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Global, Regional and Local Civil Society News

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Introduction

Center for Peace and Civil Society (CPCS)
(Creativity, Credibility and Commitment)

Organizational Background:
Center for Peace and Civil Society (CPCS) is a non-profit civic initiative that was established in 2001 and was registered in 2005 at Hyderabad, Pakistan. It was established by a group of individuals from diverse backgrounds ranging from politics to media and academia to writers and intellectuals. CPCS is an independent think-tank that works for strengthening the political and civil society based on principles of democracy, freedom and justice. CPCS prefers to work with political parties, youth, women, mass media and other non-governmental institutional actors.

Vision:
“To strengthen political and civil society based on freedom, knowledge, information and justice.” CPCS subscribes the vision to develop civil society through the promotion of
• Democratic Political Society
• Knowledge Society
• Information Society

Main Objectives and Aims:
• Political education of youth and women to enhance their active participation and develop their vibrant democratic political role.
• Organize civic responses through institutional support to engage civil society in pro-people democratic political process
• Create organized linkages and civic mechanisms to bridge the gap of political understanding among change actors like political parties, media, academia and civil society
• Sensitize citizens to create critical mass to strengthen competitive and strong political society
• Profess the continuity of arguments and dialogue to rationalize conflicts and create space to develop strong democratic political culture in society
• Create awareness among citizens for political rights through advocacy, action research and media and develop civic mechanisms for access to information
• Promote civil society education and producing quality literature through publications
• To highlight and address public litigation cases through media, citizens and judiciary
• Develop policy alternatives from citizen’s perspective through continuous dialogue and action research
• Coordinate among local, regional and global civil society to promote Glo-calization

Guiding Values:
• Freedom
• Knowledge
• Peace
• Justice
• Pluralism
• Tolerance

Target Groups:
• Political Parties
• Journalists
• Academia
• Youth
• Women
• Children
• Civil Society Organizations

Target Thematic Areas:
• Democracy & Democratic Governance
• Rule of Law and Social Justice
• Political Education
• Human Security
• Public Policy and Legislation
• Civil Society
• Conflict and Society
• Culture and Development

Tools of Activities Leading Towards Change:
• Advocacy and Dialogue
• Action Research
• Training
• Political Literature
• Issue Based Mass Campaigns
• Cultural and Cyber Activism

Partners and Institutional Friends:
CPCS is a group of committed citizens that has been working on volunteer basis since five years. Despite its limited resources and small scale activities the center is highly trusted and respected among civil society organizations at local, national and regional level due to its clear vision, visible commitment and non-traditional approach towards change, development and democratization of society. During last five years CPCS has organized more than thirty conferences, seminars and inter-disciplinary dialogues at Hyderabad, Karachi and some other Districts of Sindh. The center has published seven books on political literature in Sindhi, a native language of Pakistan.

‘Dialogue for Change’ is a unique program that is being organized on monthly basis by CPCS since three years in Hyderabad and Karachi in collaboration with the Strengthening Participatory Organization (SPO), a leading NGO in Pakistan. This program offers a platform to political leaders, academics, senior journalists, writers and intellectuals to share their views on politics, economy, literature, art and culture. ‘Dialogue for Change’ is highly interactive civic
initiative that promotes freedom of thought and democratic intellectual plurality. CPCS also shares joint activities and initiatives with an Islamabad based NGO *Center for Civic Education (CCE)* since last two years. It has also close working relationship with *National Democratic Institute (NDI)* and it was part of NDI-CCE’s initiative to conduct *Public Forums* on civic issues in 2003-2006.

**Biographical Information of Directors and Staff:**

**Board of Directors:**
CPCS is governed by an independent body of **Board of Directors (BOD)** that is comprised of following seven members:

1) **Dr. Rajab Memon**
Dr. Memon is an Academician and Economist by profession. He has served as a Professor for 30 years in various universities of Pakistan and abroad. He remained Vice Chancellor, Sindh Agriculture University Tandojam. Sindh, Pakistan. He has been working as a Research Scholar with many international research organizations. His intellectual and professional services are highly acknowledged in the academic circles of Pakistan.

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2) **Zafarullah Khan**
Mr. Zafarullah Khan heads the Centre for Civic Education (CCE) Pakistan. He is a prolific writer and had been a journalist for more than five years. Mr. Khan did his Masters from London School of Economics. He worked as Country Coordinator with Fredric Nauman Stiftung for four years. Mr. Khan enjoys expertise in Political Parties Management and has worked as a trainer and Political Consultant with a number of international organizations including NDI Pakistan and IAF Germany.

He is one of the trend-setter political researchers of Pakistan.

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3) **Miss Gulmina Bilal**
Miss Gulmina Bilal is a psychologist by training, and Advocacy expert by profession. She writes for mainstream English newspapers and periodicals in Pakistan on Politics, Education and Social Policy. Currently, she works as a Country Coordinator with Fredric Nauman Stiftung. She was elected as General Secretary of Liberal Forum Pakistan- an Independent Political advocacy group.

She is author of three books on Politics.

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4) **Noor Mohammad Bajeer**
Mr. Noor Mohammad Bajeer is Regional Director, Strengthening Participatory Organization (SPO)-Sindh. He was elected as National Coordinator of Pakistan NGOs Forum for two years which is the largest countrywide network of Civil Society Organizations in Pakistan. Besides, his institutional responsibilities, he also conducts trainings on political education, gender issues and Organizational Development.

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5) **Miss Fouzia Shaheen**
Ms Fauzia Shaheen is a senior journalist and civil society activist. She is Editor of a reputable Monthly magazine “Dastak”, published from Karachi. She also heads Women Media Centre (WMC) Karachi. She is Executive Committee Member of South Asian Council of Editors and All Pakistan Newspapers’ Society (APNS). She is a widely-traveled media professional.
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6) Ms. Shaheen Khan
Ms. Shaheen Khan, after getting her academic training from Strathclyde University UK, serves as a Public Policy Expert and a development professional. She worked with a number of mainstream development organizations like National Rural Support Program (NRSP), Sindh Irrigation and Drainage Authority (SIDA) and in many projects of Asian Development Bank and World Bank. Presently she has joined World Bank’ Young Professionals Program as a Policy expert and Consultant.
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7) Nazeer Esani
Mr. Nazeer Esani is a political Anthropologist by training and a Policy Analyst by profession. He is a reputable technocrat who has been working with development and civil society organizations in Pakistan and Brussels, Belgium. Currently, he works as Water Management Expert in Sindh Irrigation and Drainage Authority (SIDA). He has been actively participating in various political advocacy groups.
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Executive Director:
Jami Chandio
Mr. Jami Chandio is an experienced journalist, prolific writer and political scientist. Mr. Chandio played an active and leading role in the progressive student politics in Sindh, Pakistan and Asia from 1988 to 1993. He won highest media APNS awards as best political columnist in 1999-2000 and 2001-2002. Mr. Chandio was elected as national chairperson of Liberal Forum Pakistan in Lahore for two years 2002-2004. He has been mainstream advocate of democratic values, human political rights. He also conducts trainings for journalists and political parties in Pakistan.
He is alumni of regional and international policy think tanks like Regional Center for Strategic Studies-Colombo, Wilton Park-UK and International Academy for Leadership-Germany. He represented South Asia as a political scientist in an international conference in European Parliament-Brussels in 2004 He has been working with NDI as a trainer, political parties’ development expert since last four years in all the four provinces of Pakistan.
He has more than eight books on his account and writes essays in various Sindhi, Urdu and English newspapers. His fields of interests include Politics, Pure Literature and Philosophy.
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Provincial Autonomy- Sindh’s Perspective

(Proposed Constitutional Amendments)

Pakistan is faced today with a constitutional crisis that has on the one hand created enormous social, political and economic problems for the Country and on the other hand has brought into question the continued viability of the state as a democratic and progressive country.

The constant fall in the indicators of human resources development; the sea of unemployed youth; increasing disparity between the rich and the poor, the crumbling state of service delivery; appalling law and order situation; pathetic record of human rights and the absence of justice so candidly brought home by the utter helplessness of the Supreme Court of Pakistan in getting information about political activists abducted by the agencies, all are indicative of the total collapse of basic parameters of governance.

Above all else, the fact that there is unrest in wana; military action in Balochistan, every day agitation in Sindh against dams and Greater Thal Canal, and now sale of islands; and that there are retaliatory bombs blasts wracking the whole country, are pointers that the state of Pakistan is at war with its own people. The recent legislation passed by the U.S congress demanding yearly certification of Pakistan’s good conduct in order to qualify for American aid, has added an immense external factor to the formidable internal threat to the country.

The biggest single factor of the unhappiness of the people of Pakistan is the perception that the most populous and the most powerful province of Pakistan is usurping all power, privilege and resources of the country at the cost of the remaining three Provinces. The constant meddling in the affairs of governance by the Army, which overwhelmingly belongs to the same province, only adds fuel to the fire of unhappiness against Punjab. It is therefore imperative that the policy of over centralization of yesteryear should give way to a longer, and more meaningful, participation of the people of the federating units in running their own affairs under a benign federal government.

Presented herein are the proposed constitutional amendments forwarded by Sindh Democratic Forum (SDF). The main thrust of the proposed amendments is on the themes given below:
1. Carrying 1973 constitution, incrementally towards the spirit of the basic contract, the Pakistan Resolution of 1940, in which the constituting units were autonomous and sovereign.

2. All decisions regarding inter-provincial and inter-government affairs through consensus (as against majority vote).

3. All decisions regarding affairs of the federation with the consent and approval of the Senate.

4. Make the Senate “guardian of the federation” and therefore more powerful.

5. Pakistan should have a parliamentary form of government (as against efforts to turn in into a Presidential form).

6. Sovereignty of federation units over their territories and natural resources on top and underneath its lands.

7. Sovereignty over finances and authority of taxation on maximum heads.

8. Representation in all state institutions commensurate with population.

Amendments in the Constitution

Pre-amble

• The 4th paragraph of the pre-amble should be changed as follows:-

“Where in the principles of democracy, freedom, equality, tolerance and social justice, as enunciated by Islam and re-affirmed by the people in their 23rd March 1940 resolution as the basis for the struggle for Pakistan, shall be fully observed”.

• The 12th paragraph of the pre-amble should be changed as follows:-

“Now, therefore, we the people of Pakistan, conscious of sacrifices made by the people in the cause of Pakistan, faithful to the declaration made by the Founder of Pakistan, Quaid-e-Azam Muhammad Ali Jinnah, in his inaugural address to the Pakistan Constituent Assembly, that Pakistan would be a democratic state based on Islamic principles of social justice”.

Article-1. clause (2) (d) should be omitted,

Clause (3) should be substituted as under:-
“The senate may by law admit or exclude and change the territorial boundaries of any province with the consent of the concerned province’s Assembly on such terms and conditions as it thinks fit and for which terms and conditions the concerned unit’s Assembly has given its assent”.

Article-6. High Treason should read as follows:-

“Any person who abrogates or subverts or puts in abeyance or using any other word which would mean abrogation, subversion or putting in abeyance, the constitution, by use of force or show of force or by other unconstitutional means, or any person who attempts or conspires to abrogate, subvert or put in abeyance the constitution, shall be guilty of high treason”.

Article-7. A clause (2) should be added that shall read as follows:-

The limits of such Provinces that touch the sea, shall extend to 12 nautical miles from the coast where the Provincial Assembly shall be authorized to make laws after which legislation shall vest with the Federal Parliament.

Article-8. Should be amended to have a clause 8 (A) that should read as follows:-

Article 8 (A) No person should be discriminated against due to religion.

Part II

Federating Rights and Principles of Policy

Article-17. In Article 17 following amendments shall be made, namely:-

Clause (2) shall be substituted with words:

“Every citizen, not being in the service of Pakistan has the right to form; or be a member of a political party, subject to any reasonable restrictions imposed by law, and such law shall provide that where the federal government, with the approval of the Senate, declares that any political party has been formed or is operating in a manner prejudicial to sovereignty or integrity of the federation of Pakistan shall within 15 days of such declaration, refer the matter to the Federal Court whose decision on such reference shall be final”.

Article-19. Article 19 shall be amended by substituting the following words; namely:

“Every citizen shall have the right of the freedom of speech
and expression and there shall be freedom of the press, subject to any reasonable restrictions imposed by law”.

**Article-23** Article 23 shall be amended as follows: -

After the “law”, following works shall be added, “of the Provinces concerned, in the public interest”.

**Article-27** In article 27 following amendments shall be made; namely:

(i) In clause (1), Proviso 1, shall be substituted as under: - “Provided, that every province shall have proportional representation in all the Federal services, commensurate with its population”.

(ii) In Clause (1), a third proviso shall be added, namely, “Provided further those areas under represented, or neglected, in the past in the Federal Services may be compensated by an order of the Federal Government or the President”.

