

Three Day International Conference  
*Participatory Federalism and Decentralization:  
From Framework to Functionality*

25<sup>th</sup> - 27<sup>th</sup> September, 2013, Islamabad



Report



**Forum of Federations**  
The Global Network on Federalism and Devolved Governance









PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

*Three Day International Conference*

*Participatory Federalism and Decentralization:  
From Framework to Functionality*

*25<sup>th</sup> - 27<sup>th</sup> September, 2013, Islamabad*





© SPFD - UNDP 2014  
Islamabad - Pakistan

Editors: Prof. Dr. Mohammad Nizamuddin, Amjad Bhatti, Adnan Rehmat

Copy Editing: Khalid Hussain Design & Layout: Mohammad Saeed Photography: Torsum Khan, UNDP, NCA

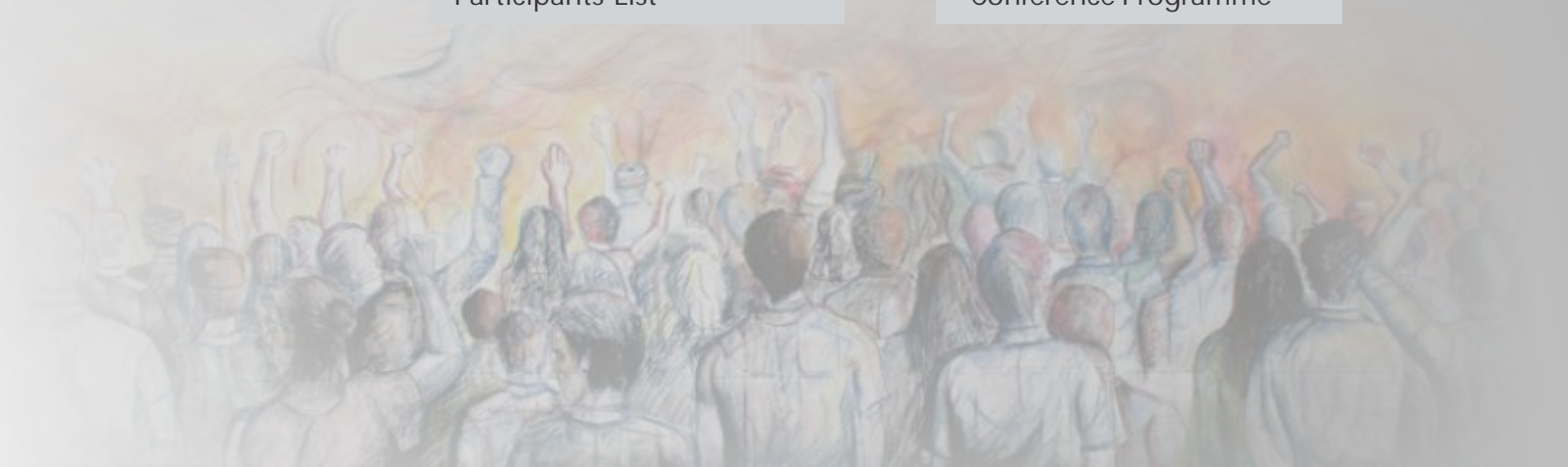
Coordination: Daud Sharif, Syed Hashim Zaidi, Taimoor Javed, Areeb Shirazi Compilation: University of Gujrat

#### Disclaimer:

SPFD - UNDP does not necessarily subscribe to all the views expressed in the course of this conference. Views expressed in this Report are representations and perspectives from diverse backgrounds and contexts.



C	05	ACRONYMS	07	ACKNOWLEDGEMENTS
O	09	PREFACE	11	SUMMARY
N	15	Introduction: Democratic Transition and Evolving Federalism in Pakistan		
T	23	Inaugural Session		
E	31	Session 1: Participatory Federalism and Decentralization: Global Perspectives and Local Linkages		
N	39	Session 2: Local Governance and Development Outcomes: Frameworks of Institutional Interplay		
T	59	Session 3: Participatory Local Governance: Capacity, Resources and Innovations		
S	69	Session 4: Fiscal Federalism: How to Operationalize Economy of Autonomy		
	79	Session 5: Political Economy of Inter-Governmental Relations in a Federal Framework: Lessons Learnt and Way Forward		
	91	Panel Discussions		
	107	Closing Session: International Conference on Participatory Federalism and Decentralization: From Framework to Functionality		
	113	Glimpses from the Conference	125	Annex I: Conference Chairs, Speakers, Panelists and Discussants
	167	ANNEX II: Participants' List	179	ANNEX III: Conference Programme





