.3740%
125	Development Expenditure Outside PSDP	123	152,200,000,000	180,238,000,000	18%	4.8861%
126	Development Expenditure of	124	51,000,000	120,000,000	135%	0.0033%

	Economic Affairs Division					
127	Development Expenditure of Revenue Division	125	790,000,000	2,559,000,000	224%	0.0694%
128	Development Expenditure of Human Rights Division	126	306,000,000	300,000,000	-2%	0.0081%
129	Development Expenditure of Information and Broadcasting Division	127	215,000,000	255,000,000	19%	0.0069%
130	Development Expenditure of National History & Literary Heritage Division	128	273,000,000	551,000,000	102%	0.0149%
131	Development Expenditure of Information Technology and Telecommunication Division	129	1,538,000,000	3,046,000,000	98%	0.0826%
132	Development Expenditure of Interior Division	130	15,622,000,000	23,651,000,000	51%	0.6412%
133	Development Expenditure of Inter - Provincial Coordination Division	131	3,044,000,000	3,553,000,000	17%	0.0963%
134	Development Expenditure of Kashmir Affairs and Gilgit - Baltistan Division	132	18,300,000,000	18,329,000,000	0.2%	0.4969%
135	Development Expenditure of Law and Justice Division	133	1,200,000,000	1,025,000,000	-15%	0.0278%
136	Development Expenditure of Narcotics Control Division	134	220,000,000	251,000,000	14%	0.0068%
137	Development Expenditure of National Food Security and	135	1,614,000,000	1,808,000,000	12%	0.0490%

	Research Division					
138	Development Expenditure of National Health Services, Regulations and Coordination Division	136	54,401,000,000	30,734,000,000	-44%	0.8332%
139	Development Expenditure of Planning, Development and Reform Division	137	86,799,000,000	31,240,000,000	-64%	0.8469%
140	Development Expenditure of Science and Technology Division	138	2,428,000,000	3,900,000,000	61%	0.1057%
141	Development Expenditure of Federally Administrated Tribal Areas Division	139	26,900,000,000	28,256,000,000	5%	0.7660%
142	Development Expenditure of Statistics Division	140	200,000,000	200,000,000	0%	0.0054%
143	Development Expenditure of Water & Power Division		34,650,000,000			0.0000%
144	Development Expenditure of Water Resources Division	141		62,026,000,000		1.6815%
145	Capital Outlay on Development of Atomic Energy	142	15,407,000,000	28,640,000,000	86%	0.7764%
146	Capital Outlay on Petroleum Division (Old Petroleum and Natural Resources)	143	554,000,000	943,000,000	70%	0.0256%
147	Capital Outlay on Federal Investments	144	330,000,000	1,561,000,000	373%	0.0423%

148	Development Loans and Advances by the Federal Government	145	264,274,000,000	156,315,000,000	-41%	4.2375%
149	External Development Loans and Advances by the Federal Government	146	144,067,000,000	133,358,000,000	-7%	3.6152%
150	Capital Outlay on Works of Foreign Affairs Division	147	200,000,000	200,000,000	0%	0.0054%
151	Capital Outlay on Civil Works	148	10,652,000,000	5,940,000,000	-44%	0.1610%
152	Capital Outlay on Industrial Development	149	2,737,000,000	1,775,000,000	-35%	0.0481%
153	Capital Outlay on Maritime Division (Old Ports and Shipping Division)	150	12,776,000,000	10,119,000,000	-21%	0.2743%
154	Capital Outlay on Pakistan Railways	151	42,900,000,000	34,411,000,000	-20%	0.9328%
	Total Voted		3,401,872,000,000	3,688,810,000,000	8%	100%
	Total Charged and Voted		18,472,883,000,000	27,420,960,000,000	48%	
Source: Federal Budget 2018-19 - Annual Budget Statement Federal Budget 2017-18 - Annual Budget Statement						

PARLIAMENT a symbol of protecting rights and will of the People

Landmark Initiatives by the 14th National Assembly of Pakistan (2013-18)

Tehseen Khalid, Deputy Director (Research) and **Abdul Nabi Solangi**, Legislative Officer, PIPS

*Whereas sovereignty over the entire Universe belongs to Almighty Allah alone, and the authority to be exercised by the people of Pakistan within the limits prescribed by Him is a sacred trust;
And whereas it is the will of the people of Pakistan to establish an order;
Wherein the State shall exercise its powers and authority through the chosen representatives of the people;
Wherein the principles of democracy, freedom, equality, tolerance and social justice, as enunciated by Islam, shall be fully observed;*

1. Parliament and the will of the People: As the above excerpts from the preamble of the Constitution affirm, the creation of Islamic Republic of Pakistan through a just and lawful movement of self-determination by Muslims of the Sub-continent for accomplishing a federal democratic country.