**Article-28** In Article 28 following amendments shall be made, namely: Delete “subject to Article 251” and also “subject to law”.

**Article-37** In Article 37, following amendments shall be made, namely, in place of Clause (a) and (b) following shall be substituted: -

(a) Promote with special care, the educational and economic standards of backward provinces and areas.

(b) Enable the people of different Provinces through education, training, agriculture and industrial development and other scientific and technological training and methods to participate fully in the affairs of the state and all activities of the Federation.

**Article-39** Article 39 shall be amended by substituting the contents with the following; namely:

The state shall enable people from all Provinces and other parts, to participate in the defence forces of Pakistan in such a manner that all provinces and areas are proportionately represented in the defence forces commensurate with the population of the provinces at all levels.

**Article-40** Article 40 shall be recast as follows: -
“The state shall endeavor to preserve and strengthen fraternal relations among all peace loving countries of the world, especially among Muslim countries, neighboring countries of the third world, support the common interests of the people of Asia, Africa, Latin America and all other nations for economic development on equal basis, support and encourage the struggle of the oppressed people of the world for their social and economic liberation, and foster goodwill and friendly relations among all nations and encourage the settlement of international disputes by peaceful means.

Part III

The Federation of Pakistan

Article-41

In Article 41 amendment shall be made as follows:

(i) Clause (1) shall be substituted with the words; namely:

“There shall be a President of Pakistan who shall be elected on rotational basis from all Provinces beginning from numerically smaller province. He shall be the Head of State and shall represent the unity of the Federation”.

(ii) Clause (2) shall be substituted with the words; namely:

A person shall not be qualified for election as President unless he is an educated and experienced citizen of Pakistan of not less than 45 years of age and is qualified to be elected as a Member of Parliament.

(iii) Clause (3) shall be substituted with the words; namely:

The President shall be elected after the expiration of the 5 years term in accordance with the provisions of second schedule by the members of an Electoral College consisting of:

(a) The Members of both houses of the Parliament;

(b) The Members of the Provincial Assemblies.

(iv) In Clause (4) second paragraph starting with “Provided that” shall be omitted.
(v) Clauses (6) and (7) shall be omitted.

Article-47  Article 47 shall be amended as follows: -

(i) Clause (3) shall be omitted.

(ii) Clause (4) shall be substituted with the following words namely: “The Speaker/Chairman Senate shall, within three days of receipt of a notice under clause (2), transmit a copy of the notice to the President”

(iii) In clause (5) and (6) word “speaker” shall be substituted with the words “Speaker/Chairman Senate”

(iv) Clause (7) shall be substituted with the following words namely: “The President shall have the right to appear and be represented during the investigation, if any, before the National Assembly/Senate, as the case may be”.

(v) Clause (8) shall be substituted with the following words namely: “If, after consideration of the result of the investigation, if any, a resolution is passed at the joint sitting of the Parliament, by votes of not less than two-third of the total membership of the Parliament declaring that the President is unfit to hold office due to incapacity or is guilty of violating the constitution or of gross misconduct, the President shall cease to hold office immediately on the passing of the resolution”.

(vi) A fresh Clause (9) shall be added, namely; “For the purpose of voting, the weightage of votes in the National Assembly shall be equal to that of the Senate”.

Article-48  In Article 48 following amendments shall be made, namely:

(i) The provision in Clause (1) shall be recast as follows: Provided that the president convenes a joint sitting of the Parliament immediately on the receipt of the advise from the Prime Minister and provided that the Parliament is not in a position to elect a new leader of the House within 15 days of the convening of the House, the President shall dissolve the National Assembly, failing which the National Assembly shall stand dissolved.
(ii) Clause (2), (3) and (4) shall be omitted.

(iii) A fresh clause (4b) shall be added, namely: “The president may dissolve the National Assembly if advised by the Prime Minister”.

(iv) In Clause (5) sub-clause (b) shall be substituted with the words, namely: “Appoint a caretaker government having equal representation from each Province”.

(v) Clauses (6) and (7) shall be omitted.

**Article-62**
In Article 62 following amendment shall be made, namely, Clauses (d), (e), (f) and (h) shall be omitted.

**Article-63**
In Article 63; Clause (g) shall be omitted.

**Article-68**
Article 68 shall be substituted with the following words, namely: “There shall be no restriction of discussion in the Parliament with respect to working and conduct of any and all institutions of the state and the incumbents therein.

**Article-70**
In Article 70, the following amendment shall be made, namely:

(i) In Clause (1), the words “or in the concurrent Legislative list” shall be omitted.

(ii) Clause (4) shall be substituted by the following, namely; in this Article and the succeeding Article of the Constitution, Federal Legislative List means the Federal Legislative List Part-I in the Fourth Schedule”.

(iii) A new Clause (5) shall be added, namely; (5) in the Fourth Schedule. ‘The Federal Legislative List Part-II and the concurrent Legislative List’ shall be omitted”.

(iv) A new Clause (6) shall be added namely; “(6) In the Federal Legislative List Part-I, the following amendments shall be made: -

(a) In item 2, after the words “airforce works” full stop shall be inserted and the words appearing thereafter shall be omitted.

(b) In item 3, the words “including educational and cultural pacts and agreements” shall be omitted.

(c) In item 5, the full stop at the end shall be omitted and the words
“with the concurrence of the Province concerned” shall be added.

(d) In item 6, the full stop at the end shall be omitted and the words “with the concurrence of the Province concerned” shall be added.

(e) In item 7, after the word “communication” for the semi-colon, a comma shall be substituted and thereafter the following words and semi-colon shall be inserted.

“Save wireless, broadcasting, telecasting and other forms of communications installed, owned and operated by the Province.

(f) For item 9, the following shall be substituted:

“Foreign exchange, the separate accounts of foreign exchange earning of each province and cheques, bills of exchange, promissory notes and other like instruments”.

(h) Item 17 shall be omitted.

(i) At the end of item 18, the words “subject to the concurrence of the Council of Common Interest” shall be added.

(j) Item 19, 20, 21, 24 shall be omitted.

(k) For item 28, the following shall be substituted:

“State Bank of Pakistan, in so far as it concerns currency, coinage and legal tender; foreign exchange accounting”.

(l) Item 30, 31, 33, 34 & 36 shall be omitted.

(m) Item 40 shall be omitted.

(n) Item 44, 45, 46, 49, 50, 51 & 53 shall be abolished.

(v) A new clause (7) shall be added, namely: -

“All other subjects and matters not enumerated in the Federal Legislative List in the Fourth Schedule and the residual powers shall vest in the Provinces and the Legislative Authority in respect of these matters shall be the Legislative Assembly of the province concerned and the Executive Authority shall be the Government of the Province.
Article-72  In Article 72, Clause (4), after the word “voting” the full stop shall be substituted with and following words added, namely:

“Wherein weightage of the total votes of the National Assembly shall be equal to the total number of votes of the Senate”.

Article-73  In Article 73, the following amendment shall be made, namely:

(i) For clause (1), following shall be substituted.

“(1) Notwithstanding anything contained in Article 70, a Money Bill shall originate in either of the two Houses, and the process for its introduction and passing shall be the same as described in Article 70”.

(ii) In clause (2), in sub clause (f), the words “or a provincial government”, shall be omitted.

(iii) Clauses (4) & (5) shall be omitted.

Article-78  In Article 78, the following amendment shall be made, namely:

(i) In clause (1), after the words “all loans raised by the Government”. The words “except foreign loans” shall be inserted.

(ii) A new Clause (3) shall be added namely: -

“All foreign loans raised by the Government shall form a separate fund and it shall be administered jointly by the Federal Government and the Council of Common Interests”.

Article-80  In Article 80, Clause (1), following amendment shall be made namely; the word “National Assembly” shall be substituted by the word “Parliament”.

Article-82  In Article 82 the following amendments shall be made, namely:

(i) For Clause (1) the following shall be substituted:

“The Annual Budget Statement laid before the National Assembly as provided in Article 80, Clause (1), after having been discussed and passed by the House, shall be laid before the Senate for approval and shall, in so far as its passage and assent by the President is concerned, be treated like any other Bill”.

(ii) In Clause (2), for the words “National Assembly and Assembly”
respectively the word “Parliament” shall be substituted.

**Article – 83, 84 & 85:** Replace wherever word “National Assembly” appears with word “Parliament”

**Article-89** Article 89 shall be omitted.

**Article-90** In Article 90, Clause (1) after the words “shall be exercised by him”, the remaining words shall be deleted and following words substituted: -

“Through the Prime Minister, in accordance with the constitution”.

**Article-91** In Article 91, the following amendments shall be made:

(i) For the existing Clause (1), the following shall be substituted namely:

The president shall invite the leader of the Majority Party in Parliament to be Prime Minister and to form the government.

(ii) Clause (2) and (2A) shall be omitted.

**Article-97** In Article 97, for the colon after the words “outside Pakistan”, a full stop shall be substituted and the proviso after that shall be omitted.

**Part IV**

**The Federating Units**

**Article-128** Article shall be omitted.

**Article-129** For Article 129, the like numbered Article as contained in the original 1973 Constitution and omitted by P.O No: 14 of 1985, art 2 and sch. Item no.27 shall be substituted.

**Article-130** Article 130 shall be amended as follows: -

(i) For Clause (2), the following shall be substituted, namely: “(2) The Majority Party in the Assembly shall elect the leader of the House and the Governor shall invite him/her to be the Chief Minister and form the Government.

(ii) Clause (2A) shall be omitted.

**Article-131** For Article 131, the following shall be substituted: -
"The Chief Minister shall keep the Governor informed on matters relating to the administration of the Federating unit and all legislative proposals the Government intends to bring before the Assembly".

**Article-132-135** For Article 132, 133, 134 and 135 the like-numbered articles as contained in

- The original 1973 Constitution and were altered or omitted by P.O no; 14 of 1985, Art 2 and sch. Item 28, 29 shall be substituted.

**Article-137** For Article 137, the following shall be substituted:

"Subject to the Constitution, the executive authority of the Province shall extend to all matters not mentioned in the Federal Legislative List in the Fourth Schedule, with respect to which the Assembly of the Province has power to make laws"

**Article-139** For Article 139 the like-numbered Article contained in the original 1973 Constitution and substituted by P.O no; 14 of 1985, Art.2 and sch.item 31, shall be substituted.

**Article-140** In Article 140, in Clause (1), after the words “the Governor of each province” the Words “on the advice of the Chief Minister” shall be inserted.

**PART V**

**Relations between the Federation & the Federating Units**

**Article-141** In Article 141, after the words “any part of Pakistan”, the works “in respect of the matters contained in the Federal Legislative List” shall be inserted, and after the words “province or any part thereof”, the full stop shall be omitted and the words “in respect of all matters not contained in the Federal Legislative List” shall be inserted.

**Article-142** In Article 142, the following amendments shall be made:

(i) Sub-clause (b) shall be omitted.

(ii) In sub-clause (c) the word “either” and the words “or in the Concurrent Legislative List” shall be omitted.

**Article-143** In Article 143, the words "or to any provision of any existing
law with respect to any matters enumerated in the Concurrent Legislative List” shall be omitted.

**Article-144** In Article 144 in Clause (1), for the words “in either list”, the words “Federal Legislative List” shall be substituted.

**Article-148** In Article 148, in clause (3), after the words “external aggression”, a full stop shall be inserted and the words appearing thereafter shall be omitted.

**Article-149** In Article 149, Clauses (2) and (4) shall be omitted.

**Article-151** In Article 151 the following amendments shall be made:

1. In Clause (1), the words “subject to Clause (2)” shall be omitted.
2. Clause (2) and (3) shall be omitted.

**Article-152** Shall be amended as follows: after the words “agreed” following words shall be added namely, with the approval of the Assembly of the Province.

**Article-153** Shall be amended as follow: -

1. In Clause (1) the words “to be appointed by the President” shall be substituted by “to be appointed by the Senate”
2. In Clause (2) (b) shall be substituted with the words “Two Senators from each Province to be elected by the members of Senate from that Province.
3. A sub-clause (c) shall be added, namely:

   “Leaders of the opposition in the National Assembly and in the Senate shall be members of the Council”.
4. A Clause (5) shall be added, namely: -

   “Within 30 days of the leader of the House or the Prime Minister, taking Oath of office, a Council of common interests shall be nominated according to law, which shall meet at least twice each year from the date of its formation.

**Article-154** Clause (1) shall be re-written as follows:
The Council shall formulate and regulate policies in relation to the affairs of the Federation and in relation to all such matters in which disharmony between provinces and between provinces and federation, accrue or can accrue.

Clause (2) shall be re-written as follow:

“The decision of the Council shall be expressed with consensus”

Clause (5) shall be amended so that the words “Majlis-e-Shoora (Parliament) in a joint sitting” shall be substituted with the word “Senate” and after the word “in a joint sitting” following shall be added:

“In which the Weightage of the votes of the National Assembly shall be equal to that of the Senate and”

Article-156,157,158 & 159 shall be omitted.