## ACRONYMS

<b>ANS</b>	Afghanistan National Strategy
<b>CAC</b>	Conference Advisory Committee
<b>CCE</b>	Centre for Civic Education
<b>CCI</b>	Council of Common Interests
<b>CoD</b>	Charter of Democracy
<b>CPPG</b>	Centre for Public Policy and Governance
<b>FCCU</b>	Forman Christian College University
<b>CDWP</b>	Central Development Working Party
<b>BLGA</b>	Balochistan Local Government Act 2013
<b>DCC</b>	Divisional Coordination Committees
<b>DRI</b>	Democracy Reporting International
<b>ECNEC</b>	Executive Committee of the National Economic Council
<b>FOF</b>	Forum of Federations
<b>GDP</b>	Gross Domestic Produce
<b>GoP</b>	Government of Pakistan
<b>HEC</b>	Higher Education Commission of Pakistan
<b>ICPFD</b>	International Conference on Participatory Federalism and Decentralization
<b>IUCPSC</b>	Inter-University Consortium on the Promotion of Social Sciences
<b>IUCPSC</b>	Inter-University Consortium on the Promotion of Social Sciences
<b>KP</b>	Khyber Pakhtunkhwa
<b>KPLGA</b>	Khyber Pakhtunkhwa Local Government Ordinance 2013
<b>LG</b>	Local Government
<b>MIPC</b>	Ministry of Inter-Provincial Coordination
<b>MNA</b>	Member National Assembly
<b>MRD</b>	Movement for the Restoration of Democracy
<b>NCA</b>	National College of Arts
<b>NEC</b>	National Economic Council
<b>NFC</b>	National Finance Commission
<b>PC</b>	Planning Commission
<b>PCCR</b>	Parliamentary Committee on Constitutional Reforms
<b>PCCR</b>	Parliamentary Committee on Constitutional Reforms
<b>PFC</b>	Punjab Finance Commission
<b>PLGA</b>	Punjab Local Government Act
<b>PLGC</b>	Punjab Local Government Commission
<b>QAU</b>	Quaid-e-Azam University Islamabad
<b>RBAP</b>	Regional Bureau for Asia and the Pacific
<b>SLGA</b>	Sindh Local Government Act 2013
<b>SPFD</b>	Strengthening Participatory Federalism and Decentralization
<b>UNDP</b>	United Nations Development Programme
<b>UoG</b>	University of Gujrat
<b>UoK</b>	University of Karachi
<b>UoP</b>	University of Peshawar
<b>UoS</b>	University of Sarodha
<b>WPAs</b>	Women's Policies Agencies





## ACKNOWLEDGMENTS

The International Conference on Participatory Federalism and Decentralization was a team effort. The task of coordinating and organizing the Conference with 6 partners was no easy feat; however, our tasks were made easier by the extremely talented and hardworking partners. All partners (Inter-University Consortium for Promotion of Social Sciences, National College of Arts, Forum of Federations, Higher Education Commission, Ministry of Inter-Provincial Coordination and UNDP) played their part in making this Conference a big success.

There were definitely a few stand out individuals without whose guidance and support this entire effort would have been in vain. Dr. Mohammad Nizammuddin, Vice Chancellor, University of Gujrat and Mr. Amjad Bhatti, National Technical Advisor, UNDP led from the front. Without their vision, the Conference would not have had the quality of discussion and participation that was witnessed at the event. The idea of hosting an International Conference was the brainchild of Mr. Amjad Bhatti who saw it as an opportunity to encourage academic and policy research on unexplored territories of Federalism and Decentralization in Pakistan. While Dr. Nizamuddin was responsible for taking this idea forward, contextualizing it, and designing the Conference sessions in a way that all key aspects of federalism, local governance, and fundamental rights were covered. We are indebted and thankful to both of them for making this Conference possible.

