



ISSN# 2414-8032

PAKISTAN INSTITUTE FOR PARLIAMENTARY SERVICES  
DEDICATED TO PARLIAMENTARY EXCELLENCE

# Parliamentary Research Digest

VOLUME 9, ISSUE 10

OCTOBER, 2022

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## Editorial

### Worthy Readers,

The Nation celebrates with traditional fervor and gratefulness, the blissful month of the Rehmatul Alamien Prophet Muhammad (saw), who is undoubtedly a Mercy for all the worlds.

This Issue of the PIPS Parliamentary Research Digest includes a brief report of grave human rights violations aimed at demographic engineering by India against the Muslim majority in the Indian occupied Kashmir. The Kashmiris mark 27th October, as the Black Day when 75 years ago, Indian occupation forces landed in Srinagar to occupy, subjugate, oppress, and terrorise the local Kashmiris. Since 1989, Indian occupation forces in IIOJK have killed 96,148 people, among them 7,274 are custodial killings, 110,498 structures arsoned/destroyed, 165,400 civilians arrested, 22,950 women widowed, 107,880 children orphaned and 11,256 women gang-raped/molested.

These facts seek the urgent attention of the international community. The denial of the Kashmiris' right to self-determination for the last seven decades raises questions about the conscience of the international community and the United Nations.

This Issue also comprises of absorbing research pieces on Right to Information Laws in Pakistan, Peace Building and Youth- an indigenous narrative and the phenomenon of cyber bullying. InshALLAH (swt) Team PIPS looks forward to continue its professional services to Hon MPs, committees and parliamentary institutions to the best of team work; Please do not hesitate to share your invaluable feedback on: [research@pips.gov.pk](mailto:research@pips.gov.pk)

**Muhammad Rashid Mafzool Zaka**  
**Director General (Research)**



Honourable Speaker, National Assembly of Pakistan/ President PIPS Board of Governors  
Raja Pervaiz Ashraf inaugurating the 9th Annual National Parliamentary  
Development Course (NPDC) at PIPS on 31st October 2022

**Pakistan Institute for Parliamentary Services (PIPS) organized a week long on-job training for the officers and staff of the Gilgit-Baltistan (GB) Assembly Secretariat from 10th to 14th October, 2022 at the Gilgit-Baltistan (GB) Assembly Secretariat.**



**Group photo of officers of PIPS and Gilgit-Baltistan (GB) Assembly with Hon Deputy Speaker, Gilgit-Baltistan (GB) Assembly, Mr. Nazir Ahmad**





## PARLIAMENTARY BUSINESS

**Resolution Passed By the National Assembly of Pakistan  
strongly condemns the barbaric Act of Terrorism in IIOJK**

قرارداد

21.10.2022

کشمیر یوم سیاہ کے موقع پر، قومی اسمبلی پاکستان یہ قرارداد پیش کرتی ہے:-

27/اکتوبر، 1947 کو بھارت کے غیر قانونی زیر قبضہ جموں و کشمیر (IIOJK) کے یوم سیاہ کو یاد کرتے ہوئے، یہ ایوان بھارتی افواج کی جانب سے بھارتی غیر قانونی مقبوضہ جموں و کشمیر (IIOJK) میں جاری ریاستی دہشت گردی اور بین الاقوامی قوانین کی کھلی خلاف ورزی کی مذمت کرتا ہے۔  
یہ ایوان بھارتی مقبوضہ افواج کی جانب سے IIOJK کے میں چھیانوے ہزار (96,000) سے زائد بے گناہ کشمیریوں کی ہلاکت کی شدید الفاظ میں مذمت کرتا ہے۔

یہ ایوان بھارتی دستور کے آرٹیکل 35/الف اور 370 میں ترمیم کے ذریعے آئی آئی او جے کے غیر قانونی الحاق کو مسترد کرتا ہے اور آزاد اور غیر جانبدارانہ استصواب رائے کے مطالبہ پر مبنی اقوام متحدہ کی قرارداد پر اثر انداز ہونے کے مذموم مقصد سے IIOJK کی آبادیات میں ناجائز تبدیلیوں کی بھی مذمت کرتا ہے۔  
یہ ایوان بین الاقوامی برادری پر زور دیتا ہے کہ اقوام متحدہ ہائی کمشنر برائے انسانی حقوق کے دفتر کی سفارشات کے مطابق IIOJK میں انسانی حقوق کی سنگین خلاف ورزیوں کی تفتیش کرنے کے لئے جلد از جلد کمیشن آف انکوائری تشکیل دے۔

یہ ایوان حق خود ارادیت کے حوالے سے IIOJK کی عوام کی جائز جدوجہد میں ان کے ساتھ اپنی یکجہتی اور عزم کی توثیق کرتا ہے اور اقوام متحدہ کی سلامتی کونسل کی قراردادوں کے مطابق اس جائز جدوجہد کی بابت اپنی مسلسل سیاسی، اخلاقی اور سفارتی حمایت کا اعادہ کرتا ہے۔

دستخط

مولانا عبدالاکبر چترالی،

رکن قومی اسمبلی

## INFORMATION

**Kashmir Review<sup>1</sup>**

Fakiha Mahmood

Deputy Director (Research), PIPS

**PERSECUTION OF KASHMIRI LEADERS**

- “Syed Ali Geelani’s dead body was snatched from his family and unceremoniously buried in the dark, even against his will. Another resistance leader, Ashraf Sehrai, passed away mysteriously. His family believes that he was poisoned in prison.”
- “Shabbir Ahmad Shah, Asiya Andrabi, Naeem Khan and several other popular leaders have been persecuted in politically motivated and largely fabricated cases.”<sup>2</sup>

**Yasin Malik**

***Symbol of  
Kashmir's  
resistance  
sentenced to  
life  
imprisonment  
by Indian  
court***

**SELECTED STATISTICS**

- “500,000 Kashmiris have laid down their lives for Jammu and Kashmir’s freedom from Indian occupation and its accession to Pakistan during the past seven decades.”<sup>3</sup>
- “In the first two years of abrogation of IIOJK’s special status, the economy of the region suffered a loss worth more than \$7 billion. 500,000 Kashmiris lost their jobs.”
- “In Indian Illegally Occupied Jammu and Kashmir, 12.5 million people are [still] living without power.”<sup>4</sup>
- “In gross violation of the UN resolutions and the international law, [India] has reportedly granted domicile status to over 38 lac people, majority of them are believed to be non-Kashmiri Hindus including some IAS officers.”
- “Apprehensions are ripe that more than 800,000 Indian soldiers and over 600,000 migrant laborers present in the territory might also be granted the domicile status in the coming days and months.”<sup>5</sup>

<sup>1</sup> Extracts from Kashmir Today (July-August 2022, September 2022) editions; Picture source: <https://edition.cnn.com/2022/05/25/india/india-yasin-malik-kashmir-separatist-life-sentence-intl-hnk/index.html>.

<sup>2</sup> Ershad Mahmood, “Criminalizing dissent in Kashmir,” *Kashmir Today* (September 2022).

<sup>3</sup> Rais Mir, “19<sup>th</sup> July: Special importance in Kashmir’s history,” *Kashmir Today* (July-August 2022).

<sup>4</sup> Noor Ul Qamar, “Jammu and Kashmir: forgotten promises of human rights and security,” *Kashmir Today* (September 2022).

<sup>5</sup> Muhammad Raza Malik, “5 August a turning point in IIOJK’s history,” *Kashmir Today* (September 2022).