PART VI

Finance, Property and Contracts and Suits

Article-160,161,162 & 163 Shall be omitted.

Article- 165A Shall be omitted.

Article-169 In Article 169, the words “Province(s)” shall be omitted.

Article-170 In Article 170, the words “and of the Province(s)” shall be omitted.

Article-171 In Article 171 after the words “lay before the National Assembly”, a full stop shall be inserted and the remaining words shall be omitted.

Article-172 In Article 172, in Clause (2), the “The Government of the Province in those territorial limits such lands, minerals and other things of value happen to be” shall be substituted.
Part VII

The Judicature

Chapter 1: The Courts

Article 175

In Article 175 following amendments shall be made: -

(i) Clause (1) shall be substituted as under:

(a) There shall be a Federal Court in Pakistan, a Supreme Court and a High Court of each province and such other courts as may be established by law.

(b) The Federal Court of Pakistan shall have jurisdiction to decide disputes between the provinces, between Federal Government and provinces and other federal matters.

(c) Every Federal unit shall have its own Supreme Court which shall be the final court of appeal.

(ii) Amend Clause (3) as follow:

“The judiciary shall be separated from the executive and shall be made independent within three years from the day of the passage of this amendment”

(iii) A fresh Clause (4) shall be added, namely:

A judge of the Federal Court, Supreme Court or the High Court shall not be employed in the service of the Government of Pakistan or the Government of any province saves for heading and commission of enquiry.

Chapter 2: The Federal Court of Pakistan

Article-176

Amend Article 176 shall be amended by substitution with the following, namely: -

The Federal Court shall consist of a Chief Justice to be known as the Chief Justice of Pakistan and so many other judges of equal number from each province as may be determined by Senate.
Article-177  Article 177 shall be amended as follows: -

Appointment of Federal Court Judges

Clause (1) shall be substituted as follows:

(1) (a) The Chief Justice of Pakistan shall be appointed by a committee comprising of the President, the leaders of the House and opposition in the National Assembly; the leaders of the House and opposition in the Senate and representatives of the Pakistan Bar Council. The appointment of the Chief Justice of Pakistan is subject to conformation by the Senate.

(b) The judges of the Federal Court shall be appointed by a committee comprising of the President, Leaders of the House and opposition in the National Assembly, Leaders of the House and opposition in the Senate, Chief Justice of the Federal Court and Representative of the Pakistan Bar Council. The appointment is subject to confirmation by the Senate.

Article-179 Retiring Age:  in Article 179 following amendment shall be made, namely: -

In Clause (1), “Seventy years” shall be substituted for the words sixty five years”

Article-183 In Article 183 Federal Court shall be substituted for Supreme Court and Clause (2) and (3) shall be omitted.

Article-185 In Article 185 following amendments shall be made, namely: -

(i) In place of “High Court” the words “Supreme Court” shall be substituted

(ii) In Clause (2) sub-clauses (a), (b), (c), (d) and (e) shall be omitted.

(iii) Clause (3) shall be omitted.

Article-186A Shall be omitted.

Chapter 3: The Supreme Courts and the High Court

Article 192 Article 192 shall be amended by inserted Articles 192-A to 192-K as follows:

Article-192A Constitution of Supreme Court: An Article 192-A shall be
inserted as follows:

A Supreme Court of a Province shall consist of a Chief Justice and so many other judges as many as may be determined by the Assembly of the Province or until so determined, as may be fixed by the Governor.

Article-192B  **Appointment of Supreme Court Judges:** An Article 192-B shall be inserted having clauses (1) and (2), namely:

(1) The Chief Justice of the Supreme Court of a province shall be appointed by a committee comprising of the President, The Chief Justice of Pakistan, and Leaders of the House and opposition in the Assembly of the province and the representative of the Bar Council of the province. The appointment of the Chief Justice shall be subject to conformation by the Senate.

(2) The Judges of the Supreme Court shall be appointed by the President. The Chief Justice of Pakistan. The Chief Justice of the Supreme Court, the Leaders of the House and opposition in the Senate, the Leaders in the House and opposition the Assembly of province and representation of the Bar Council of the province.

Article-192C  **Oath and Office:** Article 192- shall be inserted as follows:

Before entering upon office, the Chief Justice of the Supreme Court shall make before the Chief Justice of Pakistan, and any other judge of the Supreme Court shall make before Chief Justice of the Supreme Court. Oath in the form set out in the Third Schedule.

Article-192D  **Retiring Age:** Article 192-D shall be inserted as follows: -

The retiring age of the judges of the judges of the Supreme Court shall be 68 years.

Article-192E  **Acting Chief Justice:** Article 192-E shall be inserted as follows: -

At any time when.

(a) The Office of the Chief Justice of a Supreme Court is vacant; or

22
(b) The Chief Justice of the Supreme Court is absent or is unavailable to perform the functions of his office due to any other cause; the Chief Justice of Pakistan shall appoint the most senior of the Judges of the Supreme Court to act as the Chief Justice.

**Article-192F** Acting Judges: Article 192-E shall be inserted which shall have the same wording as Article 181; except that the word “President” shall be substituted by the words “Chief Justice of Pakistan”

**Article-192G** Appointment of Adhoc Judges: An Article 192-G shall be inserted which shall have the same wording as Article 182; except that from the Clauses (a) and (b) of Article 182, the words “with the approval of the President” shall be omitted.

**Article-192H** Seat of the Supreme Court: An article 192-H shall be inserted, namely: -

The Seat of the Supreme Court of a Province shall be the Capital of the Province.

**Article-192i** An Article 192-I shall be inserted which shall have the same wording as Article 184.

**Article-192J** Appellate jurisdiction of Supreme Court: Article 192-J shall be inserted which shall have the same wording as Article 185.

**Article-192K** Constitution of High Court: An Article 192-K shall be inserted in place of Article 182, namely: -

A High Court shall consist of a Chief Justice and so many other judges as may be determined by law or, until so determined, as may be fixed by the Governor of the province in which the High Court is situated.

**Article-195** Retiring Age: Article 195 shall be amended by substitution of “Sixty two” years with “Sixty five” years.

**Article-203(A to J)** Of the Constitution shall be omitted.

**Article-209** Supreme Judicial Council: Article 209 shall be amended as follows: -
(i) Wherever word “Supreme Court” appears in the Article it shall be substituted by “Federal Court”, and whenever word “High Court” appears in the Article it shall be substituted by “Supreme Court”.

(ii) Clause (2) shall be amended by adding sub-clauses (d), (e) and (f) namely:

(d) Leader of the House and the opposition in the National Assembly.

(e) Leader of the House and the opposition in the Senate.

(f) Vice-Chairman of Pakistan Bar Council.

**Part VIII**

**Election**

**Article-213** Chief Election Commissioner: Article 213 shall be amended as follows: -

(i) In Clause (1) after the word “President”, the words “in his discretion” shall be omitted and the following words added “with the approval of the Senate”.

(ii) A fresh Clause (4) shall be added, namely:

The Election Commission shall be made financially independent.

**Article-218** Article 218 shall be amended as follows: -

Sub-clauses (b) of Clause (2) shall be substituted by the following. “One member from the Province who shall be a judge of Supreme Court appointed by the President after consultation with the Chief Justice of the Supreme Court concerned and with the Commissioner”

**Part IX**

**Islamic Provisions**

**Article-228, 229, 230 and 231** shall be omitted.

**Part X**

**Emergency Provisions**

**Article-232** In Article 232 the following amendments shall be made:-
(i) In Clause (1) the words “or by the internal disturbance beyond the power of the Provincial Government to control” shall be omitted.

(ii) In Clause (2)

(a) For the sub-clause (a), the following shall be substituted:

“The Senate shall have exclusive power to make laws for a Province or any part thereof, with respect to any matter not enumerated in Federal Legislative List”

(b) For sub-clause (b), following shall be substituted:

“The executive authority of the Council of common interests shall extend to the giving of advice to a Province as to the manner in which the executive authority of the province is to be exercised” and”

(c) Sub-clause (c) shall be omitted.

(iii) Clause (3) shall be omitted.

(iv) In Clause (4) for the words “Majlis-e-Shoora (Parliament)” whenever they appear; the word “Senate” shall be substituted.

(v) In Clause (5) for the words “Majlis-e-Shoora (Parliament)” whenever they appear, the word “Senate” shall be substituted and for the words “six month”, the words “thirty days” shall be substituted.

(vi) In Clause (7) the following amendments shall be made:

(a) In sub-clause (a), for the words “a joint sitting” the word “Senate” shall be substituted.

(b) In sub-clause (b), the words “membership of the two Houses in the joint sitting”, the words “membership of the Senate” shall be substituted.

(vii) Clause (8) shall be omitted.

**Article-234** Of the constitution shall be omitted.

**Article-235** Of the constitution shall be omitted.

**Article-236** In Article 236, Clause (2) shall be omitted.
Part XII

Miscellaneous

Article-240 The following provisions shall be added: -

(i) Provided the appointment of the Ambassadors in the Foreign Service shall be subjected to the approval of the Senate.

(ii) Provided further appointments if the Chairman in the Corporations established by law shall be subject to the approval of the Senate.

(iii) Provided further that the shares of Provinces in all Federal Services shall be implemented under the control and supervision of the Senate; omission in the allocation of the shares of the units in the past shall be rectified by filling up the shortages;

Armed Forces

Article-243 After Clause (c) the following shall be added: All appointments mentioned in Clause (c) shall be subject to the approval of the Senate.

Article-251 In Article 251, the following amendments shall be made: -

(i) For Clause (1), the following shall be substituted:

“Punjabi, Sindhi, Balochi and Pashtu shall be the National Language of Pakistan and Urdu shall be lingua franca”.

(ii) For Clause (2), the following shall be substituted:

“Subject to Clause (1), English language shall be used for official purposes and for interaction with the outside world”.

(The document is developed by Sindh Democratic Forum (SDF), a group of concerned citizens of Sindh)
State Failure and Vulnerability of Marginalized Groups: Case Study of Balochistan, Pakistan

Nizamuddin Nizamani

Background:
Different states at various historical moments faced challenges posed by the divisive pulls of ethnicity, race, religion, and culture. A major issue of contention has been one of the sharing of state power by the dominant group. Often, some kind of devolution of power and authority satisfies the group aspiring to share power. On occasion, the demand for power sharing has led to a demand for autonomy, which when resisted transforms itself into demand for independent statehood (Chowdhury: 2002, p-3).

Inequalities and injustices in income, education, health, jobs and political representation have been a distinguishing feature of all multiethnic societies with indigenous and tribal populations. Indigenous and tribal peoples represent about 5 per cent of the world’s population, but over 15 per cent of the world’s poor. The incidence of extreme poverty is higher among them than among other social groups and, generally, they benefit much less than others from overall declines in poverty.

It is estimated that there are about 350 million Indigenous and Tribal Peoples (ITPs) around the world representing over 5,000 ethnic groups. The term indigenous and tribal peoples may be used interchangeably with other expressions such as indigenous ethnic minorities or hill tribes or hunter-gatherers or first people or adivasi. The variety of terms used to refer to these peoples reflects the diversity of their socio-economic, political and historical circumstances.

Despite the heterogeneity of indigenous and tribal peoples, ILO Convention No. 169 provides useful elements to identify them. According to the Convention, indigenous and tribal peoples are those peoples “whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own

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3 ILO Convention No. 169 identifies rather than defines indigenous and tribal peoples. Indigenous and tribal peoples often reject States’ attempts to define them, as they fear that any definition may be used to exclude them rather than achieving clarity on the meaning of the term. This is why they claim the right to self-identification as a fundamental right

4 The term Adivasi is commonly used for indigenous tribal people in India and surrounding countries
customs or traditions or by special laws or regulations”. The Convention covers both the descendants of the first inhabitants of a given region or country, as well as those peoples who live in a tribal setting, but whose ancestors do not pre-date other inhabitants of the country or region. Self-identification is another essential criterion for determining who is indigenous or tribal.

Perceived as being among the poorest segments of societies, indigenous and tribal peoples constitute the target of various antipoverty and social policies. Views differ, however, in respect of which strategies would most effectively address their economically, politically and socially disadvantaged circumstances.