Strengthening Participatory Federalism and Decentralization (SPFD) team, University of Gujrat Secretariat staff, Forum of Federations staff, National College of Arts designing team, Council of Common Interests Secretariat staff, and Higher Education Commission media team were all instrumental in doing their jobs effectively that ensured that all the event logistics and management was well-taken care of. Despite the long-working hours and often difficult circumstances, you all were determined and focused on completing all your tasks (and those tasks that were not even yours). We are extremely grateful to all of you for your unwavering support and teamwork.

In the end, we would like to thank all our participants, guest speakers, faculty members, students, civil society activists, donors, government counterparts, and media representatives without whom this conference would have been futile. It was your participation that enriched the discussions, brought global flavor to an otherwise local debate, and identified areas that the government and development partners should focus on.

It took us six months to plan and execute one of the largest international conferences on Federalism and Decentralization in Pakistan. We are proud of all our efforts in making it happen and hope that it inspires everyone to continue discussions and debate on issues of Federalism and Decentralization in Pakistan.

Dr. Fauzia Maqsood  
Co-Convenor  
University of Gujrat

Mr. Syed Hashim Zaidi  
Co-Convenor  
SPFD - UNDP - Pakistan





## PREFACE

United Nations Development Programme (UNDP), Ministry of Inter-Provincial Coordination, Forum of Federations (FOF), Higher Education Commission (HEC) and Inter-University Consortium on the Promotion of Social Sciences (IUCPSC) jointly organized the International Conference on Participatory Federalism and Decentralization (ICPFD) against the backdrop of the 18<sup>th</sup> Constitutional Amendment and democratic transition in Pakistan. The Conference deliberated upon trends, levels and indicators of institutional interplay between democracy, federalism and decentralization at the national, regional and global levels. Global and regional case studies shared a technical baseline to inform and facilitate the process of triangulating integration between democracy, federalism and decentralization in Pakistan.

As we gear up our efforts, citizens and political leaders of the country are also excited at the framework of our transformative development agenda. The ICPFD was held at a critical juncture in our political and democratic evolution. We need but one big final push to achieve the objectives of Participatory Federalism and Decentralization by making this framework functional. This will realize the rights of federating units for decentralized governance in the federation of Pakistan.

This report seeks to share the knowledge produced by the international conference for integration into policy, planning and implementation processes in post-18<sup>th</sup> Amendment transition management at federal and provincial levels across Pakistan. This will not only mitigate further risk of centralized governance but will also meet the need for government support for federalism and decentralization growth. Such support is a pre-requisite at all levels if Pakistan is to tackle national political challenges and realize its socio-economic aspirations.

The international conference has made a valuable contribution to important political and development dialogues underway in the country. Speakers and presenters provided fresh data, new perspectives, and policy guidance on issues that are critical to fostering more inclusive and sustainable Participatory Federalism and Decentralization.

Strong academic panel of presenters and speakers at the three day ICPFD marked a watershed in our quest for a sustainable and inclusive development agenda in Pakistan. The ICPFD reaffirmed that 18<sup>th</sup> Amendment to the Constitution of Pakistan has given the nation a powerful development framework and that this framework has manifestly rallied political support across the country. It is now time to prioritize it within national plans and budgetary reallocations. This will address the most appropriate forms of functionality making participatory federalism and decentralization a reality on ground.

UNDP has been actively assisting Pakistan in pursuing the dream of participatory federalism and decentralization since the 18<sup>th</sup> Amendment became the country's economic and social development vanguard. Now Pakistan has the opportunity to ensure that future progress is firmly anchored in governance respecting all principles and goals of federalism and decentralization. The time has come to reach out and seize the future.

Prof. Dr. Mohammad Nizamuddin  
Vice Chancellor, University of Gujrat  
Chairman Inter-University Consortium for  
the Promotion of Social Sciences

Amjad Bhatti  
National Technical Advisor,  
Strengthening Participatory Federalism and Decentralization  
Democratic Governance Unit, UNDP-Pakistan



## SUMMARY

The 18th Constitutional Amendment passed unanimously in April 2010 has sharpened the debates on federalism in Pakistan. A number of issues have emerged in the process of implementation and transition management in last three years where a plethora of diverse argumentation have pre-dominated the political and governance discourse in the country.

Some have argued that the 18th Amendment was “too little and too late”, while others have adjudged it as “too much and too soon”. The contest on the relevance, implications and implementation of the 18th Constitutional Amendment continues till today.