**Human rights violations in IIOJK (from Jan 1989 till 31 August 2022)**

<b>Total killings</b>	96,114
<b>Custodial killings</b>	7,254
<b>Civilian arrested</b>	165,120
<b>Structures damaged/destroyed</b>	110,490
<b>Women widowed</b>	22,950
<b>Children orphaned</b>	107,880
<b>Women molested</b>	11,25

**LEADERS' STATEMENTS ABOUT SITUATION IN KASHMIR**

*“India has snatched every right including the right to speech in Indian Illegally Occupied Jammu and Kashmir. Modi-led regime is not even allowing Kashmiris to assemble and speak their mind and has gagged the media while journalists are harassed without any reason. The hidden agenda of Hindutva organizations like Rashtriya Swayamasevak Sangh, BJP, VHP and Shiv Sena is to thrust Hindu fascism in the Muslim majority Jammu and Kashmir. Modi regime is using military and police to shape India’s policy according to Hindutva dictates.”*

*All Parties Hurriyat Conference*

*“Modi-led fascist Indian government is attempting to mislead the international community about the ground situation of Indian illegally occupied Jammu and Kashmir, but will never succeed in its nefarious designs. Modi regime’s plan to host the G20 summit in IIOJK is part of its ploys to give credence to its false claims of normalcy in the territory. [We] appeal to the G20 members not to attend the meeting in Indian illegally occupied Jammu and Kashmir, which is an internationally recognized disputed territory. The occupied territory is witnessing grave human rights violations at the hands of Indian troops and an end to these abuses is the foremost responsibility of the world community.”*

*Masarrat Aalam Butt, Chairman All Parties Hurriyat Conference, message from New Delhi’s infamous Tihar Jail*

*“The Indian move to grant voting rights to Indian citizens is ... yet another attempt of political disempowerment and marginalization of Kashmir’s Muslim majority. Kashmiris [should] ensure unity in their ranks to thwart Bharatiya Janata Party-batched conspiracies against them.”*

*Shabbir Ahmad Shah, Senior Vice Chairman of All Parties Hurriyat Conference message from Tihar Jail, New Delhi*

*“The decision of voting rights to outsiders is totally unacceptable and if needed, we can approach the court to oppose the move.”*

*Farooq Abdullah, National Conference Chief*

*“Kashmiri people [should] come forward for a decisive battle against brazenly undemocratic and unconstitutional step by Modi government to change the demographic profile of IIOJK.”*

*Prof. Saifuddin Soz, Senior Congress Leader*

*“Martyred Burhan Wani has become symbol of Kashmiri freedom struggle against brutal Indian Occupied Forces. The martyrdom of Kashmiri youth Burhan Wani in 2016 had rekindled the passion of Kashmiris for freedom of the IIOJK. Wani’s martyrdom also gave a reminder to reemphasize the resolution of Kashmir dispute in spirit of the UNSC resolutions.”*

***H.E. Dr. Arif Alvi, President of the Islamic Republic of Pakistan on sixth anniversary of martyrdom of Burhan Wani***

*“The Indian troops in IIOJK unjustifiably tortured Wani and forced him to pick guns instead of education. Wani had written a chapter of great sacrifice against the illegal occupation of India and that even 0.9 million troops could not deter the commitment of such brave sons of soil.”*

***H.E. Muhammad Shehbaz Sharif, Prime Minister of the Islamic Republic of Pakistan***

*“The commitment of Kashmiris to Pakistan is eternal, India cannot break strong ties of Kashmiris with Pakistan under any circumstances. The burial of martyrs in the green crescent flag is an open expression of the commitment of Kashmiris to Pakistan. Kashmiris hoist the flag of Pakistan on every street and intersection of Indian illegally occupied Jammu and Kashmir. Kashmiri youth are determined like their forefathers for the right of self-determination and accession to Pakistan.”*

***Hon. Qamar Zaman Kaira, Advisor to the Prime Minister of Pakistan on Kashmir Affairs and Gilgit-Baltistan***

*“It is high time for international community and human rights organizations to move ahead in a big way to help resolve the lingering Kashmir dispute... fast deteriorating political and human rights situation in Kashmir merits urgent attention of the international community as well as the rights organizations that have been working for peace and humanity.”*

***H.E. Barrister Sultan Mehmood, President of Azad Jammu and Kashmir***

*“India’s contentious decision to hold the upcoming G20 summit in the Indian illegally occupied Jammu and Kashmir is a deliberate attempt to hoodwink the international community... IIOJK is an internationally recognized disputed territory and its solution lies in the UN Security Council resolutions. India has virtually turned Kashmir valley into a military garrison after 5<sup>th</sup> August 2019, where people have been deprived of their fundamental human rights. Indian occupation authorities have issued fake domiciles to more than 4.2 million Hindus to change demographics of the occupied territory. [I] urge OIC and international organizations to take notice of Indian state terrorism in occupied Jammu and Kashmir and play effective role in bringing to an end the human rights violations in the territory.”*

***H.E. Sardar Tanveer Ilyas, Prime Minister Azad Jammu and Kashmir***



## ANALYSIS

### Right to Information in Pakistan: Situational Analysis and the Way Forward

Mukhtar Ahmad Ali

Executive Director, Centre for Peace and Development Initiatives (CPDI)

#### Introduction

Every human being needs information to live a safe, healthy and dignified life, and to be a productive and responsible member of a society. As a consumer, everyone must have access to information about the goods or services in order to make informed choices and get the best value for his money. And as citizens of modern democratic states, people need accurate and timely information to make correct political choices during elections, participate in the decision making processes and hold the public office holders accountable. Therefore, free flow of information in a society not only helps in promoting transparent and accountable governance but also facilitates citizens in protecting themselves against unfair or dubious market practices. It is due to such reasons that the Right to Information<sup>2</sup> is widely recognized by many sovereign states and international institutions as an integral part of fundamental human rights. The term right to information, in general, refers to peoples' right to access information and records that are held by public bodies or by organizations that receive public funds.

Despite its importance, right to information did not get wider recognition for a long time. Until the World War II, only a few countries like Sweden and France had adopted laws, which provided for peoples' right to information to some extent. The oldest law dates back to 1766 when Sweden (which at that time included Finland) adopted a law to establish media freedom and facilitate access to information.<sup>3</sup> Later, in 1789, Article 14 of the France's Declaration of Human and Civic Rights alluded to it by stating that all "citizens have the right to ascertain, by themselves, or through their representatives, the need for a public tax, to consent to it freely, to watch over its use, and to determine its proportion, basis, collection and duration."<sup>4</sup> However, this right had little recognition until the establishment of the United Nation (UN) which, through the General Assembly Resolution No. 59(1) in 1946, declared that the freedom of information is a fundamental human right and "the touchstone of all freedoms to which the UN is consecrated". Later, Article 19 of the Universal Declaration on Human

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<sup>1</sup> Mr. Mukhtar Ahmad Ali is currently working as Executive Director at the Centre for Peace and Development Initiatives (CPDI), which is a not-for-profit company based in Islamabad.

<sup>2</sup> The term 'right to information' broadly conveys the same meaning as other similar terms like the 'freedom of information', 'access to information' or 'right to know'.

<sup>3</sup> For the English translation of the Swedish Act [i.e. His Majesty's Gracious Ordinance Relating to Freedom of Writing and of the Press (1766)], refer to: Anders Chydenius Publication, *The World's First Freedom of Information Act: Anders Chydenius Legacy Today*, Kokkola: Art-Print Ltd, 2006. The publication can be accessed at: [https://www.access-info.org/wp-content/uploads/worlds\\_first\\_foia.pdf](https://www.access-info.org/wp-content/uploads/worlds_first_foia.pdf)

<sup>4</sup> The Declaration can be accessed at: [https://www.conseil-constitutionnel.fr/sites/default/files/as/root/bank\\_mm/anglais/cst2.pdf](https://www.conseil-constitutionnel.fr/sites/default/files/as/root/bank_mm/anglais/cst2.pdf)

Rights 1948 and International Covenant on Civil and Political Rights 1966<sup>5</sup> recognized freedom of information as integral part of the fundamental right of freedom of expression. For instance, Article 19(2) of the International Covenant on Civil and Political Rights 1966 provided as below:

“Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regard less of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”<sup>6</sup>