To redress this situation, it is imperative that social and economic policies recognize and accommodate indigenous and tribal peoples’ needs, aspirations and rights. Redressing biases in public spending as well as targeting basic services to indigenous and tribal peoples would help, but would not be enough. Policies must recognize that ethnic asymmetries in well-being and power are the result of institutional and societal discrimination rooted in the belief that indigenous cultures are outdated and undesirable. They have been traditionally perceived as a break to modernization and an obstacle to national unity. But the prevalent development paradigms, based on assimilation or “forced” inclusion, have failed to provide indigenous and tribal peoples with opportunities and benefits on a par with mainstream society. This has been detrimental not only to indigenous peoples themselves, but also to national growth, social cohesion and political stability. The widening of ethnic inequalities in countries with indigenous and tribal peoples reveals that conventional anti-poverty policies fail to tackle the social and economic exclusion facing them. This failure must be redressed not only for their own benefit, but also for reasons of social equity and policy effectiveness. Social and economic policies must recognize and accommodate indigenous and tribal peoples’ needs, aspirations and rights. As distinct peoples, they have special rights (group’s rights) that include the right to be different and to influence decisions affecting their livelihoods and future.

Ethnic audit of 14 PRSPs i.e. Bangladesh, Bolivia, Cambodia, Guyana, Honduras, Kenya, Lao PRD, Nepal, Nicaragua, Pakistan, Sri Lanka, Tanzania, Viet Nam and Zambia, to ascertain whether and how the rights, needs and aspirations of indigenous and tribal peoples have been taken into account and whether they have been involved in the consultations leading to the formulation of PRSPs shows that there are significant differences between regions and, within regions, between countries in terms of whether and how indigenous questions are addressed (ILO:2005, p.6). Baloch people are not the exception. Female play basic and fundamental role in the development of a society, because any nation can not develop by keeping half of population away from her economy. However some countries due to certain cultural restrictions or bitter historical experience could not involve the female on large scale, still there economies prospered among them Korea, and some Middle East states are worth mentioning.

5 Poverty Reduction Strategy Papers (PRSPs)
The politicization and mobilization of women in a society does not occur in a vacuum. In most colonized countries the process is linked with national liberation movements. In a conflictual situation, women understandably constitute the most vulnerable group. They become prey of multi-dimensional marginalization in terms of ethnicity, religion, class and gender. Economically they belong to the poorest section of the country (Chakraborty: 2004, p.5).

One such critical situation prevails in one South Asia the Balochistan province of Pakistan where insurgents and military forces are engaged with hundreds of causalities and thousands of injuries on both sides with enormous collateral damage. This is 5th apprising in this restive but strategically important province after a comparative respite after full-fledged insurgency during early 1970s. Although government claimed in December 2005 that insurgency will be quelled in one month but practically appeared to have failed even after seven months. On the contrary militant activities appear to be on rise in frequency and magnitude.

Latest phase of insurgency in Balochistan has worst hit women as a single group either directly killed or injured in the cross fire and air bombing. Such a situation has caused long term socio-psychological impacts on Baloch tribal women. Overall deprivation of the province has hit hard on the women as single group. Marginalization and historical backwardness as well fiercely independent nature of Balochs, and allegedly ill-planned and forced development projects by federation, difficult mountainous topography and prevailing frustration has aggravated the situation. Pakistani authorities blame neighboring countries Afghanistan and India for instigating the militancy to create instability in Pakistan, where as nationalist claim it a natural reaction to the deprivation and high handedness by the federal government.

**State Failure in Balochistan:**

States all over the world play important role in term of policy decision making and either directly implementing it or through facilitation to private sector. Therefore different state organizations play their crucial role and in case of their failures marginalized groups suffer critically. There is much to discuss the role of organizations and institutions playing their part in development and especially developing the human resources for it. The processes of human resource development are critical. The basic understanding of the Human resource development is inevitable not in isolation of the local wisdom and knowledge system. The fundamental error occurred so far is avoiding the local culture and indigenous system and practices in human resource development. Balochistan province in Pakistan is not exception. Where Overall deprivation of the province has hit hard on the women where they have least access to education and health facilities. In education Balochistan presents worst adult literacy with 51 % urban and 28 % rural and in case of gender it is 50 % male and only 12 % female. Dropout rate 49 % male and 41 % female is alarming.
Female literacy rate is only 17.6% as compared to 39.2% average in Pakistan. In case of rural female literacy it is only 7% as compared to 18% in Pakistan (SPDC: 2002-03, p.14). Infant mortality is highest 122 as compared to 108 averages in Pakistan. Outside Quetta only Turbat hospital can handle obstruct labor, therefore Maternal Mortality Rate (MMR) is the highest 500 per hundred thousand as compared to 380 averages in Pakistan. Crude Death Rate is also higher 7.5% in rural Balochistan as compared to average 7.1% in Pakistan. Crude birth rate 26.7% is also higher than 26.5% in Pakistan (SPDC: 2005-06, p.33). Health conditions are pathetic in Balochistan where 73% children are malnourished. 8. 28% of expectant mothers, 46% of lactating mothers and one third of per-school children consume less than 70% of recommended daily allowance of calories. A major contributory factor to malnutrition is the ill health of mother due to too many pregnancies. At least 87% of the rural population in Balochistan reported one sick family member, among the poor it was even 94% while the national average was 77%. Balochistan has an average of 7300 persons per doctor. Only Quetta is performing best with 1800 persons per doctor. 13 rural districts have more than 10,000 persons per doctor. Worst situation prevails in Barkhan with 50,000 people per doctor. Mosukhel and Awaran suffers similar situation. A study conducted by Women’s studies Center of Balochistan University in two districts namely Pishin and Mustung areas showed that longer the distance poor was the access of women to health. In communication language was an important barrier where women even could not express what kind of illness or symptoms she felt. Lack of privacy in term of entrance, seating and waiting area arrangements as well as check up in privacy also appeared to be the major impediments that caused women stay away from health facilities.

Availability of female health staff is even worst with only 15% doctors are female mostly based in Quetta with not a single female doctor in five districts. Out of 7200 paramedics only about 10% is female again mostly concentrated in Quetta. 10 Three districts do not have any female staff. Limited mobility of women in general and unequal gender distribution of medical staff contributes to relative poor access to health services. Among other factors distance from health hospitals is major reason followed by lack of communication with the male staff and issue of privacy are the major reasons keeping women away from the health facilities.

**Resources Vs Development**

The Baloch leadership blame that the billions of rupees that have been spent on the five military operations to date from the day of Pakistan’s inception, if these were utilized in the development of natural resources, socio-economic development of the people, their education and healthcare—Balochistan by now would have become the most prosperous province of the federation, contributing

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6 The 1998 Population Census Social: Policy Development Center, Karachi
7 Sirajul Haq, Dr. 2002, Baseline Survey for family Planning Association of Pakistan 2002, Islamabad, Pakistan
8 National Nutrition Survey 1988
9 Pakistan Integrated Household Survey (PHIS) and Health Management Information System.
10 Jahangir Khan Achikzai: Women’s poor accessibility to health services in rural Balochistan, monthly Balochistan Today, June 2006 issue.
a major chunk of its hitherto unexploited natural resources to the national exchequer, to be used in the development of other less endowed provinces with a view to sharing fruits of prosperity with the largest number of the people. Today the ironic situation is that gas produced in Balochistan is moving the wheels of 75\(^{11}\) percent of industry in Punjab and rest of the country and also keeping the fire in the kitchens going while its own people are denied of its use.

**Mishandling of political unrest:**

Handling of Balochistan insurgency by Pakistani authorities has been very controversial and criticized by large number of politicians five former Prime Ministers, and strategist including three former military Generals/ head of Inter Services Intelligence i.e. Gen(Retd) Hameed Gul and Gen (Retd) Asad Durani\(^{12}\) and General Mirza Aslam Baig.

Analyst report that six Pakistani Army Brigades and paramilitary forces totaling 25000 men are battling against Baloch Liberation Army (BLA) only in Kohlu and surrounding areas. Pakistan Human Rights Commission reported that indiscriminate bombing and strafing by 20 US supplied F-16 jet fighters resulted 215 dead and hundreds more women many of them women and Children.\(^{13}\)

Of Balochistan's 28 Districts, the 16 that are most strategic and important in terms of natural resources are now directly affected by the insurgency, and constitute an acute security problem for Islamabad. Contrary to General Musharraf's assertion that only three of the 78 tribal chiefs in the province were "troublemakers", insurgent attacks have left no part of the province unaffected. There has also been a continuous series of bomb and rocket attacks on gas pipelines, railway tracks, power transmission lines, bridges, and communications infrastructure, as well as on military establishments and governmental facilities and enterprises over the past 12 months. According to open source information monitored by South Asia Terrorism Portal, in 624 insurgency-related incidents, at least 197 civilians, 60 security force personnel and 92 insurgents have died, and 559 people have been wounded in the Province during 2006 alone (till August 20, 2006). There have been 353 arrests in the year, thus far. However, given Islamabad's understated accounts, the suppression of the Press and erratic reportage from this poorly covered region, the actual numbers could be much larger.

Intense counter-insurgency operations did, however, bring three brigades, backed by helicopter gunship, into the Bugti and Marri areas, leading to a temporary dispersal of the insurgents into the relatively inaccessible hills, and a consequent lull in their operations. This, however, was rapidly reversed, and just a month after Islamabad's massive military operations in the Province, the insurgents appear to have regrouped to resume attacks on a variety of state installations worth mentioning is Rocket attack on Balochistan Assembly in 2\(^{nd}\) week of November 2006, rocket attacks on security posts in Quetta, maski,
Kohlu and Dera Bugti on January 26, 2007. In such recent attacks on Gawadar Port and Pear Continental Hotel, Gawadar on February 2, 2007 and rocket attack on Turbat airport on February 4, 2007 and railway tracks were blown in bordering district of Punjab i.e. Dera Ghazi Khan on February 5, 2007.

With the Army now assuming a dominant role in counter-insurgency operations, there is the inevitable escalation of ‘collateral damage’. According to BBC, the Pakistani Air Force Chief has acknowledged that fighter jets have been used in Balochistan against ‘the insurgents’. Baloch sources claim that the weaponry being used includes helicopter gunship; fighter jets, heavy artillery and missiles, and civilian concentrations have frequently been targeted. Many innocent civilians, including women and children, have been killed or have “disappeared”. Numbers on this aspect are hard to find given the complete clampdown on reportage and information flows from Balochistan.

Amnesty International (AI) supported the HRCP charges of scores of arbitrary arrests and detentions, extra-judicial executions, torture, and “disappearances”, and the excessive use of force by security and intelligence force in Balochistan since early 2005.

**Isolation Political & Democratic Parties:**

Establishment’s alleged handling of elections in Balochistan isolated nationalist parties who believe in the parliament process for negotiation to bargain for provinces’ legitimate share in the resources. Democratic norms seems eroded and only few apple of the eye are got elected depriving people of their real presentation in legislature.

Among them National Party playing defensive, Nawab Bugti already killed in the mountains and Sardar Akhtar Mengal arrested and his father Sardar Attaullah Mengal’s recent confession that now the negotiation power rests with the militants only are the important developments worth reckoning and remind us of the gravity of the situation. Among government allied parties BNP (Awami) stand divided in response to the changing situation and the party leader and elected senator Mr. Muheim Khan Baloch resigned from the party. Muslim League too is facing similar dilemma and no one comes with clear expression on the situation, during whole the Bugti debacle and Kahan operation, journalist could not find any Muslim Leaguer to comment. Establishment was only presented by Mr. Raziq Bugti Media Coordinator to Chief Minister Balochistan and Abdul Samad Laasi District Coordination Officer Dera Bugti. Even the pro-government Jamali family and provincial Interior Minister Shoab Nowsherani chose to keep silent. On the other hand the Recent Baloch Jirga convened in September at Kalat under Khan of Kalat Sulaiman Daud has declared to

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16 ARY TV News bulletin February 5, 2007
17 Sindh TV, Talk show, Dialogue August 28, 2006
18 Jirga is the congregation of tribal leaders in Pakistan and Afghanistan to discuss and decide the local and inter tribal issues.
challenge Balochistan’s accession with Pakistan\textsuperscript{19} which has been supported by other leadership as well. Pushtoon population ad Hazaras too chose to be silent and the progressive pushtoons joined Balochs in protest against killing of Nawab Bugti.

Sardar Attaullah Mengal has already expressed of a single Baloch party and it will be operating underground\textsuperscript{20}. Meanwhile militants seem gaining ground and the democratic parties and those who believed in parliamentary process losing very fast.

Mr. Aslam Bhutani a Muslim Leaguer and Deputy Speaker provincial assembly has been bitterly criticizing government policies and as a result has been implicated in various cases including planting bombs in the house of Abdul Samad Lasi.

Mr. Jan Mohammad Jamali, Depty Chairperson Senate expressed that after creation of Bangladesh two-nation theory the foundation of Pakistan is no more valid. He warned the government not to be complacent and till the Baloch get their legitimate rights government will face attacks from Baloch militants\textsuperscript{21}. He has been also very critical of Intelligence reports which according to him are biased and mostly baseless, illustrating reports on his personal activities that although he is not a smoker, agencies reported him to be a regular drinker\textsuperscript{22}.