It was against this backdrop that UNDP's project on “Strengthening Participatory Federalism and Decentralization” designed an international conference on “Participatory Federalism and Decentralization: From Framework to Functionality” on 25-27 September in Islamabad. The Conference was jointly organized and co-hosted by UNDP, Inter-University Consortium on the Promotion of Social Sciences, Ministry of Inter-Provincial Coordination, the Forum of Federations, the Higher Education Commission, and the National College of Arts.

The conference was aimed at studying different trends, levels, and indicators of institutional interplay between democracy, federalism and decentralization at national, regional and global levels. Global and regional case studies were presented on the subjects, which provided a technical baseline to inform and facilitate the process of triangular integration between democracy, federalism and decentralization in Pakistan.

Thirty papers were presented in the conference out of which 13 papers covered international case studies by foreign scholars while 17 papers were presented by the local academia, experts and government representatives from all four provinces. International representation comprised Ethiopia, Canada, Australia, Sri Lanka, India, Afghanistan, Indonesia, Nepal, USA, Russia and Germany.

Besides, political leadership from different parties was invited to provide participants an opportunity to understand divergent perspectives and ideological standpoints of different political dispositions in Pakistan. Prominent among them were Senator Mian Raza Rabbani, Mr. Maulana Fazal Ur Rehman, Mr. Mahmood Khan Achakzai, Mr. Shafqat Mehmood, Ms. Marvi Memon, Senator Taj Haider, Mr. Danyal Aziz, Mr. Qamar Zaman Kaira, Senator Farhatullah Babar and Mr. Abdul Hayee Baloch

Key messages of the Conference:

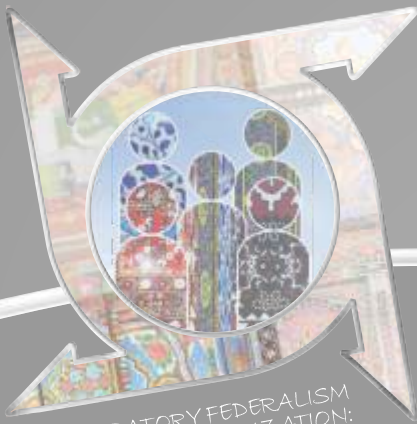
- Pakistan being a society blessed with the richness of diversity and multiplicity reached a landmark consensus on federalism through a journey of continuous democratic struggle in last six decades.
- The 18th Constitutional Amendment has set new directions for Pakistan as a federal, democratic and parliamentary state – and this has rightly been taken as a point of celebration for the proponents of federalism throughout the world.
- Pakistan is in a state where it can learn and teach at the same time. It can learn in this formative phase of devolution management from the countries who have extensive experience of working within federal and decentralised frameworks of governance.



- ⊙ Pakistan can offer its learning to other countries as how consensus can be forged in diverse societies by relying upon the instruments of democratic decisions making. Pakistan has demonstrated its capacity to coin innovations in the structures of governance with a sense of inclusiveness, pluralism and equity.
- ⊙ Subsequently, the incorporation of the values of federalism, decentralisation and inclusiveness can further be facilitated by developing comprehensive institutional frameworks at different levels of the decision-making.
- ⊙ Streamlining of intergovernmental fiscal relations in some countries was not followed by true political decentralisation. This has led to a wider conclusion that fiscal federalism may survive without the political decentralisation only for a limited period of time.
- ⊙ Countries where local government systems have democratised state have also seen major innovations in governance and service delivery. Local governments increase the ability of voters to hold local decision makers accountable and it also strengthens the quality of national democratic leadership. It also broadens the bases of political leadership.
- ⊙ Local government systems need a substantial amount of hard power in order to exercise soft power. You can't win with the losing hand. This is the fatal flaw in the community governance vision.
- ⊙ Decentralisation is also usually part of the ongoing power struggles between central and regional political leaders. Conflicts between modernising central governments and traditional regional authorities may limit the potential for positive outcomes for women.
- ⊙ The legislation on local government in Pakistan must ensure the compliance of Article 140 by devolving the political, fiscal and administrative authorities to the elected representatives of the local governments. The current legislations on the local government in four provinces do not reflect substantially the intent of the Article 140-A.
- ⊙ The 18th Constitutional Amendment was the beginning of the transfer of power from federal government to the provincial governments, now it is the turn of the provinces to keep in line with the constitutional commands and transfer powers to the lowest tiers of the governance for an effective service delivery and representative governments at the grassroots level.
- ⊙ Some governments implement electoral quotas that can compensate for women's marginalisation by increasing their representation as legislators.
- ⊙ There have been areas of unclear relationship with federal legislation and the Election Commission of Pakistan which underpinned unclear legislation with significant gaps. There has been number of areas left for regulations to be written by civil servants.
- ⊙ Instead of the Rules of Business of the Federal Government, the rules of Council of Common Interests apply to the National Economic Council. In the view of 18th Constitutional Amendment, the Chairman of the Planning Commission should be appointed by the CCI on rotation basis to represent the Federation. Currently, CCI is not being involved in planning as required by the 18th Constitutional Amendment.