Following the WWII, the concept of human rights, including freedom of speech and expression, gained recognition and, as a result, peoples’ access to information improved, especially in the established democracies. Even then, by 1990, only 13 countries had enacted right to information laws which included, among others, Sweden (1766), the United States (1966), Denmark (1985), Finland (1951), Greece (1975), New Zealand (1982) and Norway (1970). However, after the dismemberment of the Soviet Union, the stronger wave of democratization and emphasis on good governance by civil society and international institutions contributed to enactment to right to information laws in a large number of countries. It is evident from the fact that, according to a survey conducted by UNESCO in 2019, 125 countries have enacted the right to information laws.<sup>7</sup>

Efforts for right to information gained further impetus in 2015 when the Sustainable Development Goals (SDGs) recognized its importance for sustainable development, especially for the promotion of peace, justice and strong institutions. The target 16.10 of the SDGs seeks to ensure “public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.”<sup>8</sup>

### **Legislative Developments in Pakistan**

In Pakistan, the first right to information law, namely the Freedom of Information Ordinance 1997, was promulgated by the interim government headed by the Prime Minister Malik Miraj Khalid. However, the Ordinance expired after 120 days, as the following elected government did not enact it into a regular law. In 2002, however, the military government of General Musharraf promulgated the Freedom of Information 2002, which remained in force until it was repealed and substituted by the Right of Access to Information Act 2017. The Freedom of Information Ordinance 2002 was a weak law, as it had been promulgated primarily to meet the policy actions agreed with the Asian Development Bank against a loan, and it was apparently not based on any serious official commitment towards transparent governance, peoples’ empowerment and public accountability. This Ordinance was applicable only on the Federal institutions, and it exempted or excluded vast categories of information from the disclosure requirement. It also had a weak implementation mechanism, as it did not prescribe effective penalties

<sup>5</sup> Pakistan ratified the International Covenant on Civil and Political Rights 1966 on 23<sup>rd</sup> June 2010.

<sup>6</sup> Refer to the UN website: <https://treaties.un.org/doc/publication/unts/volume%20999/volume-999-i-14668-english.pdf>

<sup>7</sup> Refer to a report published on 25 July 2019 at: <https://sdg.iisd.org/news/unesco-finds-125-countries-provide-for-access-to-information/>

<sup>8</sup> Refer to the UNODC website at: <https://www.unodc.org/southeastasiaandpacific/en/sustainable-development-goals.html>



for officers in default of their legal obligations. It was later copied by the provincial governments of Balochistan and Sindh in 2005 and 2006 respectively. However, these laws failed to achieve the objectives stated in their preambles, as people who exercised their right to information under these laws often failed to access the required information. In the meanwhile, in our region, India had taken the lead by enacting a widely acclaimed Right to Information Act 2005, which had minimal exclusions or exceptions and which applied on almost all public bodies established by the Central and state governments.

However, a major development in Pakistan occurred in 2010 when the Parliament enacted the 18<sup>th</sup> Constitutional Amendment, whereby right to information was declared a fundamental right of every citizen through the insertion of Article 19-A in the Constitution, which reads as below:

*“Every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law.”*

This landmark development was bound to have a major impact, as it clearly stated that every citizen had the right to access information about ‘all matters of public importance’ and that only ‘reasonable restrictions’ could be imposed on this important right and those too only ‘by law’. This constitutional amendment enabled citizens to get their grievances redressed through higher courts, which could now take up complaints of unreasonable restrictions on access to information as a breach of fundamental right. But it was not easier for common citizens’ to approach higher courts and, therefore, the enforcement of Article 19-A required enactment of effective right to information laws, which established mechanisms and procedures for disclosure of information and redressing related grievances. Recognizing this need, in 2013, the Khyber Pakhtunkhwa became the first province to enact a strong Right to Information Act 2013. The Punjab province followed suit and, soon after, enacted the Punjab Transparency and Right to Information Act 2013. These two provinces also took the lead in the implementation of their right to information laws by establishing the Information Commissions to, *inter alia*, create public awareness, train public information officers and decide complaints of citizens about delay, denial or incomplete disclosure of information. The province of Sindh also repealed its earlier Freedom of Information Act 2006 by enacting the Sindh Transparency and Right to Information Act in 2016, while Balochistan repealed its Freedom of Information Act 2005 by enacting the Right to Information Act 2021. At the Federal level, the Freedom of Information Ordinance 2002 was also repealed and substituted by the Right of Access to Information Act 2017. However, no such laws have yet been enacted in Gilgit Baltistan (GB) and Azad Jammu and Kashmir (AJK).

The right to information laws enacted at the federal and provincial levels since 2013 offer substantial improvement over the freedom of information laws enacted during the military government of General Musharraf. Yet, each of these laws needs to be further strengthened in the light of the requirements of Article 19-A of the Constitution and international best practice. The Punjab Transparency and Right to Information Act 2013, for instance, needs to be amended to explicitly include chief minister office in the definition of public bodies, ensure appointment of independent and non-official members in the Punjab Information Commission, improve the appointment and removal process of commissioners, and empower the Information Commission to more effectively enforce penalties and requirement of

proactive disclosure by public bodies. The Khyber Pakhtunkhwa Right to Information Act 2013 needs improvement, especially in terms of expanding the scope of public bodies to cover higher judiciary, including legal persons in the definition of ‘requester’, removing the condition that only a retired officer is eligible to hold the office of Chief Information Commissioner, and strengthening provisions related to contempt of court and appeal procedure.

The Sindh Transparency and Right to Information Act 2016 suffers from numerous drafting errors and needs improvement to, *inter alia*, clarify whether an applicant can approach the Commission without first seeking the internal review, remove the condition that only a retired civil servant can be appointed as chief information commissioner, provide that no person above the age of 65 years shall be appointed as commissioner but once appointed he shall hold office for a full term of three years, reform the appointment and removal process of information commissioners, and delete provisions about penalties that can be imposed on citizens seeking information. As for the Balochistan Right to Information Act 2021 is concerned, it also suffers from serious drafting errors, and needs substantial improvement. In its current form, it (a) does not have the overriding effect, (b) excludes higher judiciary from the definition of public bodies, (c) requires that only a retired civil servant can be appointed as Chief Information Commissioner, and (c) provides undesirable penalties for applicants who may use the accessed information ‘for malafide purposes with ulterior motives with facile, frivolous design’. Moreover, it provides for a four member Information Commission, despite the fact that Balochistan has much smaller population compared to other provinces where three member Commissions have been established.

The Federal Right of Access to Information Act 2017 is significantly better than the repealed Freedom of Information Ordinance 2002, although it still falls short of international best practice and the spirit of Article 19-A of the Constitution. In its current form, it suffers from the following lacunae:

- a) Definition of “applicant”, as provided in Section 2(ii), is not inclusive because it does not mention a legal person;
- b) The term “designated official”, as provided in Section 2(iii), is vague. It does not convey the responsibilities that the official will be expected to perform. In the Punjab Transparency and Right to Information Act 2013, such officials are referred to as ‘Public Information Officers’, which is a better option for more effective communication about their role and functions;
- c) Section 2(v) does not provide an inclusive definition of “information”. In its current form, it gives the impression that information that can be accessed has to be ‘based on record’, and may not include records themselves;
- d) Section 2(ix) does not explicitly mention the offices and secretariats of the President and the Prime Minister, and hence creates confusion and allows space for relevant officials to argue that these offices are not covered by the definition of the “public body”. This ambiguity needs to be clarified within the Act for smooth implementation;