**Rising Militancy**

Militants in Balochistan appear to have trapped forces on the war ground of their own choice. Forces have been hunting them down but the magnitude, frequency and increased area of activities show that their defiance and influence graph has been rising. Average 16 hours power load shedding, regular road blocks and halt in railway operation is the order of the day, that all remind people of, and create an aura of presence of those behind such activities. Militancy seems not affected due to Bugti killing as he has never been the part of it and his recent joining resistance force can be taken as a wind fall for those engaged in this process for the last many years.

A fair measure of the insecurity and fear that prevails in the province is visible in the fact that few civil administrators and police officials are willing to accept a posting there, despite generous incentives. Reports indicate that even attractive employment incentives have failed to convince federal officials to serve in the beleaguered province, and some have even been charge-sheeted for the refusal to join duties. These evidences give an impression of the level of state fragility prevailing in that part of world that does not augur well for other neighboring countries. This conflict seriously affects Pakistan’s fragile situation that appears most threatened with its integrity not only from external events and internal factors, which may prove be lethal for

\textsuperscript{19} Daily Dawn Karachi, September 13, 2006
\textsuperscript{20} Daily Intekhab (Urdu), Hab, Balochistan, October 27, 2006
\textsuperscript{21} ARY TV news bulletin 8.00 pm December 2, 2006
\textsuperscript{22} Daily Jang, Intekhab & Tawar Karachi, January 20, 2007
very the foundation of the state. Law and order situation already hopeless and the writ of the government is shaken. Society is polarized where smaller nationalities are restive. Poverty and unemployment is haunting a vast majority. The net result is almost total alienation of the majority of population with government, state and its affairs.

Impacts on Pakistan:
Due to violence in Balochistan and it's over all sociopolitical and economic impacts the country is leading towards social instability. Present disharmony, sectarianism, intolerance, religious fundamentalism, tribal and urban discontents due to combination of these factors, are showing serious psychological affects on population, the long-term repercussions may be disastrous and unrectifiable.

Political institutions are also in ruins. Political analyst blame that successive military regimes through concerted efforts have managed to block the development of political institutions and genuine political personalities. Minority nationalities in Pakistan including Balochs have been aspiring for a just partnership in state affairs and its resources, which are allegedly being controlled by Punjab and modern print and media have released tones of literature on this issue.

Political economy of Balochistan conflict will show that it’s a costly affair for this country in term of regular expenses incurred on the forces, logistics, lives lost on both sides, stagnant economic activities and diplomatic failures worldwide, let alone the uncertainty and long term psychological effects.

It will not be out of place that Pakistan’s ranking from 34 to 9 as a failed state may have some kind of link with this conflict. Because this conflict seems spread over almost 45% of its territory.

Pakistan and Afghanistan are among the world’s top 10 most vulnerable states, according to a new study. The report - compiled by the US Foreign Policy magazine and the US-based Fund for Peace think-tank - ranked 146 nations according to their viability.

Judged according to 12 criteria, including human flight and economic decline, states range from the most failed, Sudan, to the least, Norway. Bangladesh, Nepal and Sri Lanka are rated 19th, 20th and 25th respectively.

According to the report, Pakistan’s downfall from last years 34th rank to the 9th position is mainly attributed to its inability to police the tribal areas near the volatile Pak-Afghan tribal border region, the devastating earthquake last October in PoK and NWFP and rising ethnic tensions across the country.

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25 The term PoK is used for Independent Jammu & Kashmir (AJK) which some circles refer as Pakistani occupied Kashmir.
The second annual failed states index is based on tens of thousands of articles from different sources gathered over several months in 2005 and reviewed by experts, the report authors said.

According to the report, a failing state is one in which the government does not have effective control of its territory, is not perceived as legitimate by a significant portion of its population, does not provide domestic security or basic public services to its citizens, and lacks a monopoly on the use of force.

The index measures vulnerability to violent internal conflict. It is an index of country risk, not of countries that have already failed.

REGIONAL IMPACTS:

Balochistan’s geography influences the power politics of the regional powers and their spheres of influences, territorial expansion, and propagation of ideologies, military intervention, coercion, and application of economic aid to create dependency, confusion and instability.

Balochistan’s military significance has always been great; it derives its importance from its central location, its difficult terrain and war like habits of the Baloch. It is vital to the defense of Pakistan and by implication to the defense of Iran, Afghanistan and India, indeed, the entire region.

Former President Richard Nixon while dealing with Soviet occupation of Afghanistan described Balochistan as a “zone for instability”. He perceived that the next probable target of Soviet aggression would be Balochistan (Harrison: 1981). He noted growing political unrest among the Baloch. Serious observers of the contemporary scene cannot miss the significance of certain new, or altered geopolitical realities vis-à-vis Balochistan which will impinge upon, and help shape of future history of Pakistan and the region.

Across border intervention from Balochistan into Afghanistan and vice versa has been widely debated subject and an open secret. The Jihad against Soviet occupation followed by internecine war, control by Taliban and post 9/11 scenario and president Hamid Karzie’s NATO supported regime has felt effects of activities from Balochistan in addition to NWFP.

To finance the Afghan Jihad alleged drug trafficking were carried through Balochistan’s bare desert route into Iran, Turkey, Syria, Egypt, Greece and many other European countries. (Cooly:2000, p.81)

Western media, based on the Afghan government allegations, has been very critical of Pakistan for allegedly destabilizing present Afghanistan government. Such apprehensions were already expressed in some reports after the fall of Taliban. Some analysts say Baluchistan could become a rallying point from

26 Taliban build base inside Pakistan:
which militants could launch a guerrilla campaign against post-Taliban government should they be ousted from Afghanistan and blame that Taliban infiltrators are quietly colonizing Pakistani border areas and setting up a logistics base which is being boosted by volunteers, medical treatment, cash and food (Rory Carroll: 2001, p2).

Quetta\(^{27}\) remains a centre of fundamentalist learning. Madrasas run by Jamiat Ulema-e-Islami, a radical Islamist party, helped incubate a generation of Taliban fighters in the 1990s. Today the schools are still open and their leaders based in Quetta are unapologetic.\(^{28}\) This will result in reaction from Afghans to retaliate.\(^{29}\)

This sort of activities deserves serious attention of strategist who proclaims Pakistan as their first priority.

In addition so-called war on terror in neighboring Afghanistan, US-Iran tension an other potential conflict in adjacent borders, competition between China & India in the region implies potential threats to the regional instability.

The violence in Zahidan the provincial capital of Seistan-Balochistan in Iran has a recent critical development, where militants from ethnic Baloch minority have started responding to Iranian regime’s repressive policies. It will be important to mention that dozens of Baloch youth have been publicly hanged in recent months on the charges of subversive and anti-state activities. In February People’s resistant Movement of Iran(Former Jindullah) headed by Abdul Malik Reigi inflicted heavy damages on state forces including bombing of bus carrying Revolutionary Guards and killed around 18 soldiers and injuring dozens. They have also been kidnapping the officials to be exchanged for their comrades.

Iranian government has been blaming that Baloch militants have been coordinating with their counterparts across the borders in Pakistani areas.

Balochistan coastal belt and terrain falls between the future trade routes and supply lines for the Central Asian energy resources through either Afghanistan or Iran for the consumption of world community. Whatever amount is invested for the development of these resources all will go down the drain without ensuring instability in this area. Sustainable Stability can not be ensured without friendly inhabitants of the region. Present policy of subjugating the local tribal people through the use of force appear to be not only very costly but equally unsuccessful. This experience has been time and again repeated for the last six decades. Therefore it may be in the fitness of things to negotiate with the local representatives and a viable future strategy should be devised for sustainable development of the area and region.

**Conclusion:**

State authorities should reconsider their position and instead of resorting to traditional method of use of force, should introduce inclusive methods of development in consultation with local representative political parties and must

\(^{27}\) Quetta is provincial capital of Balochistan with majority of Pushtoons and Hazara ethnic groups living across the borders.

\(^{28}\) How to find the elusive Taliban:

http://www.guardian.co.uk/afghanistan/story/0,,1366184,00.html

\(^{29}\) Daily Tawar (urdoo) Mastung, Balochistan, November 6, 2006.
initiate reforms including administrative, resource sharing, and demilitarization of the province. State should on priority basis improve the social indicators in the province by earmarking special funds to be invested on health, immunization, nutrition, education water supply and sanitation followed by step by step decentralization of powers to be delegated to elected or nominated representatives by the local population. Instead of forced development projects state should introduce small scale large project ensuring the participation of the locals which will remove their apprehensions of turning into minority.

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(Researcher is a policy analyst. He has worked as social organizer for women,
peasantry, labor force, and students against the military dictatorship during mid
1980s. He has also conducted workshops, lectures and trainings for the
peasantry and farmers, NGOs and students groups for integrated development.
Has attended forums in and outside Pakistan and write research and journalistic
articles to highlight the human rights issues aimed at understanding and
resolution of the local and regional conflicts. He is trainer and currently carrying
MS/PhD research.
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Foundations and Dynamics of Genuine Federalism in Pakistan
(A Letter written to PML-N President by Awami Tehreek)

Dear Mohammad Nawaz Sharif Sahib,
President Pakistan Mulim League (N)

I am in receipt of your letter dated 19.12.2006 embodying your proposal for bringing all political democratic forces under one umbrella on a minimum common agenda along with the proposed three point agenda.

It is indeed heartening to find that in spite of all the heart-breaking and frustrating failures and betrayals of the past during the course of similar noble and high-minded collective democratic initiatives and ventures, each time finding our-selves thrown back to square one through our inability to resist petty temptations, our inability to persist and preserve in and remain true to our great cause till the job is done, there are still people like you who have not given up hope and dared to put up your trust in the ultimate wisdom, sagacity and fortitude of our people, our workers and leaders, that this time no one will be allowed to break ranks and all will persevere in this great adventure till our success is achieved.

Awami Tehrek and I congratulate you on behalf of the people of Pakistan in general and of those of Sindh in particular for your apparent refusal to loose hope, refusal to surrender, refusal to make unworthy compromises and your determination to hold the banner of resistance to usurpation, tyranny and dictatorship. I have not the least doubt that what ever the obstacles and what ever the immediate results, if you don't abandon your manifest bold and farsighted patriotic stand, don't slack in your persistent efforts for uniting all the genuine democratic forces who can be united and retain your firm trust in the justice of our cause and certainty of our eventual victory, there is absolutely no reason why we should not achieve our noble historic goal of emancipation from alien subjugation, internal dictatorship and tyranny and achieving democracy on the basis of righting the wrongs inflicted on our peoples during the last so many decades.

I would take this opportunity to inform you that we in Sindh province find that our present rulers are determinedly bent upon destroying the very existence of Sindhi people for ever. Through their long planned multi-pronged, multi-stage terrorist measures, they have deprived us of our right to rule our Sindh province. They have taken away our lands, our water, our livelihood, our jobs, our education, our security of person and property, our very right to live as human beings. Through their armed gangs of urban and tribal terrorists and dacoits and police under the command of hostile terrorist rulers artificially imposed upon us, our youth and women folk are being slaughtered under the garb of tribal feuds. Our jobless and unemployed men, young and old, have been reduced to the plight of seeing no way to live with self respect and many are seeking liberation from this veritable hell through taking their own life.

Our people firmly believe that no form of democracy, federalism or so-called rule of law which does not liberate the people from the domination of alien masters and their local stooges, from national subjugation and oppression, does not stop the
slaughter of women, state abductions and murders of political workers and does not restore the human and national rights, resources, honor and dignity of all the deprived, oppressed, humiliated and right less people of the country, specially those belonging to weaker and deprived sections of the population including women, religious minorities and the oppressed, looted and subjugated peoples of the smaller nationalities constituting this multi-national enslaved state.

In spite the fact that the state is in severe crisis and federation does not exist in its true spirit and structure and we firmly believe that the crisis could only be resolved if the foundations of state are laid on the basis of 1940 Lahore resolution which was the rationale of agreement among the then potential constituent federating units of Pakistan. Unfortunately the history of Pakistan is a sheer betrayal of that agreement and political contract which not merely continues but goes worst day-by-day. You might know the fact that the Muslim League was not a separatist party in united India and it fought a long political war against strong center. Muslim league out rightly rejected 1935 India Act and demanded provincial autonomy but after when Pakistan came in to being Quaid Azam's vision for Pakistan was betrayed criminally and shamelessly by the alien rulers; strong authoritarian center was imposed in the name of federation that was against the spirit of long struggle of Muslim league in united India.

Though many have loosed the hope but if we sincerely and honestly try to find the solution of crisis of today's Pakistan, we firmly believe that:

- In accordance with the fundamental principles of democratic federalism and basic norms of civilized rules, people should control their guns and gunmen and never allow their guns and gunmen to dominate, control and rule over them under any pretext what so ever. They should deem it their sacred national duty to throw out an attempt at imposing military rule, each time it pokes its nose in national affairs and stop such attempts for ever. The present ruling military clique should be promptly dispatched to their barracks to perform their primary job to defend their country.