History testifies the fact that Pakistan was created by the Muslim-minority led by the Muslim League and Quaid e Azam Muhammad Ali Jinnah, a determined Member of Parliament for 39 years. The founding fathers envisaged evolving a peaceful, egalitarian and happy society based on social justice and welfare state. The momentous sacrifice of around 4.5 lac men, women, old and children, who were massacred during migration to the new country at eve of independence in 1947 by communal fanatics, reflects Pakistanis resilience against all forms of extremism as well as their unwavering commitment for democratic order. The



Group Photo of Speaker National Assembly Sardar Ayaz Sadiq after the Launching Ceremony of PTV Parliament at Islamabad on 30-05-2018.

National Parliament of Pakistan, comprising the President; the Senate and the National Assembly of Islamic Republic of Pakistan, with 446 elected Members; is a clear manifestation of the will of over 200 million Pakistanis to run the affairs of the State as envisioned by the resolute leadership of the Quaid e Azam Muhammad Ali Jinnah. The four provincial assemblies of Balochistan, Khyber Pakhtunkhwa, Punjab and Sindh with 728 elected Members and hundreds of local representatives translate the same spirit of pluralistic democracy to every tier of the society.

2. Land Mark Initiatives by the 14th National Assembly (2013-2018): The Parliament being the custodian of the citizens and writer of the pluralistic Constitution provides statesmanship in consolidating country's status as an evolving economic and political leader of Asia and the world. The 14th elected National Assembly of Pakistan that commenced its working after general elections in 2013 completed its five year tenure on May 31st 2018. During the 2013-18, this assembly has accomplished landmark achievements which include approving numerous significant legislations including Elections Act 2017 and the Fata Merger Amendment, institutional initiatives such as establishing of a cross party Parliamentary Sustainable Development Goals (SDGs) Taskforce, acquiring globally the status of being the first Green Parliament and last but not the least inaugurating the PTV Parliament trial run to secure more transparency in working of Parliament through live coverage of the proceedings of the Senate and the

National Assembly. The same surely needs to be reiterated, spread and celebrated in every part of Pakistan.

3. Law Making: The 14th National Assembly adopted around 136 legislations including five constitutional amendments and 49 significant legislations that include laws pertaining to Compulsory Teaching of Holy Quran Act, Prevention against Trafficking in Persons, the Elections Act 2017, the Right to Access to Information Act, the Hindu marriage act, the public Interest Disclosure Act and the National Commission on Rights of Child Act. For the first time in the history, this Assembly passed seven laws in joint sittings, which include 04 private member bills. Moreover, 16 private member bills became acts of Parliament during this five year tenure.¹ Brief summer of some key laws are as under:

- 3.1.1 Unification of 9 electoral laws into one comprehensive Electoral Law:** A landmark achievement is the unification of nine electoral laws into one comprehensive election act. This was secured by Parliamentary Committee on Electoral Reforms (PCER) formed by the Speaker National Assembly in consultation with Chairman Senate comprising 33 Members on July on July 25th, 2014.
- 3.1.2 The Constitution (Thirty-First Amendment) Act, 2018 (KP-FATA merger):** In a historic move, the Assembly passed the thirty-first Constitutional Amendment to merge the Federally Administered Tribal Areas (Fata) with Khyber-Pakhtunkhwa (KP) province. The bill was approved by the both Houses of National Parliament and Provincial Assembly of Khyber Pakhtunkhwa with two third majorities, followed by assent by the President of Pakistan. Now the tribal area comprising seven agencies and six frontier regions has been merged in province of Khyber Pakhtunkhwa. The number of Senate seats will decrease from 104 to 96 while seats of National Assembly from 342 to 336. Areas of Provincially Administered Tribal Areas (PATA) will also be merged in Balochistan and K-P.
- 3.1.3 The Islamabad Capital Territory Local Government Act, 2015** provided a new local government system to the capital city so that an accountable local government could be formed by empowering it to shoulder the political, administrative and financial responsibility at a local level through elected representatives in order to alleviate the grievances of the general public.
- 3.1.4 The Criminal Law (Amendment) (Offences Relating to Rape) Act, 2016** provided legal cover to the collection and use of DNA evidence to prove that rape has been committed. It increased the punishment for obstruction of such an investigation from three months in prison to one year, and the fine from Rs500 to Rs50,000 and also specified that anyone who rapes a minor or a mentally or physically disabled person shall be liable for the death penalty or life imprisonment.
- 3.1.5 The Criminal Law (Amendment) (Offences in the Name or on pretext of Honour), 2016** enforced that if a woman is murdered in the name of honour by a close family member, they will be liable to strict punishment even if they are pardoned by another family member.
- 3.1.6 The Costs of Litigation Act, 2017** was enforced in Islamabad to counter frivolous and false cases to curb blockage of cases and provision of speedy justice.
- 3.1.7 Hindu Marriage Act, 2017** was enacted to help Hindu women get documentary proof of their marriage, which provided some relief to the Hindu community, especially in establishing marital relationships, acquiring of official documents such as CNICs, passports and also succession certificates. It was the first personal law for Pakistani Hindus, applicable in Punjab, Khyber Pakhtunkhwa and Balochistan.
- 3.1.8 The Alternative Dispute Resolution Act, 2017:** ADR will allow parties to resolve disputes out of the courts through arbitration, mediation, conciliation and neutral evaluation. Out-of-court settlements will reduce backlog of cases in both subordinate and superior courts.
- 3.1.9 The Witness Protection, Security and Benefit Act, 2017:** The Act ensures protection of witnesses so that they have the confidence to come forward to assist law enforcement and prosecutorial authorities. The Act also provides that the government shall formulate and implement a comprehensive program for the protection of Judges, Members, Councils, Public Prosecutors and every other person associated with the investigation or trial of the case.
- 3.1.10 The National Commission on the Rights of Child Act, 2017** was passed for establishing a Commission to examine legislation on child rights; review policies on child rights and to inquire into violations/issues of torture, as well as meeting with international obligations, particularly UNCRC.
- 3.1.11 The Right of Access to Information Act, 2017** was passed to ensure that the citizens of Pakistan have the possible access to public records and it also intended to promote a two way flow of Information i.e. from the government to the people and vice versa for strengthening and safeguarding the public's "Right to know", as provided in the Article 19-A of the Constitution, which explicitly recognizes this right as a fundamental human right.

¹ In last five years in addition to significant legislation, several milestones were crossed, Speaker National Assembly, May 16, 2018. http://www.na.gov.pk/uploads/documents/1526492376_660.pdf.