- e) Section 2(ix)(g) mentions the term ‘public function’ but the same is not defined in this Act;
- f) Section 2(x) provides a very restrictive definition of “record”, as it is evident from section 6, which specifically mentions only a few categories of “records” – and those too are subject to section 7, which is about exclusion of records;
- g) Section 6 provides a limited list of ‘public record’, which can be accessed. This section is not needed, as all good laws on right to information, including the Indian Right to Information Act 2005, provide a negative list and declare all other records as public records and thus accessible to citizens. In its current form, Section 6, which is subject to Section 7, makes the Act restrictive and complicated for a common reader;
- h) Section 7 provides absolute exclusions, as the records or categories of information listed in this Section are not subject to any harm test. Such absolute exclusions are not consistent with international best practice, nor are they logical by any standards. Why, for instance, all types of ‘noting on file’ or ‘minutes of meetings’ be excluded in absolute terms? Why ‘noting on file’ or ‘minutes of meetings’ in relation to simple matters like education planning or municipal services be declared as excluded from public access? Therefore, it would have been better if the Act had simply provided a list of public interests (e.g. national security, defence of Pakistan, privacy of a person, safety and security of a person, commercial interests of public body, etc.), which must be protected and the records connected therewith may be declared as exempt from disclosure i.e. if it could be established that the disclosure being requested would cause harm to protected public interests;
- i) There is a need to add a sub-section under Section 16, which may provide for public interest override in accordance with international best practice. Such provisions already exist in the right to information laws of Punjab and Khyber Pakhtunkhwa provinces;
- j) Section 18(3) gives absolute discretionary power to the Prime Minister to appoint any of the eligible persons as Information Commissioner or Chief Information Commissioner. This is not consistent with best practice and, therefore, the procedure of appointment may be improved;
- k) Section 18(8) mentions that complaint against a Commissioner or Chief Information Commissioner can be lodged before a five member Parliamentary Committee, but it does not clarify how it can be done when the mentioned Committee is not a Standing Committee, and would actually need to be established for the purpose. Therefore, this section needs to be amended to provide a clear mechanism for filing a complaint; and
- l) Section 20(2) does not clarify how exactly the contempt of court proceedings shall be carried out, and whether the Commission itself shall be conducting those proceedings.

In general, all the existing right to information laws at the Federal level and in provinces need improvement, whereas new laws must be enacted in Gilgit Baltistan and Azad Jammu and Kashmir.

### **Implementation Challenges**

The existing system that we inherited from the British at the time of independence puts a great emphasis on secrecy of a wide range of official documents and decision making processes. It effectively treats all official information as classified or exempt from disclosure unless declared otherwise through a general or a specific order.

The traditional training programs emphasize importance of secrecy, while sharing of information with public often results in punitive actions, especially where it may expose incompetence, inefficiency or corrupt practices on the part of powerful actors within the system. As a result, most public bodies and officer prefer to err on the side of caution, and would not opt to disclose official information for the general public good, even though it is logically expected in a democratic system wherein citizens are expected to perform oversight and public accountability functions.

Hence, there exists a culture of secrecy, which undermines public participation in the democratic processes, and yet is hard to change in view of relatively weak public demand and active resistance by the vested interests and insecure bureaucrats. However, the letter and spirit of Article 19-A require a fundamental shift from the culture of secrecy to the culture of transparency, and towards a system wherein all official information must be accessible except where its disclosure may be likely to cause harm to specified public interests like national security, defence, privacy of individuals, public order and economic interests of the state. But such a paradigm shift is not easy to achieve just by declaring right to information a fundamental right or by enacting right to information laws.

The transition from the culture of official secrecy to transparency requires serious political commitment, investment in efficient management of official records, development of appropriate information sharing mechanisms, training of government officers in implementation of right to information laws, reform of ongoing official training programs to shift focus from secrecy to transparency and importance of peoples' right to know, and broader reforms that provide a sense of security to officers who uphold transparency and rule of law.

However, the situation on the ground suggests that the governments have not shown much political commitment towards effective implementation of right to information laws. It is evident from the fact that many laws, rules and procedures or instructions that require official secrecy remain in the field and have not yet been reviewed to make them consistent with the requirements of right to information laws. Official records are still managed in an outdated manner, which makes it hard to efficiently retrieve information and records for timely decisions on information requests.

Many public bodies still lack good websites or publications for proactive supply of information to the public. Information Commissions established under the right to information laws remain under resourced, as they often complain about lack of staff and funds. Public bodies in general resist supply of information to citizens upon their requests, even in relatively straight forward cases, due to lack of awareness about the requirement of right to information laws or non-cooperative bureaucratic attitudes towards citizens.

Even more importantly, hardly any effort has been made on the part of Federal and provincial governments or public bodies to create awareness about peoples' right to information. As a result, people continue to remain alienated from the governance processes and lack the information as well as the confidence that they can ask questions and get information about how public bodies use the taxpayers' money and use the official authority in what is often claimed as public or national interest.

### Way Forward

Over the past decade, especially since the insertion of Article 19-A in the Constitution through the 18<sup>th</sup> Constitutional Amendment, some progress has been made towards implementation of right to information at the Federal level and in the four provinces.

However, the overall situation remains less than satisfactory due to numerous legislative gaps or flaws and implementation challenges. In this background, the following way forward, if implemented, can help in promoting the cause of citizens' right to information and transparent governance:

1. The Federal Government needs to substantially amend the Right of Access to Information Act 2017 to, among others, provide clearer and more inclusive definitions of terms: 'information', 'record' and 'public bodies', omit sections 6 and 7 and reform the appointment and removal procedure of the Information Commissioners.
2. Right to information laws in provinces need to be reviewed and improved to address drafting errors (i.e. Sindh and Balochistan) and gaps or flaws in relation to, among others, definition of public bodies, constitution of Information Commissions, appointment and removal procedure of Information Commissioners, and penalties that can be imposed on citizens for 'malafide', 'vexatious' or 'frivolous' use of information.
3. The Federal and provincial governments must review all the relevant laws, rules, procedures, bye-laws and instructions to remove any redundancies and contradictions and bring them in conformity with the requirements of Article 19-A of the Constitution and right to information laws.
4. The Federal and provincial governments must direct all the official training academies and institutions to include right to information in their training programs, and ensure that none of

their training materials convey any messages that are contrary to the letter and spirit of Article 19-A of the Constitution and right to information laws.

5. The Federal and provincial governments must take steps to automate all official records and ensure that all physical records are properly maintained in record rooms that are established and managed in accordance with international standards.
6. All public bodies must be given resources and targets to establish appropriate web portals that host all the information and records that people often need to access public services or learn about the quality and integrity of governance processes.
7. The Federal and provincial governments must provide adequate resources, including staff members, to the Information Commission to enable them to effectively perform their functions, especially in relation to public awareness and disposal of complaints by citizens
8. Governments of Gilgit Baltistan and Azan Jammu and Kashmir need to enact right to information laws to enable people to access official information and effectively participate in the democratic and governance processes.

No one should be kept deprived of such an important fundamental right, which is considered 'oxygen' for democratic governance.



## OPINION

**Peace Building and Youth of Pakistan**

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Peace is multi-dimensional and its basic conception, understanding and perspectives can vary and may range from personal to a group and/or community, to a society or a region to the World. Peace at an individual level refers to internal peace of head and heart achieved when a person's soul or inner-self is contented, pure and free from hatred towards others. It has a direct linkage to a person's satisfaction viz a viz appropriate human needs a person may feel contented with such as adequate provision of food as well as access to basic rights like health and education; as well as opportunities for emancipation in society, which the society/country/state promises to fulfill gradually through the social contract (Constitution) for the well-being and happiness of the people/citizens. Thus, while peace for every person may vary as an individual's level of aspiration and contentment that differs from only essentials i.e. minimum luxuries to use for money, material and status. However, a compulsory pre-condition to attainment of personal or internal peace remains a person's empathy towards fellow citizens for their needs such as protection of life, property, faith as well as access to basic freedoms and rights.

In simple internal peace comes from contentment and happiness that are linked to purity of thoughts and hatred free actions towards others as an individual cherishes same for other members of the society. Peace transforms and spreads through positive minds, who seek and cherish contentment through actions, deliberations and pursuits based on the positive idea and thought that empathy, forgiveness and gratefulness remain the key virtues of humanity.

Conflict, on the contrary, is caused when there is lack of internal peace amongst persons giving way to growing discontentment and sense of deprivation among group of individuals or communities. That ultimately triggers the aggrieved to try resolving inequalities in a society or across a region through violent means. Conflict is supposedly and expectedly an abnormal and temporary state between two longer time periods of relative peace and tranquility. Therefore, peace building is always a priority in any society or situation, country or region, as people tend to gradually realize that individual's internal as well as societal peace is the primary requisite for human progress and emancipation.