- Sindh, Balochistan, NWFP, Punjab and Bengal were recognized in the founding constitutional contract of Pakistan wiz the 1940 Lahore resolution, as the thousands years old homelands of their peoples vis the Sindhis, Balochos, Pushtuns, Punjabis and Bengalees. None of the above historic owners of these homelands should be deprived of their historic right to continue to own, hold and rule over their homelands, thorough demographic aggression or any other political mechanisms or administrative juggleries. The terrorist MQM rule over Sindh, the homeland of Sindhi people under the cover of bogus coalition with local traitorous, wadera stooges, should be thrown out and this bunch of terrorists never be allowed to lord over the destinies of the Sindhi people or to loot and plunder their resources as they are doing now.

- The present unitary system should be replaced by a federation holding three subjects e.g. Defense, foreign policy and currency and the remaining subjects should be handed over to the respective provinces along with full authority over their fiscal and natural resources.

- There should not be any direct and indirect, visible and invisible intervention by the center in provincial matters through military interventions, so-called federal political offices, and bureaucracy and intelligence agencies.

- Due to the structural imbalances senate should be made more powerful than the national assembly for all kinds of legislation and decision-making at federal level.
• Office of the Governor should be abolished constitutionally because it has always been used and exploited as the tool of intervention in provincial matters.
• Provinces are not merely administrative units but they are historical homelands of the respective indigenous people and they were the constituent units which created Pakistan on the basis of 1940 resolution. So the state has no constitutional or moral right to redesign the geographical boundaries of provinces against the wishes of the concerned indigenous people especially the Sindhi people must not be deprived of their historical right to rule over their mother home land Sindh.
• The rights and resources of the people including those of the smaller provinces especially those of Sindh have been subjected to tremendous loot and plunder during the past decades dominated by long spells of military dictatorships. Due restoration and compensation has to take place if justice and fair play are to have any meaning in this context.
• We are not unaware of the fact that it is easier to enumerate and lament the wrongs than to achieve their redress. It cannot be done at one stretch. It needs protracted and persistent honest and valorous struggles. A long journey starts with the first small steps.

Despite the fact that the crisis of the state can never be properly resolved without addressing the above mentioned pre-requisites, we are aware of the fact that this goal needs a long and continuous struggle to achieve the emancipation of our people in the light of Quaid’s vision of a sovereign, democratic, truly federal and progressive Pakistan. We believe that military domination in almost all the state affairs; be it political, economic or social and diplomatic has emerged as the major source of conflict and threat to the integrity of Pakistan. In this view of the matter we agree that prompt and effective end of the destructive rule of the military autocracy is the uppermost need of the hour, if real sovereignty, democracy, federalism are to be established and to thrive in this country of ours. There is a dire need to unite the entire democratic forces and people of Pakistan on one point agenda to root out the basis of military domination in all state affairs except their professional domain i.e. defense. We expect and hope that the APC under your auspices can lay the foundation for a successful struggle for achieving the above noble goals.

I am sure you would find the people of the whole country including Sindh ready willing to march and capable of marching forward with their brothers and sisters of all other oppressed nationalities and classes on the road leading to the goal of our common emancipation, progress and dignity.

Sincerely Yours,

Rasool Bux Palijo
President Awami Tehreek
Hyderabad, Sindh
Pakistan.
Pakistan - Human Rights Practices- 2006
(Sindh and Balochistan)

Excerpts from Country Reports on Human Rights Practices - 2006

[Released by the Bureau of Democracy, Human Rights, and Labor, Department of State, United States of America. March 6, 2007]

“Pakistan is a federal republic with a population of approximately 168 million. The head of state is President Pervez Musharraf, who assumed power after overthrowing the civilian government in 1999 and was elected president in 2002. He affirmed his right to serve concurrently as chief of army staff in August 2002 through a series of controversial amendments to the 1973 constitution called the Legal Framework Order. The head of government is Prime Minister Shaukat Aziz, whom the National Assembly elected in 2004. Domestic and international observers found the 2002 National Assembly elections deeply flawed. The government was affected by internal conflicts in Balochistan and in the Federally Administered Tribal Areas (FATA). While the civilian authorities generally maintained effective control of the security forces, there were instances when local police acted independently of government authority.

The government's human rights record remained poor. Major problems included restrictions on citizens’ right to change their government, extrajudicial killings, torture, and rape. The country experienced an increase in disappearances of provincial activists and political opponents, especially in provinces experiencing internal turmoil and insurgencies. Poor prison conditions, arbitrary arrest, and lengthy pretrial detention remained problems, as did a lack of judicial independence. Harassment, intimidation, and arrests of journalists increased during the year. The government limited freedoms of association, religion, and movement, and imprisoned political leaders. Corruption was widespread in the government and police forces, and the government made little attempt to combat the problem. Domestic violence and abuse against women, such as honor crimes and discriminatory legislation that affected women and religious minorities remained serious problems. Widespread trafficking in persons and exploitation of indentured, bonded, and child labor were ongoing problems. Child abuse, commercial sexual exploitation of children, discrimination against persons with disabilities,
and worker rights remained concerns.

The government's Anti Trafficking Unit (ATU) was fully functional and reportedly resulted in increased arrests and prosecutions of human traffickers. Cooperative efforts between the military, ATU, and international organizations prevented human trafficking resulting from the social dislocation following the 2005 earthquake. Training efforts within the security forces greatly improved treatment of trafficking victims.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

Arbitrary or Unlawful Deprivation of Life

Security forces extra judicially killed individuals associated with criminal and political groups in staged encounters and during abuse in custody. Through July, human rights observers reported at least 37 instances of encounter killings and 79 killings in police custody.

Police stated that many of these deaths occurred when suspects attempted to escape, resisted arrest, or committed suicide; however, family members and the press reported that many of these deaths were staged.

There were no developments in the March 2005 death in custody case of Samiullah Kalhoro, the vice chairman of the Jeay Sindh Muttahida Mahaz.

There were no developments in the January 2005 death in police custody of Abu Bakar Panwhar. A case was charged against Officer Mohammad Rafiq Siyal, Senior Inspector Khamiso Khan, assistant senior inspector Ghulam Shabbir Dasti, and Police Constable Mohammad Aslam after protests by the Sindh People's Students Federation and the Pakistan People's Party Parliamentarians………………”

“……….In Balochistan, according to nongovernmental organizations (NGOs), 119 civilians and 57 members of the security forces died as a result of the ongoing insurgency. The government claims approximately 125 Balochistan Liberation Army militants were killed.

According to Amnesty International (AI) and Human Rights Commission of Pakistan (HRCP), local people in Balochistan demanded a greater share of the revenue generated by their province's natural resources. They resented the slow pace of economic development and persons who settled there from other provinces. A number of Balochi groups sought more rights for the province and campaigned peacefully, while others resorted to violence.
On August 26, militant Baloch nationalist leader Nawab Bugti, 35 of his followers, and 16 military officers and soldiers were killed in an explosion inside a cave in Balochistan. According to the media, Bugti and his followers were killed when the Air Force bombed Bugti's hideout. The media reported that 16 soldiers died in the ensuing battle. The government stated the officers were trying to reach Bugti to speak to him when an unexplained explosion caused the cave to collapse.

There were reports of politically motivated killings perpetrated by political factions.

There were numerous political killings reported in Karachi, where political parties Muttahida Quami Movement (MQM) and Jamaat e Islami (JI) accused each other of killing political rivals. According to MQM sources, JI activists killed 18 MQM active members. JI accused MQM of killing 11 JI activists. Human rights observers reported that the total politically motivated death toll in Karachi was 31 (see section 3).

“........Honor killings continued to be a problem, with women as the principal victims. During the year local human rights organizations reported between 1,337 and 1,511 cases. Most took place in Sindh. Many more likely went unreported (see section 5).

Disappearance

“........There was an increase of politically motivated disappearances. Police and security forces held prisoners incommunicado and refused to provide information on their whereabouts, particularly in terrorism and national security cases.

AI cited a report issued by HRCP in late January, which found "scores of cases of arbitrary arrests and detention, torture, extrajudicial killings, 'disappearances' and uses of excessive force by security and intelligence forces committed in Balochistan since early 2005." AI cited a January statement by self-exiled Senator Sanaullah Baloch, who noted that at least 180 people died in bombings, 122 children were killed by paramilitary troops, and hundreds of people were arrested since the beginning of the campaign in early 2005.

According to the NGO Asia Human Rights Commission (AHRC), during the year more than 600 people disappeared after being taken into custody, including 200 persons from Sindh. AHRC reported that in Balochistan, 1,000 persons had been killed since military operations began in 2001. According to a statement by the federal minister for internal affairs, more than 4,000 persons were arrested in Balochistan since the beginning of 2005, although many were released shortly after their arrests.
NGOs such as AI and AHRC reported that the government increasingly used the war on terror as an excuse to arrest and detain political opponents. They noted the judiciary’s inaction in answering habeas corpus orders filed by family members. According to AI, "The practice of enforced disappearance, which was rare before 2001, has become more common in contexts besides the 'war on terror.' Over the past two years, dozens of Baloch nationalists are believed to have been subjected to enforced disappearance and there are recent reports that leaders of Sindhi parties and members of the Shi'a minority have as well."

Families of some missing Baloch and Sindhi nationalists have petitioned the courts for redress, claiming that government agencies held their relatives without due process. On November 10, the Supreme Court ordered the Ministry of Interior to disclose the whereabouts of 41 illegal detainees. Since then, 25 have been released, according to the government, although human rights groups have only accounted for 18……"

“…………According to AI, security forces detained two leaders of a Baloch political party, the Jamhoori Watan, Abdul Rauf Sasoli, and Saeed Brohi. On February 3, two plainclothes police officers picked up Sasoli, and on March 10, they picked up Brohi. According to AI, authorities denied holding the individuals. Family members feared that they were being held and were in danger of being tortured.

On February 24, a group of 16 men, presumed to be plainclothes police officers, seized Dr. Safdar Sarki, an American citizen and a Sindhi nationalist, in Karachi. According to AI, witnesses saw Sarki being taken in a van, "blindfolded and bleeding." AI reported that police ransacked Sarki's apartment and took his laptop computer and passport. Sarki was the secretary general of the Jeay Sindh, a Sindhi nationalist political organization advocating for the rights of Sindhi citizens.

On April 4, Muneer Mengal, managing director of the first Baloch satellite television channel, disappeared after he returned to Karachi from Bahrain. His sister, Aziza Mangal, reported that the government did not accept her appeals and petitions to gain access to her brother, who was reportedly being held by the Inter-Services Intelligence. At the end of the year, his whereabouts remained unknown.

On June 11, police arrested Naser Baloch, a Baloch student leader at Karachi University. Security agencies detained Baloch and did not bring any charges against him. On August 19, police released Baloch.

In early July, Bilal Bugti, the younger brother of Jamhoori Watan Party Secretary General Agha Shahid Bugti, and Murtaza Bugti, the son of Balochistan's first finance minister, Ahmed Nawaz Bugti, were allegedly kidnapped by intelligence agencies in Karachi.
On July 16, intelligence agencies arrested Samiullah Baloch and Obaidullah Baloch, brothers of Senator Sanaullah Baloch Zehri (Baloch National Party). Authorities released Obaidullah Baloch on July 19 and Samiullah on December 10. Both brothers allegedly reported being tortured while in custody.

In 2005 political opponents kidnapped Moto Meghwar and Gyan Chand Meghwar, potential candidates for local office in Chachro, Tharparkar District, reportedly to keep them from contesting the elections against candidates of the chief minister of Sindh Province. They were both released unharmed in January, and no charges were brought against their kidnappers…….”

“…………On December 3, during a protest in Karachi against the death of Baloch leader Akbar Bugti during a military operation, police arrested two Balochi political party leaders, Ghulam Muhammad and Sher Mohammad Baloch of the Janhouri Watan Party. On December 6, family members filed a habeas corpus petition on behalf of the two disappeared politicians with the Sindh High Court. Sher Muhammad was later released, but Ghulam’s whereabouts remained unknown at year’s end.

There were no developments in the December 2005 disappearance of 18 members of the Pakistan Petroleum Workers’ Union from Balochistan who had gone to Karachi for negotiations with their management or the November 2005 disappearance of Dr. Hanned Shareef, a writer, medical doctor, and member of the Balochistan Student Organization……..”

Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

“........During the year, the NGO Lawyers for Human Rights and Legal Aid recorded 1,513 cases that they labeled torture. The NGO Asia Human Rights Commission reported approximately 1,319 cases of torture during the year. In May the NGO reported over 1,250 cases being committed during the previous 16 months, with most reported in Punjab and Sindh. Punjab had 743 cases, Sindh had 503, eight were reported in Balochistan, 43 in NWFP, and 23 in Islamabad. Torture occasionally resulted in death or serious injury (see section 1.a.)……..”