- ⊙ Introducing fiscal federalism, the 7th NFC Award has ushered a sense of autonomy in the federating units and is, therefore, a landmark achievement of a democratically elected government.
- ⊙ The implementation of Article 172 dealing with the joint ownership of natural resources can sufficiently bridge the economic disparities and reduce poverty with indigenous resources in Pakistan.
- ⊙ The Article 10-A introduced by the 18th Constitutional Amendment provides for a comprehensive review of justice system in Pakistan and it necessitates judicial reforms, cleansing the justice administration from colonial codifications hampering access to justice and fair trial.
- ⊙ Article 19-A of the Constitution set benchmark for the transparency and accountability by making right to information a fundamental right. The current legislations on right to information have emerged as disabler rather than enabler laws in the country.
- ⊙ Three nonlinear steps to march towards the course of reconciliation in Balochistan were suggested which include: (a) establishment of Balochistan Truth Commission; (b) redistributive justice as the equalization of property and wealth ownership by direct political fiat and (c) incorporation of consociational elements into federal design.
- ⊙ A continuous process of dialogue and knowledge exchange between provinces would enable more informed transition management of 18th Constitutional Amendment in Pakistan.
- ⊙ The newly-reinvigorated institution of Council of Common Interests need to be strengthened and as commanded by the Constitution of Pakistan a separate secretariat for the CCI needs to be established which should be providing required data, information and evidence to the CCI on the subjects assigned to it through Federal Legislative List Part II.
- ⊙ Ministries established at the federal level on the subjects devolved to the provinces should be abolished with immediate effect as this has been taken as violation of the provincial autonomy and the demarcation of powers between centre and the provinces.
- ⊙ It was also noted that the reversal of 18th Constitutional Amendment with special reference to those Articles which deal with the parliamentary system of government and provincial autonomy will create political instability in Pakistan.
- ⊙ The conference underlined the need for creating more spaces of mutual learning between political leadership, development partners and academia to deepen the understanding of political, legislative, administrative and fiscal dimensions of federalism. The required technical knowledge base would inform the process of decision-making for a coordinated implementation of massive devolution.





PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

# Introduction: Democratic Transition and Evolving Federalism in Pakistan





The 1973 Constitution of the Islamic Republic of Pakistan consists of 12 Parts, 27 Chapters, 280 Articles and five Schedules. The 18<sup>th</sup> Amendment to the 1973 Constitution took place in 2010 and modified 102 Articles besides enunciating 11 recommendations that all fall within the executive authority of the government. The National Assembly passed the historic 18<sup>th</sup> constitutional amendment unanimously on April 8, 2010 and the Senate followed suit on April 5, 2010. The constitutional amendment was formally signed into law by the President of Pakistan on April 19, 2010.

The 18th Amendment passed into legislation with full support from all political parties. The 18<sup>th</sup> amendment to the constitution has wide-ranging implications for the state and government in Pakistan at all levels from federal to provincial and to the smallest administrative unit in a fully decentralized federation in Pakistan. Above all, it calls to legislate for much-demanded provincial autonomy in the executive, fiscal and administrative spheres.

#### From the Center to the Margins

There have been significant changes in the state and governance structures as consequence of this amendment. Some 102 articles in the constitution have been brought under review while 47 subjects and 17 federal ministries are being devolved to the provinces. Federal and provincial constitutional purviews and holding of elections for local governments by Election Commission of Pakistan are now directly governed by

constitutional mandates.