Peacebuilding is the development of constructive personal, group and political relationships across ethnic, religious, class, national and racial boundaries. <sup>1</sup>It aims to resolve injustice in nonviolent ways and to transform the structural conditions that generate deadly conflict.

**Peace as the priority of the Quaid e Azam Muhammad Ali Jinnah:**

The personality and life of the founding Father of Pakistan, Quaid e Azam Muhammad Ali Jinnah, a democrat and a man of law, continues to inspire the whole world and the Pakistani nation through his life-time mission for empathy, rule of law and ensuring equal opportunity to every individual, especially

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<sup>1</sup>[https://www.google.com/search?q=peacebuilding+meaning&rlz=1C1GCEU\\_enPK887PK887&oq=peace+building&aqs=chrome.4.69i57j0i13l9.9417j0j7&sourceid=chrome&ie=UTF-8](https://www.google.com/search?q=peacebuilding+meaning&rlz=1C1GCEU_enPK887PK887&oq=peace+building&aqs=chrome.4.69i57j0i13l9.9417j0j7&sourceid=chrome&ie=UTF-8)

the poor and the downtrodden minorities, to progress in life. His life is full of examples where he commenced his political career as a champion of Hindu-Muslim Unity always persuading and reiterating the realpolitik of the sub-continent towards the key values of liberty, equality and justice for all. The inaugural speech on 11<sup>th</sup> August, 1947 in the first Constituent Assembly in Karachi, reflected his vision for Pakistan:

“You will no doubt agree with me that the first duty of a government is to maintain law and order, so that **the life, property, and religious beliefs of its subjects are fully protected by the State** ...*If we want to make this great state of Pakistan happy and prosperous, we should wholly and solely concentrate on the well-being of the people, and especially of the masses and the poor ... If you will work ... together in a spirit that every one of you, no matter to what community he belongs, no matter what relations he had with you in the past, no matter what is his colour, caste or creed, is first, second and last a citizen of this state with equal rights, privileges and obligations, there will be no end to the progress you will make.*”

His emphasizes to forget the past is a clear manifestation of his generous heart that always nurtured the purest idea and thought of forgiveness, preferring to start afresh with relations in the past, based on his vision of peace that rested on unity of diversity as his top priority for his people. It was in this context that he always resented the violent means of the “Kutaliyan-politics,” based on intoxicated vested interests and policy of divide and rule that always preferred use of force against the weak, minorities and the poor as the most viable expression of state power and authority. When in April 1919, India was forced to accept martial ‘law’ regulations, extended indefinitely, along with a brutal massacre of unarmed Sikh peasants in Amritsar’s Jallianwala Bagh, leaving 400 innocents dead and over 1,200 wounded, the Quaid e Azam Muhammad Ali Jinnah preferred to immediately resign from the prestigious ‘Muslim seat’ from Bombay he’d been elected to on the Governor General’s Council, arguing that the “*fundamental principles of justice have been uprooted and the constitutional rights of the people have been violated at a time when there is no real danger to the state, by an over-fretful and incompetent bureaucracy, which is neither responsible to the people nor in touch with real public opinion.*”<sup>2</sup> Similarly, in a charged public meeting of the Congress, he was not afraid to caution Mr. Gandhi that his movement for boycotts and civil disobedience not only crosses the essential rule for law but it would lead to greater violence and disaster. He was booed out of Congress’s largest meeting yet he completed his speech and remain steadfast that rule of law and peace of the society should not be threatened even in worst of circumstances.<sup>3</sup>

The Quaid e Azam Muhammad Ali Jinnah’s entire political life spread over 39 years as an elected legislator, a professional lawyer par excellence, a champion of Hindu-Muslim Unity, the first President/Speaker of the Constituent Assembly of the biggest Islamic country of the contemporary world, manifested that even in most pressure situations, he didn’t compromise on his stance for rule of law, his empathy for rights of all communities especially the minorities and the poor. Most importantly

<sup>2</sup> Stanley Wolpert, A Life Well Spent, **The Dawn Special Report** – The Testament of Jinnah 1876-1948, see at: <https://www.dawn.com/news/1356608> browsed October 26, 2022.

<sup>3</sup> Ibid

his unmitigated resolve as a peacemaker who kept trying through negotiations for a just settlement of the independence struggle of the Muslims of subcontinent and taking together people and leaders of all federating units in their joint resolve to make Pakistan a strong country that prioritizes the protection and emancipation of the vulnerable strata of the society.

Leading the sittings of the first Constituent/National Assembly of Pakistan, in Karachi as the President/Speaker he respected and listened to others' views and stood for values of "we agree to disagree," to ensure that the opposition's opinion is heard. Constitution is a sacred document as it reflects the unity of diversity being consensus of people's aspirations. Thus, respect of the Parliament that writes the Constitution and always following the Constitution in letter and spirit perpetually gives way and consolidates peace-building at the societal level that remains the prerequisite for fulfillment of all strategic national goals of prosperity and happiness of the people. The Quaid e Azam Muhammad Ali Jinnah always remained sensitive to withdraw whenever he faced a situation of conflict of interest as he always sacrificed his interest for the above all interest of his nation and his passion to achieve independence for Muslims of the sub-continent. He always emphasized that happiness and prosperity of masses and the poor must be the top priority of any government. Pakistanis today in general and our younger generation of leaders in particular can simply emulate Quaid's vision of pluralistic democratic values where opposition and dissent is key to improving government's policies. The people's elected Parliament enjoys authority and licensed to undertake accountability of all state institutions. This strengthens the state and builds peace. The Quaid's categoric advice to reach this vision for Pakistani youth remains: *"I insist you to strive. Work, work and only work for your own satisfaction with patience, humbleness and serve thy nation"*.<sup>4</sup>

### **Peace Building and the Youth**

Youth is best defined as a period of transition from the dependence of childhood to adulthood's independence. That is why, youth is more fluid than other fixed age-groups. Worldwide the age group falling in the definition of youth varies from 15-24 years (by the United Nations) to 15-32 years. Interviews with youth activists reveal the key characteristics of youth remain greater curiosity to know new concepts, freedom and pleasure to explore new things. They are constructive in their thinking, passionate about doing numerous things at the same time and above all they love to debate. They begin to formulate concept of meaning of life and question about those things they don't know such as future, religion, drugs, politics and all facets of society. In this context, developed civilizations and countries not only nurture them with best learning opportunities but ensure outlets for their natural evolution through introducing them to programs of voluntary service at schools, villages, hospitals and local communities along with elaborate system of ensuring their participation in sports through academies and sports infrastructure accessible to every youth.

Pakistani society, similarly, have a responsibility to be friends with their youth, listen to them and assist them explore and contribute in as many pursuits they are ready to undertake. While parents, teachers and educational institutions are expected to help the youth inculcate values of sharing, honesty and tolerance; appreciate diversity; undertake research and dialogue, it is the youth themselves who tread and

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<sup>4</sup> Quaid e Azam Muhammad Ali Jinnah' Address on November 15, 1942 during the All India Muslim Students Conference held in Jalandhar.

explore the mutually beneficial endeavour to reach as to what is the best for the society and how it can be achieved through cooperation. Therefore, youth of Pakistan who are the present of the country are the natural volunteers of peace-building in the society that must be engaged in all endeavours of national policy setting especially through connecting youth representatives from villages to cities, from madrassah students to pupils in public and private sector educational institutions with the elected representations and Members of Parliament from both sides of the isles.

The Young Parliamentarians Forum (YPF) is a cross party parliamentary caucus that comprises of Honourable MPs from 25-45 years aimed at engaging with the vibrant youth to mainstream their opinions, perceptions and vision into youth-informed policy interventions and legislations in key areas of the national strategy including but not limited to issues of human rights, peace building, democracy, economic prosperity, education, health, civil-military relations, information technology, social media, global climate change, social inclusion and poverty alleviation. The YPF is a great initiative that can be transformed at the provincial level to have an enhanced canvas where younger Members of Parliament can eventually provide voice and advocacy for a consistent and permanent role of youth in day to day affairs of the country.