Prison and Detention Center Conditions

“........Landlords in Sindh and Punjab, as well as tribes in rural areas, operated illegal private jails. According to a BBC report, a religious seminary in Haripur, NWFP, headed by Maulana Ilyas Qadri was used as a private “jail” to treat drug addicts. In October police raided the seminary and freed 112 persons, including seven British nationals. Police reported that they were held in chains. Some bore signs of torture and sexual abuse……..”
Arrest and Detention

“…………Several dozen Mohajir Quami Movement Haqiqi (MQM H) activists, arrested between 1999 and 2003, remained in custody at year’s end, some without charge for violent acts against members of other parties as well as expressing views critical of the government. MQM H claims that their enemy, the MQM, is behind these delays………..”

“…………In June 2005 the government assigned a security detail to Mukhtiar Mai (Mukhtaran Bibi), at her request. Mai was concerned for her safety following the court-ordered release of five men convicted in her 2002 gang rape ordered by a village council because of an alleged infraction committed by her brother. Human rights groups claimed that when the government learned Mai wished to travel abroad to speak publicly of her experience, the protection detail controlled her movements and communication, such that she was under virtual house arrest. The Supreme Court later intervened and suspended the acquittals of the five men as well as the eight who were acquitted in the original 2002 trial. All remained in custody………..”

Denial of Fair Public Trial

“…………Feudal landlords in Sindh and Punjab and tribal leaders in Pashtun and Baloch areas continued to hold jirgas (local councils), at times in defiance of the established legal system. Such jirgas, particularly prevalent in rural areas, settled feuds and imposed tribal penalties on perceived wrongdoers that could include fines, imprisonment, or even the death sentence. In Pashtun areas, such jirgas were held under the outlines of the Pashtun Tribal Code. Under this code, a man, his family, and his tribe are obligated to take revenge for wrongs real or perceived to redeem their honor. Frequently these disputes arose over women and land and often resulted in violence. In the tribal areas, the settling of many family feuds, particularly over murder cases, involved giving daughters of the accused in marriage to the bereaved (see section 5).

Many tribal jirgas instituted harsh punishments such as the death penalty or watta-satta (exchange of brides between clans or tribes) marriages (see section 5).

The Supreme Court had a history of annulling the rulings and validity of the military courts trying civilians. A civilian prime minister, Nawaz Sharif, established military courts in 1998 to dispense "quick justice.” The human rights and the lawyers’ community appealed to the Supreme Court to invalidate military courts on the grounds that they operated outside the rule of law. A 1999 Supreme Court decision invalidating military courts was not implemented. The Supreme Court continued to attempt to nullify military court decisions involving civilians. However, this was often difficult since judges were under an oath required by the 1999 Provisional Constitutional Order, which forbids court review of actions taken by the chief executive (President Musharraf’s title at the
time) or his designees…….”

Political Prisoners and Detainees

“……………Some political groups claimed their members were marked for arrest based on their political affiliation (see sections 1.c. and 1.d.). In 2001 police arrested Syed Yousaf Raza Gilani, a former speaker of the National Assembly and an accountability court in Rawalpindi charged Gilani with misusing his position. On October 5, Gilani was released on bail. Pakistan Muslim League-Nawaz (PML N) leader Javed Hashmi remained in jail, sentenced to 27 years on sedition charges in 2004 after reading in the cafeteria of the National Assembly a letter critical of the military. His appeal was ongoing at year's end.

According to Baloch nationalist political leaders and human rights organizations, there were more than 500 Baloch nationalist political prisoners who had been detained by military intelligence and security forces since the military operation began in the province in December 2004. The exact number of the prisoners was not available. The government denied imprisoning people because of their political beliefs, but it was commonly and widely believed that there were hundreds of Sindhi and Baloch nationalist leaders and activists imprisoned without any formal charges………..”

Freedom of Speech and Press

“…………There was an increase in government arrests, harassment, and intimidation of journalists during the year. According to the NGO AHRC, the government banned three FM radio stations and two television channels, although service was restored after protests from civil society.

According to Internews, an NGO that monitors the state of the media in the country, there were 127 attacks against the media and journalists during the year. By the end of the year, at least five journalists had been killed; nine abducted (of which seven were later released without charges being filed against their abductors); 191 attacked, beaten, tortured, or shot at; 45 arrested; four jailed; and 13 threatened. In addition 15 publications, 3 television channels, and 23 Web sites were temporarily banned; three newspaper presses were raided; one FM station was sealed. Seventeen journalists and media organizations were going through court cases; 30 were prevented from covering official functions; and 11 newspapers or magazines were denied state-sponsored advertising from public funds for being critical of government policies. Internews believed that many cases were not reported because journalists in small cities and towns functioned at the mercy of local authorities and were reluctant to complain of intimidation, even if they knew where to register their problems………..”
“……….On May 30, Munir Ahmed Sangi, a cameraman for the Sindhi-language Kaswish Television Network, was killed while covering a gunfight between members of the Unar and Abro tribes in Larkana. According to the Pakistan Federal Union of Journalists, Sangi may have been deliberately killed by the Unar tribe since he had been reporting on their tribal council.

On June 6, men associated with a provincial minister, Sohrab Sarki and a member of the National Assembly from the Pakistan's People's Party party, Bijarani, beat and ransacked the office of a journalist named Sarmad who worked for a Sindhi television station. Sarmad had reported on the outcome of a jirga decision related to a 12-year-old murder case. The jirga, which included the local feudal landlords and district mayor, had ordered the murderers to hand over five girls not exceeding the age of 10 to the members of the deceased family as compensation.

On July 2, police arrested Mehruddin Mari, a reporter for the Sindhi language newspaper the Daily Kawish who had reported on human rights abuses at a police roadblock near Golarchi, in southern Sindh. Other reporters witnessed the police picking up Mari. At the end of the year, Mari remained missing…….”

“……….On November 8, PEMRA allegedly verbally instructed cable operators throughout the country not to transmit a Bangkok-based television network, Sindh Television. According to AHRC, the Sindhi channel had gained popularity for highlighting government mismanagement. In late October the channel had broadcast a satirical show about high-level government officials, including the president and prime minister……”

Internet Freedom

“……….While there were no reports that the government limited public access to the Internet, it attempted to control some extremist and Baloch separatist Web sites based in the country. Telecom authorities claimed that Internet access had risen by 750 percent in five years (10.5 million total subscribers during the year, compared with 1.2 million in 2001), and service existed in nearly all of the country's urban areas.

On April 23, according to the AHRC, the government shut down four Web sites that focus on the area of Balochistan. The government said the sites had spread misinformation. Supporters of the sites believed that sites were shut down because the news offered on these sites detailed military operations in Balochistan……”

Freedom of Assembly

“……….On August 22, approximately 2,000 teachers of the Sindh Employees Alliance protested in front of the Karachi Press Club against the government's ban on teachers’ unions. According to the AHRC, police used teargas and batons
to disperse the demonstration. Police arrested 45 teachers and injured six………”

“…………On November 27, according to AHRC more than 400 human rights and political activists were arrested in Balochistan to prevent them from participating in peaceful protests in advance of President Musharraf’s visit to the province. Virtually all were released after the visit………..”

**Elections and Political Participation**

“……………. The Supreme Court sanctioned General Musharraf’s 1999 coup; however, it directed Musharraf to restore elected government within three years. In 2002 President Musharraf held a nationwide referendum on a five year extension of his presidency and claimed to have received a 97.5 percent vote in favor of the extension. Independent observers found evidence of widespread fraud and coerced voting. The Supreme Court ruled that the referendum was constitutional; however, the court allowed the results to be revisited by an elected parliament. In 2003 the National Assembly affirmed Musharraf as president for a five-year term. Musharraf reportedly promised some members of parliament to remove his uniform in 2004 but did not do so……..”

**Women**

“……………On April 3, Zakia Bibi married a man of her choice. On October 3, Zakia was found dead in Ali Khan Brohi village in Sindh. The Ratodero police said her body was recovered from the house of her husband, Mohammad Brohi, on report of Araz Mohammed Langah, Zakia’s father. Brohi and other family members escaped from the house. Zakia’s parents reported that her husband and in laws had tortured their daughter to seek her consent for the second marriage of her husband. Brohi’s parents stated that Brohi had already been engaged to a woman of his clan. Doctors said Zakia had been hit on the head, causing her death. Doctors found marks of torture on her body……..

“…………..For example, in August 2005 Kanwal fell from the roof of the shelter in Hyderabad and died while trying to escape what other shelter residents reported were abusive conditions. A preliminary inquiry charged the night staff of the shelter with neglect for failing to provide adequate first aid and for failing to summon medical assistance immediately. Police arrested the caretaker Daarul Aman, Atiya Khatoon, and two of her staff members. No further activity in the case was reported………”

“…………On July 28, three staff members of the Islamic Law Department at Karachi University attempted to rape a female student on campus. She resisted and escaped. Along with friends and family, she lodged a complaint with the vice chancellor who suspended all three perpetrators. The vice chancellor asked the student not to file a formal police report since he was taking action against the culprits. All three staff members were reinstated after three weeks. When the student and her supporters protested, an inspector of the Sindh Rangers
suggested that they not make unnecessary "noise," as the ones who tried to rape her had been "punished." By the end of the year, no action had been taken against the staff members.

“…………….The January 2005 rape of Dr. Shazia Khalid at the Sui gas field in Balochistan remained unresolved. Baloch nationalists claimed she was raped by Frontier Corps personnel; the government claimed DNA evidence indicated otherwise. Dr. Khalid was condemned to death by a tribal jirga for dishonoring the tribe. She and her husband left the country in March 2005. According to human rights organizations, the government pressured Dr. Khalid to leave the country…………

“…………….On November 20, Hyder Ali Shar of the village Sikandar Shar in Khairpur axed his daughter Fahmida and her alleged lover, Anwar Ali, to death. Shar confessed to the crime and admitted he could not control his anger when he found his daughter and Ali together.

On November 29, a group of armed men killed Mohammad Ayub Mahar’s three daughters and his daughter-in-law, Safia Mahar in the Abdo village in Shikarpur district for allegedly having illicit affairs with other men. The honor killing allegedly occurred at the behest of Shafi Mohammed Mahar, Safia’s father…………

The Right of Association

“…………….On July 21, the Sindh provincial government’s education department banned teachers’ unions and sent "forced leave" letters to 34 teachers. In addition, the government threatened another 150 teachers and lecturers for their involvement in the teacher’s association. On December 13, the Sindh High Court stayed the ban and the education department was ordered not to interfere with the creation of a union. At year's end, both teachers' unions were active again.

On August 26, the Registrar of Trade Unions of Sindh banned the trade union at Karachi Shipyard and Engineering Works (KSEW). The government reportedly took this action at the behest of the Federal Minister of Defense Production, who believed the action would result in higher productivity. This action affected approximately 3,000 workers. Authorities imposed the ban while KSEW management held conciliation meetings with a labor union, the sole collective bargaining agency of the KSEW, regarding the charter of demands that had been pending with the Ministry of Defense Production since 2003. The ban remained in place at the end of the year……..

Prohibition of Forced or Compulsory Labor

“…………Estimates by NGOs SPARC and SHARP suggested that between 1.5 and 2 million persons were involved in some form of bonded labor, primarily in Sindh Province. Bonded labor was most common in the brick, glass, carpet, and fishing industries. In rural areas, particularly in the Tharparkar
District of Sindh, bonded labor in the agricultural and construction sectors was fairly widespread. A large proportion of bonded laborers were low caste Hindus, or Muslim and Christian descendants of low caste Hindus. Bonded laborers were often unable to determine when their debts were fully paid. Those who escaped often faced retaliation from former employers. Some bonded laborers returned to their former status after being freed due to a lack of alternative livelihoods. Although the police arrested violators of the law against bonded labor, many such individuals bribed the police to release them. Human rights groups reported that landlords in rural Sindh maintained as many as 50 private jails housing approximately 4,500 bonded laborers. Ties between such landlords and influential politicians hampered effective elimination of bonded labor.”

**Courtesy:**
http://www.state.gov/g/drl/rls/hrrpt/2006/78874.htm
Global, Regional and Local Civil Society News

26 March 2007 -- United Nations High Commissioner for Human Rights

Louise Arbour today called on Member States to protect and respect the rights of the disabled, who comprise 10 per cent of the world’s population, by implementing the landmark Convention on the Rights of Persons with Disabilities after it is opened for signature on Friday.

"I strongly believe that this new instrument comes at a time when there are broad shifts in attitudes within societies towards the rights of persons with disabilities," Ms. Arbour told a panel discussion of the Human Rights Council in Geneva. "The Convention provides a catalyst to hasten this urgently needed change" which could potentially impact 650 million people living with disabilities, she said.