- 3.1.12 The Public Interest Disclosures Act, 2017** It caters for protection of persons making public interest disclosures especially in corruption cases. It tackles issues related to modern-day economic crimes, including money-laundering, fraud, embezzlement, kickbacks, commission and other forms of corruption and corrupt practices which have become increasingly complex and therefore difficult to investigate and prosecute.
- 3.1.13 The Supreme Court and High Court (Extension of Jurisdiction to Federally Administered Tribal Areas) Act, 2018** was passed to extend the jurisdiction of Supreme Court and Peshawar High Court to the region.
- 3.1.14 The Prevention of Trafficking in Persons Act, 2018** is aimed at preventing trafficking in persons especially women and children and to target the criminals who exploit desperate people and to protect and assist victims of trafficking. It addresses 03 areas - prevention and combating of trafficking, protection and assistance of victims. Offences under the Act are cognizable and non-bailable.
- 3.1.15 The Transgender Persons (Protection of Rights) Act, 2018** will ensure the protection of Transgender persons' rights. They can now obtain a driver's licence and passport; may also get their gender changed in NADRA records. Harassment of transgender persons will be prohibited. They will not be discriminated against by educational institutions, employers, in trade and health services, and when using public transport and buying or selling or renting property or casting vote. Safe house will be established for transgender persons to provide them medical and educational facilities as well as psychological counseling. They will also be detained in separate rooms at jails, if convicted.
- 4. Six Budgets Presently:** The 14th National Assembly is also unique from previous assemblies in terms of presenting and passing 06 annual budgets in the history of the country. The 6th budget 2018-19 saw it introducing landmark tax reforms to ease burden on salaried classes and effort to enhance tax net.
- 5. National Consensus on Narrative and Action Plan against extremism and terrorism:** A significant achievement of the Parliament was complete and timely consensus and ownership in formulation of direly needed national action plan and narrative against violent extremism in all its forms. Parliamentary parties across treasury and opposition benches put their heads together to draft the national action plan against terrorism and essential steps were taken to support the government including the otherwise bitter pill of awarding necessary mandate and powers to the law enforcing agencies to take effective measures through military courts.
- 6. Speakers Conference, December, 2017:** Another Parliament led initiative in this regard was hosting the first Speakers Conference on Interconnectivity for Regional Peace and Economic Development, in December 2017 where Honourable Speaker Sardar Ayaz Sadiq invited speakers from Russia, Turkey, Iran, China and Afghanistan to discuss the ways of tackling the menace of terrorism in the region as well as to explore avenues to connect and collaborate with each other for mutual prosperity and development.
- 7. Highlighting Kashmir Issue as a nuclear flashpoint and huge human rights dilemma for world conscious:** Kashmir issue remains a nuclear flashpoint in South Asia where no less than 7 lac Indian troops have perpetrated worst tyranny and state terrorism in the shape of murder; open straight shooting of pellet bullets on university youth, rape and torture. The Parliament of Pakistan made it a priority to expose the blatant violation of human rights by India in the occupied Kashmir. In 2017, the National Assembly pulled out from hosting 61st Commonwealth Parliamentary Association (CPA) Conference to reaffirm Pakistan's principled stance on Kashmir issue as the Indian demand to invite the speaker of the Occupied Jammu & Kashmir Assembly was not accepted. Both the Senate and the National Assembly passed numerous resolutions against Indian atrocities and human rights violations in Indian Occupied Kashmir. The Speaker National Assembly Sardar Ayaz Sadiq also wrote letters to the Speakers of 196 Parliaments to highlight the human rights violations and atrocities in Indian Occupied Kashmir and to garner diplomatic and political support for the freedom struggle of Kashmiri people. The then Prime Minister of Pakistan Mian Muhammad Nawaz Sharif nominated a 20 member special envoy comprising eminent Parliamentarians to highlight the Kashmir cause and Indian brutalities in important countries of the world and to mobilize the world opinion on the plight of people of Indian Occupied Kashmir (IOK). Last but not the least, the Parliament of Pakistan hosted an unprecedented International Seminar on Kashmir at the Pakistan Institute for Parliamentary Services (PIPS) 2017 to express solidarity with innocent Kashmiris and to explore a just solution to curb the unending human rights violations by India and to ultimately fulfill Kashmiri's rights for self-determination.
- 8. Establishment of Parliamentary Sustainable Development Goals Secretariat and Taskforces:** The Parliament of Pakistan achieved bench mark by establishing first of its kind state-of-the-art Secretariat on Sustainable Development Goals (SDGs) in any parliament of the world on February 16,

2016 to ensure the implementation of development goals. In the wake of 18th amendment, parliamentary taskforces were setup in all provinces, driving ownership of the development targets from all four Provincial Assemblies as well as Legislative Assemblies of Gilgit Baltistan (GB) and Azad Jammu Kashmir (AJK). Under the convener ship of Honorable Ms. Marriyum Aurangzeb, this taskforce comprised of 134 MPs across different political parties including Members of National Parliament, all provincial and legislative Assemblies. In a historic move on May 29th, 2018 Parliamentary Taskforce on SDGs was made permanent feature of future parliament, besides establishment of similar secretariats at provincial level through a resolution. PIPS serves as the Secretariats for provincial SDGs taskforces.

9. Parliamentary Diplomacy: In order to promote linkages among parliaments of the world, 88 Parliamentary Friendship Groups (PFGs) were formulated. During this tenure, meetings of different Parliamentary Friendship Groups were held with various countries. A number of Speakers and Parliamentary delegations also visited Pakistan. During the third Parliamentary year, the highlights of major activities related to Parliamentary Diplomacy include visits of Speakers from Muslim countries and hosting 34th Executive Committee Meeting of Parliamentary Union of Islamic Countries (PUIC). Honorable Speaker of the National Assembly, Sardar Ayaz Sadiq, was also unanimously chosen as the President of Commonwealth Parliamentary Association (CPA), and also as the Vice Chairman of 11th session of PUIC. National Assembly of Pakistan established multi-party Parliamentary Committee on CPEC (China-Pakistan Economic Corridor) for effective oversight of the revolutionary project.² In fourth Parliamentary year, Dr. Fehmida Mirza (MNA) was elected as Member of CPA International Executive Committee for 2016-18, and Parliament of Pakistan was named as the Secretariat of CPA Asia Region for the years 2016-18.³ In 2017, the National Assembly also constituted a 33 member Parliamentary Committee comprising of Members of Senate and National Assembly on National Security to discuss issues relating to National Security of urgent nature.