Quoting recent reports on youth, an expert recently shared at a Roundtable on Peacebuilding held by the YPF at the Pakistan Institute for Parliamentary Services (PIPS) that 94 out of 100 youth in Pakistan do not have access to library.<sup>5</sup> Youth development pattern across Pakistan is uneven. Youth is at great disadvantage and faces social alienation along with marginalization. However, the positive side of the picture is the fact that youth is politically and technologically engaged. Therefore, while dealing with youth we have to keep in mind the context in which the youth operates. Hon. Syeda Nosheen Iftikhar, MNA, and Member of the YPF, speaking as a panelist in the event expressed her view that our youth need to stay positive and think positive as the first step towards youth activism for peace. She highlighted that rather than criticizing others, one should focus upon the contributions of self towards the society. The youth and young MPs have to defend our ideology, our country wherever we go. She emphasized the hope that the youth MPs and youth activists are expected *“to focus on their responsibility towards contributing for Pakistan’s well-being and to work in unison for peace and development of Pakistan, leaving aside all differences based on gender, religion, caste, creed etc. Acceptance of others and appreciating diversity is the way forward for a tolerant and peaceful society.”*<sup>6</sup> Hon. MNA Ms Romina Khurshid Alam, speaking at the same dialogue, emphasized the need to engage youth in policy setting dialogues with MPs in addition to voluntary work; she re-called that YPF and PIPS jointly held deliberations across provinces to invite 1400 youth representatives and activists in 2014-15 to help federal and provincial governments in forming youth policies in line with their aspirations. She also proposed youth and MPs participation in continues inter-faith dialogue as means to promote social harmony.<sup>7</sup>

<sup>5</sup> PIPS Session on Constitution, Parliament & Peace Building for National Young Peace Activists from Sindh and South Punjab hosted by Young Parliamentarians Forum (YPF), National Assembly of Pakistan, 3<sup>rd</sup> Feb., 2022.

<sup>6</sup> Ibid. see at: [https://www.pips.gov.pk/capacity\\_building/session-on-constitution-parliament-peace-building-for-national-young-peace-activists-from-sindh-and-south-punjab-hosted-by-yfp-national-assembly-of-pakistan/](https://www.pips.gov.pk/capacity_building/session-on-constitution-parliament-peace-building-for-national-young-peace-activists-from-sindh-and-south-punjab-hosted-by-yfp-national-assembly-of-pakistan/) browsed on October 26, 2022.

<sup>7</sup> Ibid.



The Pakistan Institute for Parliamentary Services (PIPS) that works closely as a bridge between youth, academia and the Parliament and have oriented more than 10,000 youth viz a viz working and engaging with the Parliament as well as exploring their voluntary zeal and passion to share their perceptions, expressions and thoughts with regards to national life with the Honourable Members of Parliament and fellow youth from various strata and parts of the country. The National Assembly of Pakistan and PIPS jointly evolved a parliamentary studies program that enabled 17 universities countrywide to commence parliamentary studies courses in social sciences and law degrees. These initiatives must be continued with greater zeal by committed and missionary human resource. In last decade or so different governments in Pakistan have successfully encouraged the youth to undertake internships at public concerns in addition to provision of facilitation through soft loans for startups and instigate the entrepreneurs amongst the young yet a lot needs to be done to revive libraries, play grounds, arts and cultural activities that provide our youth adequate opportunities to find an expression of their liking and spiritual happiness.

In a Parliamentary Dialogue attended by the leadership of the Commonwealth Parliamentary Association (CPA) on 9<sup>th</sup> March, 2022, Hon. Ms Nausheen Iftikhar, MNA, recommended that YPF and forums like PIPS must continue to invite and engage youth from rural areas in knowledge sharing sessions about how the Parliament works and how democracy promises to deliver the basic human rights of citizens such as quality education, health, law and order as well as equal opportunity for poor and vulnerable elements in society. She believed only proactive role of Members of Parliament, YPF and PIPS is a must to engage rural youth as a priority.<sup>8</sup> Hon. Senator Sana Jamali also spoke on the occasion and stressed the need that political parties should give more representation to youth at the Parliament so that fresh ideas and voice of today is echoed in our policy for social harmony.<sup>9</sup>

### **Youth and a Peaceful Progressive Pakistan**

Firstly, youth have an immense sense of voluntarism that make them think about their surroundings and eventually trigger their spirit of “Service to Humanity.” Thus, around reaching the age of 15 years, they start developing a functional team, club or group for one particular task. It is their earliest but most fascinating experience of setting up of an institution that range from developing an informal club for providing books, free tutorials and payment of fees to students who cannot afford; to making a local football, hockey or cricket team to hold local competitions on weekends and holidays; a group to hold regular cleanliness drives in the village followed by tree plantation and raising awareness to conserve drinking water and maintain safe sanitation.

Secondly, thus youth have an inbuilt passion to develop institutions based on “unity and sharing,” time, energies and resources for a cherished goal. Interviews with a few mentors of such initiatives reveal that while mostly these are youth-centric perpetual initiatives of their own, they do, at the gross root level, go in to seek mentorship or guidance of a local elder, a vibrant parent or an inspiring favourite teacher at school or even a grass-root level local civil society organization. In many instances a youth club

<sup>8</sup> Parliamentary Dialogue on Peace Building – Role of Youth, March 9, 2022 see report at: [https://www.pips.gov.pk/capacity\\_building/parliamentary-dialogue-on-anti-radicalization-peace-building-organized-by-ypf-and-pips/](https://www.pips.gov.pk/capacity_building/parliamentary-dialogue-on-anti-radicalization-peace-building-organized-by-ypf-and-pips/)

<sup>9</sup> Ibid.

commenced as a sports team but later evolved as a voluntary initiative providing assistance to out of school children to have access to school, books and formal education. Youth activists and faculty members have been established peace-building societies in universities to promote dialogue, which can also be supported by private business concern as part of their Corporate Social Responsibility (CSR).

Thirdly, increasing trend of youth participation in appreciable number and more importantly voluntary activities by the youth during our indigenous cultural and religious festivals such as Ramadan, Moharram, Eid, Rabi ul Awal and Christmas is a fascinating manifestation of unity in diversity perpetually expressing interfaith harmony and affection. Thus, the youth's natural voluntarism to serve humanity, their appreciation and joy of unity in diversity and last but not the least, their unwavering passion to develop institutions for a humble yet positive contribution, makes them invaluable gems of honesty, empathy, tolerance, forgiveness and passion for peace at large for everyone around come what may.

Let all proud Pakistanis! be its young MPs, parliamentary experts, youth or members of faculty and civil society pledge that our lives, intentions and sincere actions in humility fulfill the poetic prayer as envisioned by Allama Dr Muhammad Iqbal, the poet philosopher and one of the founding fathers of Pakistan for all of us:

لب پہ آتی ہے دُعا بن کے تفت میری  
زندگی شمع کی صورت ہو نہ آیا میری

دُور دنیا کا مرے دُم سے اندھیرا ہو جائے  
ہر جگہ میرے چمکنے سے اُجالا ہو جائے

English Translation:

*My Longing Comes To My Lips As supplication Of Mine*

*O ALLAH ! May Like The Candle The Life Of Mine;*

*May The World's Darkness Disappear Through The Life Of Mine!*

*May Every Place Light Up With The Sparkling Light Of Mine!*

## CONCEPT

### **Cyber bullying: Youth, Trolling and Mental Health**

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and

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#### **1. Introduction**

Cyber-bullying is the use of mobile phones, instant messaging, email, chat rooms, or social networking sites, such as Facebook and Twitter, to harass, threaten, or intimidate someone. Cyber harassment is often practiced by children who have early access to these technologies. It has become a multifaceted phenomenon as every year millions of individuals have to face this issue. Cyber bullying comes in multiple forms, but the major medium used for it is the same; that is the use of technology. A victim is commonly harassed through internet and cellphones. It is commonly defined as the “willful and repeated harm inflicted through the use of computers, cell phones, and other electronic devices.” Cyberbullying can be of many types like name calling via social media networking websites, threatening text messages, obscene material sharing over social media accounts, unauthorized posting, threatening to post personal pictures or videos on social media networking sites.