A new Committee on the Rights of Persons with Disabilities will also be established to report periodically on progress made, and the Convention also includes an Optional Protocol which allows for individual communications and inquiry procedures.

The High Commissioner added that she hopes to elevate the profile of the issue of the rights of people with disabilities, and her office will take the lead in establishing partnerships with non-governmental organizations (NGOs) and States.

Sheikha Hessa al-Thani, the Special Rapporteur on Disability, said that the "complementary relationship" between the two areas -- social development and human rights -- to which the issue of people with disabilities belongs "had now found expression in the brilliant document," the Convention.

Ambassador Don Mackay of New Zealand, who is also chair of the ad hoc committee on the Convention, said the treaty radically alters the conception of disabilities, transforming the issue from being solely a social welfare matter to being a human rights one given existing social barriers and prejudices.

The 47-member Council, created last year to replace the Commission on Human
Rights which had been criticized for ignoring abuses in many countries, also heard presentations from two UN Special Rapporteurs, who are unpaid experts serving in an independent personal capacity. In his report, Martin Scheinin, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, said that profiling in the context of rooting out terrorists based on race is incompatible with human rights, while profiling based on ethnicity, national origin and/or religion, which he said are inadequate indicators, could potentially have negative consequences.

In response, Ahmet Uzunçu, the representative from Turkey, said that terrorism is the biggest threat the world faces and is also a crime against humanity, but cautioned that in combating it, human rights should not be sacrificed.

The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak, also delivered his report to the Council. In it, he said that under the Convention against Torture, States must fulfil their obligations to end impunity for those who commit acts of torture by exercising universal jurisdiction, citing the recent example of the prosecution of the former Chadian President Hissène Habré.

Mousa Burayzat, representing Jordan, denied that torture was as widespread and as routine as Mr. Nowak indicated in his report, but said that the Government would seriously review the Rapporteur’s recommendations and approach them positively.

The fourth session of the Council will conclude on Friday, and its next session is slated to be held from 11 to 18 June.

UN News Service

VIENNA, 26 March 2007 -- The OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings, Eva Biaudet, issued the following statement today:

"In 1807 the British Parliament passed a bill to abolish the transatlantic slave trade. Yet two centuries later, the cruel exploitation of men, women and children remains unfettered. Today's modern slavery - human trafficking -- has found refuge in the loop-holes of insufficient legislation, in structural weaknesses of our economic and migration policies, in corruption, ignorance and indifference.

"Two hundred years ago the abolition of transatlantic slave trade was an event cheered and celebrated in the British Empire. It was a landmark that had a long term impact on communities and countries of origin and destination.

"Today, we have to admit that slavery and practices similar to slavery still exist in many countries. Trafficking in human beings as a form of enslavement
has to be eradicated - otherwise the world's achievements in bringing human rights to all will be overshadowed by humiliation, degradation, organized crime and corruption.

"In order to eradicate this gross human rights violation we must tackle the root causes of human trafficking - poverty, social exclusion, intolerance and discrimination. We must address sexual exploitation and the demand for socially unprotected and cheap labor in the countries of destination, because there would be no profits and no trafficking without demand. The fight is definitely not an easy one, but it can and will be won."

OSCE Press release

A Statement by the Asian Human Rights Commission

On 19 March 2007, Bangladesh's national television channel BTV announced in a news bulletin that the present government has "in principle decided to establish a National Human Rights Commission in the country". This was announced during a regular weekly meeting of the Advisory Council which is chaired by Chief Adviser Dr. Fakhruddin Ahmed. All of the country's national newspapers published the same news on 20 March 2007. Quoting the Press Secretary of the Chief Advisor, Mr. Syed Fahim Munaim, newspaper reports claimed that Bangladesh is now a member of the United Nations Human Rights Council and have been attached with the organization since 1983. Neighbouring countries such as India, Maldives, Nepal and Sri Lanka have their respective national human rights commissions while Pakistan is on the way to establishing one. According to the proposal by the Foreign Affairs Ministry, the Advisory Council has approved the proposal in principal. A committee has been formed headed by the Cabinet Division Secretary comprising of representatives from the ministries of Law, Home and Foreign Affairs. This committee will look at the human rights commissions in South Asia to sketch a possible structure and guidelines of the proposed Commission and will take suggestions from representatives from civil society. A report in the Daily Star also recalled that the formation of a national human rights commission was one of the election pledges made in part by the past government. A similar committee was formed on 10 December 2001. A final draft was then sent to the Cabinet Division on January 23, 2003; however, it had been shelved at the ministry since the cabinet sent it back on January 29 of that same year.

Although the government had put the idea on hold for several years, this week's announcement is a welcoming message to everyone concerned about human rights issues in Bangladesh. At the same time, this "in principle decision of formation of a national human rights commission" has been commissioned by a government, which was born within a state of emergency, when all fundamental human rights remain under suspension. According to recent reports by local human rights groups, law-enforcement in the country has been militarized;
deaths in custody, extrajudicial killings and brutal torture cases have been published almost everyday, while arbitrary arrests, detentions and denial of justice, even to human rights defenders have become a very common phenomenon. Naturally, one question arises, what is the real "principal" behind the government's motivation? There are also supplementary questions such as is the government only going to make a new signboard of the national human rights commission, where "principles" are contradicted by human rights violations that go unchecked? In the past, the international community has observed that there is a gulf of difference between pledges and practice when it comes to the governments of Bangladesh. In addition, the committee appointed to design the structure and guidelines of the commission is another surprise. An influential bureaucrat who is surrounded by three subjects has been given a forum to frame the human rights commission. These bureaucrats are often more concerned with keeping their jobs rather than ensuring an effective service to the citizens of the country, similar to the county's magistrates and many of the states justices. Judges in Bangladesh are there to serve the government rather than upholding justice and rule of law in the country, while demonstrating a poor commitment to professional integrity. God only knows what sort of human rights will be given to the nation under the recommendations of such a committee.

The concerned professionals know how much commitment and what sort of mind set the bureaucrats of Bangladesh traditionally have had, especially, the official practices of the secretaries of the Home and Law ministries. According to the Bangladeshi system, all of these bureaucrats should have worked as magistrates in the early years of their respective career. Begging the question, what was their role and record in their positions that can qualify them to understand the concept of human rights? How much have they contribute to the protection and promotion of human rights? These bureaucrats have hardly cared to hear the pain and suffering of the victims of human rights abuses. If the government has any true commitment to ensure redress and justice to the victims of human rights abuses in the country, then, these persons can only be a part of the committee and must not be the propeller of it at all. It is a very serious concern that this commission may be nothing more than another bureaucratic mechanism that acts like a toothless tiger.

Moreover, the human rights commissions of South Asia are not the ideal examples of human rights bodies. Although it is not bad to learn from your neighbours' experiences in combating human rights, the government must consider how much benefit have the people of South Asia received from their nations human rights protectorates. For example, how many South Asians have suffered uncountable and unimaginable types of violations including forced disappearances, extrajudicial killings, death in custody, torture in custodies, rape in custody, and so on. Despite the existence of the national human rights commissions in those countries, the culture of impunity is deeply rooted there, similarly as it is in Bangladesh.
Commission (AHRC) therefore urges the Bangladeshi authorities to keep these thoughts in their minds. Human rights defenders working at the national and grassroots level along with victims of brutal human rights abuses should be included on the committee so that the real problem of human rights and the needs of the people are adequately reflected in its recommendations. We urge the Bangladesh authorities to clarify their level of commitment to human rights, especially since rampant human rights violations are occurring during the current state of emergency. The AHRC also urges the government of Bangladesh not to make a signboard based on an institution that only carries a name and does nothing more than stand idly by. This will only bring about further frustration amongst the victims of human rights violations and undermine the government's credibility in bringing sustained peace and happiness to its own people.

World Bank watershed project in Uttaranichal challenged

On February 21, the NGO Sarvodya filed a complaint with the World Bank's Inspection Panel regarding the Uttaranchal Decentralized Watershed Development Project. Sarvodya claims that the project's "poverty alleviation is not monitored properly", and that the project violates the World Bank's operational policies and procedures regarding Environmental Assessment, Natural Habitats, Poverty Reduction, Forests, and Project Supervision.

The World Bank management needs to send its response regarding these claims to the Inspection Panel by April 23. The Panel will then decide whether to recommend an investigation of the project.

The Panel's Notice of Registration with more information about the project and the claim is available at http://siteresources.worldbank.org/EXTINSPECTIONPANEL/Resources/NORindiamarch23.pdf.

International IDEA launches new book on political parties in South Asia
(March 21, 2007) Political Parties in South Asia provides a comparative view of the condition, role and functioning of political parties in five countries of the South Asian region – Bangladesh, India, Nepal, Pakistan and Sri Lanka. The launch took place as part of a two-day conference, 21-22 March 2007, on the state of political parties in South Asia, organized by International IDEA.

Let Us Raise Voice!

Construction of Diamond Bar Island on two Islands of Sindh-Pakistan

(A letter written to The Managing Director, Emaar Properties, UAE
By Zubaida Birwani, Convener, Pakistan Mahigeer Tahreek, Karachi, Sindh, Pakistan on 17th Jan 2007)

I am Ms. Zubaida Birwani from Karachi-Pakistan writing you on behalf of Pakistan Mahigeer Tahreek (Pakistan Fisherfolk Movement). We are working for rights of poor fishermen and protection of their natural endowment in Sindh province of Pakistan.

It is regrettable to know that Emaar has signed an agreement with Government of Pakistan to construct Diamond Bar Island City on two Islands Dingi and Bundar (Bundal and Buddo), near Karachi coast. This project has generated a wave of deep concerns and resentment among civil society organizations, mainstream political parties and marginalized fishermen of the country. Although Emaar is a world known construction firm therefore undertaking such controversial project in Pakistan has raised serious concerns about the professional integrity of Emaar. I am sharing here some critical facts about the project, which will help you understand the sensitivity of matter.

Pakistan Mahigeer Tahreek (Pakistan Fisherfolk Movement), a movement for securing rights of poor fishermen has launched a campaign on this illegal, immoral, anti-poor and anti-nature decision of constructing cities on Islands. We feel that sell of these islands is tantamount to deprive poor fishermen of Sindh coast from their fishing grounds and mangrove nurseries thus eroding their remaining meager livelihood resources. About 4,000 to 5,000 fishing boats use Korangi and Phitti creeks. These passages to open sea are located on both sides of the islands, which will become inaccessible in the wake of so-called development on islands.

The Islands are home to rich flora and fauna of Indus Delta. One of the few remaining tracts of healthy mangroves, roosting and breeding grounds of various migratory and resident birds and breeding grounds of endangered marine Green Turtle exist on Dingi and Bundar Islands. This rich biodiversity will lose its existence in the wake of proposed development. The islands are part of resource-rich eco-system of Indus Delta, which has been included in 200 Eco-regions by WWF and the islands are also identified as part of High Priority Areas of conservation interest by IUCN. Regrettably the government is not willing to undertake any consultation with the likely affectees of the project.
and has not even conducted Environmental Impact Assessment, which is mandatory under Pakistan Environmental Protection Act 1997. This shows complete apathy towards livelihood resources and bio-diversity reserves of the country.

Civil Society of Pakistan has expressed its serious concern on this ill-conceived project and considers this project as violation of all fundamentals of sustainable development. In brief this project is threatening livelihood of about half a million fishermen along Sindh coast and bring irreversible damage to rich eco-system of the two islands. In spite of severe opposition by political, social and environmental organizations, the government is bent upon implementing the project and physical work has also been started by cutting mangroves and leveling of sand dunes.

We want to convey our serious concerns about the project and on want to make it clear that people of Pakistan in general and people of Sindh province in particular are bitterly opposed to this project. Considering that Emaar is among the leading construction giants of world, we would like to request you to avoid indulging in a project which brings your corporate image at stake. Emaar may earn profit of millions of dollars from this project but will pay huge cost of its business image and people of world would count your organization among profit-thirsty business entities.

Mahigeer Tahreek Pakistan: pmmtahreek@yahoo.com
EMAAR: enquiry@emaar.ae

➤ Charter on Civil Society Rights - Online Consultation

Is civil society adequately protected at the international level? Is civil society able to defend its freedoms of association, assembly and expression using current international human rights instruments? Does civil society need more protection? If so, how?

The CIVICUS program Civil Society Watch invites you to tell us what you think about a potential Charter on Civil Society Rights.

Click here to go to the consultation: http://www.surveymonkey.com/s.asp?u=37123410626

The Charter on Civil Society Rights will also be discussed during an interactive workshop at the CIVICUS World Assembly 23-27 May 2007 in Glasgow, Scotland. To register, visit www.civicusassembly.org.