10. Green Parliament: Parliament of Pakistan is the first in world to go green by shifting its energy needs on solar energy. This is 1.8 MW project which has been completed with support of Chinese Government. Pakistan's Parliament is also first in the country which has been issued 'Net metering' license by NEPRA thus parliament contributes surplus energy to the national grid.

11. Parliamentary Studies Program: As envisioned by Honorable Speaker National Assembly, Sardar Ayaz Sadiq, Parliamentary Studies was introduced as a new discipline in existing social science courses in February 2015. The Pakistan Institute for Parliamentary Services, the exclusive seat of learning providing legislative, research, capacity building and outreach services for Members of Parliament held ToT and support universities during 2015-18 and consequently, no less than 21 leading universities of Pakistan are offering courses, degrees and research thesis in parliamentary studies. Senate, National Assembly and PIPS are also offering short term internships studying parliamentary studies as a discipline.

12. National and International Conferences on Matters of National Importance: During five years term, the Parliament of Pakistan led the organization of various conferences on important issues. These include *1st SAARC Young Parliamentarians Conference*, *National Conference on Millennium Development Goals*, *National Conference on Malnutrition*, *International Conference on The Role of Women Parliamentarians in Strengthening Democracy and Social Justice* and *1st Regional Speakers Conference on the challenges of terrorism and inter regional connectivity*. PIPS provided essential technical and research support in these events.

PTV Parliament: Another landmark achievement, 'PTV Parliament' was launched on May 30, 2018 by the Speaker National Assembly Sardar Ayaz Sadiq. Speaking on the occasion he told that the idea behind the launch of parliament channel was to create awareness amongst the people and generate public opinion. The speaker appreciated the Information Minister for her efforts behind the launch of the channel. Minister for Information, and Broadcasting Marriyum Aurangzeb informed that the new channel will not only broadcast proceedings of the parliament but also those of the standing committees. She said the content to be generated under the guidance of Pakistan Institute for Parliamentary Services will also be broadcast on the channel.⁴

² National Assembly of Pakistan, *Performance Report 3rd Parliamentary Year (June 01, 2015-May 31, 2016)*, Islamabad, National Assembly Secretariat.

³ National Assembly of Pakistan, *Annual Report 4th Parliamentary Year 2016-17*, Islamabad, National Assembly Secretariat.

⁴ Asim Yasin, "NA Speaker Inaugurates parliament TV channel," *The News International*, May 31, 2018.

4. *Calls on* all parliaments to urge their governments to recognize the State of Palestine along the 1967 borders with East Jerusalem as its capital in accordance with UN resolutions;
5. *Reaffirms* that all legislative and administrative measures and actions taken by Israel to impose its law and measures on Jerusalem are illegal and have no legitimacy;
6. *Demands* that Israel cease all settlement-building activities and any other measures aimed at altering the status, character and demographic composition of the Occupied Palestinian Territory, including in and around Jerusalem, all of which have a detrimental impact on the human rights of the Palestinian people and on the prospects for a peaceful settlement;
7. *Expresses* grave concern at the restrictions imposed by Israel to impede access by worshippers to the holy sites in Jerusalem;
8. *Calls on* international organizations to take the necessary steps to preserve and maintain the historical heritage of Jerusalem;
9. *Emphasizes* the need to support the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to carry out aid programmes for the relief of the Palestinian refugees in line with UN General Assembly Resolution 302 (IV) of December 1949;
10. *Encourages* the relaunch of the peace process through a multilateral initiative in accordance with United Nations resolutions to achieve the existence of a two-State solution on the basis of the 1967 borders.



Quaid e Azam Muhammad Ali Jinnah said:

“Democracy is in the blood of the Muslims, who look upon complete equality of mankind, and believe in fraternity, equality, and liberty.”



PAKISTAN INSTITUTE FOR PARLIAMENTARY SERVICES
DEDICATED TO PARLIAMENTARY EXCELLENCE

Pakistan Institute for Parliamentary Services was established in Dec 2008 through an act of the Parliament to promote research, provide training and to provide facility of information to the Parliamentarians in performance of their duties and for matters connected therewith and ancillary thereto.

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