#### **2. Common forms and methods of Cyber bullying:**

Cyber bullying can be at times not only be very embarrassing but fatal in some circumstances as the criminal may infringe the privacy of the victim through audios and videos recording for blackmailing or mental torture. It often is source of immense psychological stress and torture for the targeted victim. A well-known and most tragic case of cyber bullying happened with a student named Tyler Clementi. He unfortunately committed suicide on September 22, 2010, in US<sup>1</sup>, as his own roommates uploaded a video online to infringe the victim's privacy where he was filmed being intimate with another male. The culprits had recorded that video through a secret webcam.

The Cyberbullying Research Center is considered as one of the prominent institute to spread awareness and curb this issue. This institute cites cases of cyberbullying in the context of abusive relationships. For instance, the one who is more dominating and authoritative in a relationship may constantly maintain a threatening relationship via text messages and keep an eye on the victim that what he or she is doing.

It is common phenomenon that culprits create fake profiles on social media networking websites such as Facebook, Instagram etc. and then through those fake accounts they harass victims. Sometime they create accounts with the names of their friends, class fellows, close relatives and then start posting embarrassing photos and obscene comments on the posts of victim.

Receiving calls from unknown numbers, anonymous calls, whatsapp or text messages with hateful content is another way the culprits engage victims. The victims are many a time of youthful teenage that further take the victim much vulnerable. Educational institutions and family especially parents and teachers have the responsibility to sensitize their children of threat of cyber censorship.

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<sup>1</sup> Delete Cyberbullying. 2022. *Delete Cyberbullying*. Accessed November 1. <https://www.endcyberbullying.net/>.

### 3. Dangers of Cyber bullying:

The major reason why cyber bullying is more dangerous than the normal bullying practices is due to the implications of usage of technology. Technological factor in fact magnify the psychological torture which may undergo as bullying may be taken on public platform. Victims feel more ashamed, helpless and on the mercy of the bully in this form of bullying. In Pakistan, majority of the female reported that they were emotionally and academically affected by cyber bullying, on the other hand male respondents reported very rare such incidents.<sup>2</sup>

- i. **Low Education Efficiency-** Cyber bullying adversely affect victims mental health. The victim youth may feel mentally perturbed and tortured due to cyber bullying causing him and her to perform low in education or his/her professional field. Continued mental stress can even push the victim to depression and anxiety.
- ii. **Mental Sickness-** Cyber bullying may push the victim youth to mental sickness and disability causing him/her to psychological issues and diseases pertaining to emotions and sociological disorders.
- iii. **Anonymity-** Anonymity is a major challenge in cyber bullying. You can be bullied without even knowing that who is behind the scene. The person may be a stranger or may be a close friend or relative and you will be unable to identify who it is. In such situations bullies may feel more empowered and authoritative where they can say and do bad things keeping their identity anonymous. Anonymity also leverages the culprits to be on the back and not interacting face to face.
- iv. **Permanence-** Another issue is the permanence of cyber content. Once a picture, a video, or a rumor is uploaded to the internet, it is almost impossible to remove that from the internet. Permanence makes it more dangerous because once such thing is uploaded it may remain there forever. Thus, the Parliament may surely legislate on the issues to suggest policy reforms and way forward to the government.
- v. **Publicity-** Empirical research studies show multiple cases where pity quarrels and disputes at school merged as smear campaigns. It only needs for a friend to share or post or tweet one such thing and start a chain reaction to go viral and reach a massively large international audience.
- vi. **Omnipresence-** Cyber bullying even follows you at home. A student bullied at school or an individual bullied at workplace may find refuge in other places. But unfortunately, the victims of cyber bullying are almost always in contact with their tormentors because as and when they use cell phone or connect to internet they are in contact with the culprits.<sup>3</sup>

### 4. Vulnerabilities to Cyber bullying:

Cyber bullying can cause cumbersome vulnerabilities or expression in different individuals that remain as indicator for parents to engage with their children. Some of these indicators are given below:

<sup>2</sup> Batool, Sumera, Rabia Yousaf, and Feroza Batool. 2017. "Bullying in Social Media: an Effect Study of Cyber Bullying on the Youth." *Pakistan Journal of Criminology* 9 (4): 119–39.

<sup>3</sup> Ibid Delete Cyberbullying. 2022.



- i. unexpectedly stops using their device(s)
- ii. appears nervous or jumpy when using their device(s)
- iii. appears uneasy about going to school or outside in general
- iv. appears to be angry, depressed, or frustrated after going online (including gaming)
- v. is oversleeping or not sleeping enough
- vi. becomes abnormally withdrawn from friends and family members
- vii. shows an increase or decrease in eating
- viii. seems regularly depressed
- ix. makes passing statements about suicide or the meaninglessness of life
- x. loses interest in the things that mattered most to them
- xi. avoids discussions about what they are doing online
- xii. frequently calls or texts from school requesting to go home ill
- xiii. desires to spend much more time with parents rather than peers
- xiv. becomes unusually secretive, especially when it comes to online activities<sup>4</sup>

If you fear that your child is being cyber bullied, the first step is to speak to them in a supportive and understanding way about your concerns. After that, help your child take the steps listed under “*What to do if you’re a Victim.*” There are some other recommended measures you can try to help your child get through the challenging experience of cyber bullying:

- i. The National Crime Prevention Council of USA cautions parents against threatening to ban children from computer /cell phone use when they find out they are being cyber bullied. Fear of losing these privileges is one of the primary reasons that kids don’t speak to their parents about cyber bullying.
- ii. Don’t imply that your child brought the bullying upon him or herself. As a victim of harassment, they are in a vulnerable position that demands your support rather than your blame.
- iii. Be proactive in reaching out for help. One may need to contact school counselors, school administrators, or even an attorney or law enforcement officials to deal with a severe cyber bullying problem.
- iv. Check-in with your child frequently as time passes to determine whether the problem has been put to rest or if you need to take further action.<sup>5</sup>

### **5. Potential Motives behind Cyber bullying?**

Cyber bullying happens for many of the same reasons as any other type of bullying, but it may be even more appealing because it can be done anonymously. Research describes two kinds of people who are likely to bully: those who are famous and those on the social peripheries.

Popular kids or teens may bully because they see it as a way to stay popular or hurting others makes them feel powerful. On the other hand, kids or teens who are less socially successful may bully because it helps them cope with their own low self-esteem or they think it will help them fit in with their peers. Additionally, they have trouble empathizing with those they hurt.

<sup>4</sup> Cyberbullying Research Center. 2022. “Cyberbullying Warning Signs.” *Cyberbullying Research Center*. Accessed November 1. <https://cyberbullying.org/cyberbullying-warning-signs>.

<sup>5</sup> Ibid Delete Cyberbullying. 2022.

In general, bullies' behavior usually stems from their own problems, and they often have trouble controlling their emotions and impulses and find it hard to follow the rules.

Here are *some additional reasons* people may do their bullying online:

- a. **Anonymity**—Cyber bullying allows bullies to avoid facing their victims, so it requires less courage and provides the illusion that bullies won't get caught.
- b. **Ignorance of the consequences**—The National Council on Crime Prevention of USA reports that in a US based survey of teenagers, 81% said they believe others cyber bully because they think it's funny. Because they don't see their victims' reactions in person, cyber bullies may not realize how much damage they are doing.
- c. **Social pressure**—Some cyber bullies may think their behavior is normal and socially acceptable.

## 6. Measures to Prevent Cyber bullying:

Taking some wise precautions can help you stop cyber bullying before it starts. Following are some measures for Parliaments, Governments and general masses to cope the challenge of cyber bullying and trolling:

- i. **Incorporation of education on Cyber bullying in school curriculum:** The Parliament and the Government should take measure to properly incorporate awareness materials in the curriculum of school education from level 5 to level 10 explaining different kinds of cyber bullying, trolling and harassment as well as measures to combat such challenges. It will help young minds to refrain from bullying one as well as the victims to oppose such sick behavior or conduct through proper measures.
- ii. **Incorporating knowledge and awareness on cyber bullying in Civic Education Commission Act:**  
National Civic Education Commission Act 2018, which is tasked to promote awareness on citizens' rights, laws and constitution. As cyber bullying and trolling is the emerging phenomenon causing to hurt millions of lives, particularly young minds, it should be incorporated in the Civic Education Commission Act for thorough dissemination and knowledge sharing on subject matter along measures for its prevention.
- iii. **Incorporation of Anti Cyber bullying measures in Prevention of Electronic Crime Act:** The Parliament can add/incorporate cyber bullying, trolling and harassment through an amendment in the law "Prevention of Electronic Crime Act 2016" along categorical penalties and implementation framework. Specific law enforcement agencies should be identifies and tasked for due course of action against the criminals under this rising menace.
- iv. **Need to Improve the Role of Federal Investigation Authority (FIA):**  
Presently, in Pakistan, online harassment was most recently criminalized under the Prevention of Electronic Crimes Act (PECA) 2016. The Act mentions certain types of harassment and punishments and assigns the investigative authority, namely the cybercrime wing of the Federal Investigation Authority (FIA). While covering these crimes by law and laying down a procedure for their investigation is a good step, there are still major hurdles to get over in order to make improvements to Pakistan's ranking of the digital gender divide and violence against women. Over the years the FIA has increased the number of offices

which has made it slightly more accessible but nowhere near where it should be. The number of investigation officers is still not adequate enough to keep up with the number of complaints that come in. Lack of forensic labs in the country adds to the time it takes to complete an investigation that needs to be expedited simply because of the nature of online violence against women.

- v. **Make the most of the privacy settings.** *For common people*, they should investigate what measures you can take to keep content private on the websites you use. You can adjust your settings on Facebook and other social networking sites so that only the people you select can see your personal information and posts. It's essential to check these privacy settings frequently, because sites sometimes change their policies.
- vi. **Think before you post.** Never forget that the internet is public. What you put out there can never be erased. If you wouldn't say something in a room full of strangers, don't say it via the internet. Even letting someone know sensitive or embarrassing information about you via email can have unforeseen consequences.
- vii. **Keep personal information personal.** Don't reveal identifying details about yourself—address, phone number, school, credit card number, etc. as online. Passwords exist for a reason; sharing them with friends is like passing out copies of your house key to friends and strangers alike. If anyone besides you knows your passwords, they should be your parents and parents only.<sup>6</sup>
- viii. **Educate others.** Does your or your child's school already have a policy against cyber-bullying? If you're worried that your school administration isn't doing enough to fight this problem, you could try speaking to school officials about your concerns and offering to help develop policies. If your school is already addressing the issue, see if you can help get the word out.
- ix. **Speak out.** It is advisable that the youth are aware that in case any of your friends are involved in cyber bullying, call them on it and explain how hurtful their actions are. If a friend is cyber bullied, don't stand by and do nothing. Talk to them about it and seek help from an adult. Your support may be just what the victim needs to overcome the problem.

## LEGISLATIVE BUSINESS

**Key Legislation by the Provincial Assembly of Khyber Pakhtunkhwa<sup>1</sup>**

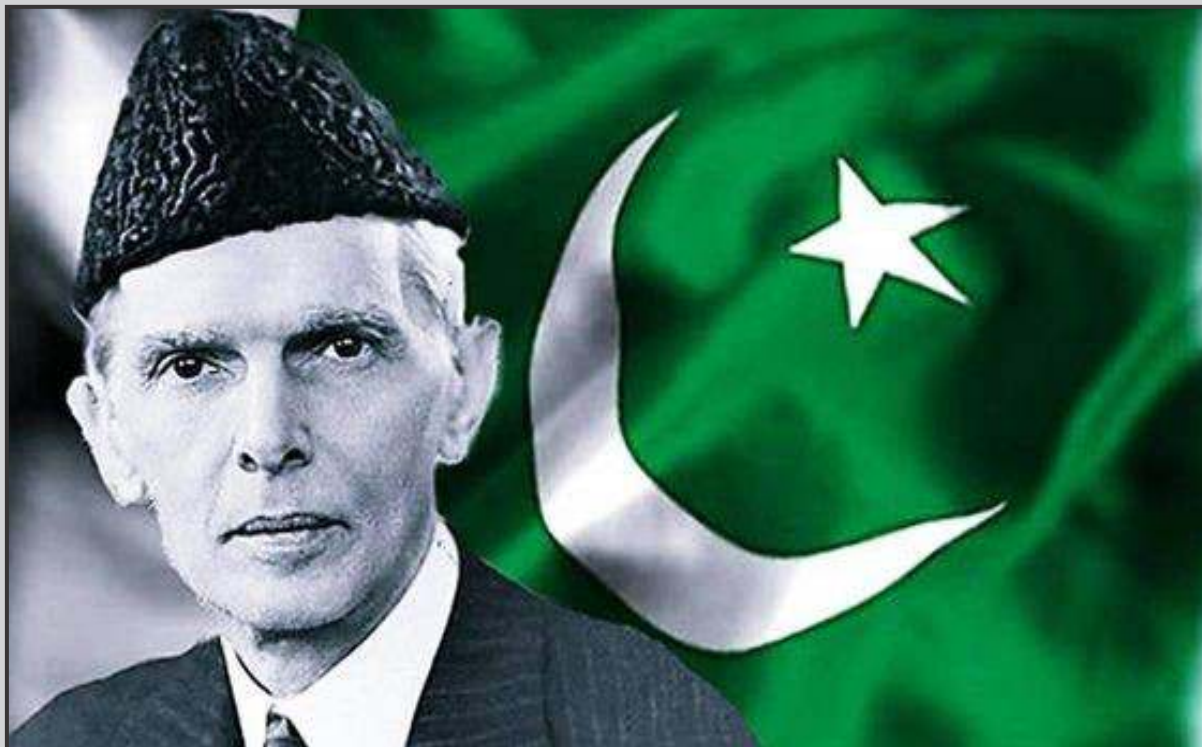
The Provincial Assembly of Khyber Pakhtunkhwa passed 180 Acts in period 2018 to 2022. The selected Acts are given as follows:

Sr. No	Title	Date of Passing
01	Universal Health coverage Act	3 <sup>rd</sup> June 2022
02	Child protection & welfare Act	31 <sup>st</sup> May 2022
03	Regularization of services in Erstwhile FATA Act	21 <sup>st</sup> March 2022
04	Deserving Artists welfare Endowment Act	4 <sup>th</sup> Jan 2022
05	Science, Technology & innovation Endowment Act	4 <sup>th</sup> Jan 2022
06	Domestic violence against women Act	15 <sup>th</sup> Jan 2021
07	The Khyber Pakhtunkhwa School bags Act	8 <sup>th</sup> Dec 2020
08	Forensic science Agency Act	8 <sup>th</sup> Sep 2020
09	Urban Areas Development Authorities Act	1 <sup>st</sup> Sep 2020
10	Protection against Harassment Act	14 <sup>th</sup> Jan 2020
11	Medical Teaching institutions Reforms Act	21 <sup>st</sup> Dec 2018

<sup>1</sup> Newsletter October 2022 published by Directorate of Public Relations & Media, Provincial Assembly of Khyber Pakhtunkhwa







“You will have to make up for the smallness of your size by your courage and selfless devotion to duty, for it is not life that matters, but the courage, fortitude and determination you bring to it.” \_\_ Quad-i-Azam Muhammad Ali Jinnah, Karachi on January 23, 1948.



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