The enactment of 18th Amendment has also led to a spate of welcome parliamentary documents including a draft bill by the Parliamentary Committee on Constitutional Reforms (PCCR), a report of Implementation Commission presented in both Houses of Parliament, a consolidated report on the functioning and decisions of the Council of Common Interest (CCI) and three annual provincial budgets along with white papers.

#### Unpacking the Devolution Package

There has been a growing research interest in policy circles, academia, civil society, and international development organizations to study the implications of devolution in Pakistan and analyze the implementation process followed. UNDP Pakistan has been leading key efforts to analyze emerging challenges and opportunities as a result of the devolution process. These initiatives aim at improving governance by enhancing understanding of the 18th Amendment and in the process, helping key stakeholders discuss ways of benefitting from this landmark shift that reconceptualises share holding in the state for improved governance and development opportunities.

UNDP commissioned two assessments to learn more about the impacts of the 18<sup>th</sup> constitutional Amendment – an initial assessment in 2010 and a detailed follow-up assessment in 2011-2012 and in 2013. Moreover, UNDP held provincial and national consultations in collaboration with the Forum of Federations (FOF), which is an intergovernmental body

*The 18<sup>th</sup> Amendment to the Constitution of Pakistan passed into legislation with full support from all political parties...was then formally signed into law by the President of Pakistan on April 19, 2010.*





*SPFD views the 18<sup>th</sup> Amendment through a governance, development and public policy lens; and identifies key areas of programmatic support for an informed and effective transition management at the federal, provincial and local levels.*

comprising of 10 member states working on strengthening federal systems and is mainly funded by the Canadian government. Pakistan became an official member of FOF in March 2012. Other members include Canada, Australia, Switzerland, Germany and Brazil.

strengthen implementation of the 18<sup>th</sup> Amendment has been working to build capacities of provincial authorities in Pakistan help improving governance, enhancing inter-provincial coordination and delivering public services in a devolved process under the Amendment.

A technical support project to



## Strengthening Participatory Federalism and Decentralization (SPFD) Project

Strengthening Participatory Federalism and Decentralization (SPFD) is a five year project launched by UNDP-Pakistan against the backdrop of the 18<sup>th</sup> Constitutional Amendment. SPFD views the 18<sup>th</sup> Amendment through a governance, development and public policy lens; and identifies key areas of programmatic support for an informed and effective transition management at the federal, provincial and local levels.

The SPFD has four key outputs:

1. Secretariat of the Council of Common Interests (CCI) and Provincial Departments of Inter-Provincial Coordination are strengthened for effective management of shared responsibilities listed in Federal Legislative-II
2. Government of Baluchistan is technically equipped in developing legislative, institutional and policy frameworks on devolved subjects including health, education and tax devolution
3. Local Governments in Baluchistan, Khyber Pakhtunkhwa and Gilgit-Baltistan are enabled to incorporate and use methodologies of participatory development planning, implementation and monitoring at their lowest tiers of governance
4. Civil society is informed and mobilized to integrate 18<sup>th</sup> Amendment (federalism and decentralization) in their advocacy, research and development agenda at policy and community levels



## International Conference Groundwork Dialogue

UNDP-Pakistan organized a pre-conference dialogue between key stakeholders and experts to discuss and finalize the scope, scale and design of an international conference in Pakistan planned for September 2013. During the pre-conference dialogue, held at the Higher Education Commission (HEC) offices on April 17, 2013 in Islamabad, UNDP shared the discussion paper on the concept and focus of proposed international conference. The occasion sought perspectives and inputs from members of the Conference Advisory Committee on the context, contents and design of the conference. The conference agenda and timeline were finalized with consensus.

The dialogue was attended by renowned academics and experts on federalism, decentralization and governance including Executive Director of the HEC Dr. Mukhtar Ahmed, Country Director UNDP-Pakistan Marc-Andre' Franche, Federal Secretary for Inter-Provincial Coordination Mr. Fareedullah Khan, Assistant Country Director of UNDP's Democratic Governance Unit Mr. Azhar Malik, UNDP National Technical Advisor for SPFD Mr. Amjad Bhatti, Director, NCA Dr. Nadeem Omar Tarar, Vice Chancellor UoG Dr. Nizam-ud-Din, Economic Adviser Government of Balochistan Dr. Kaiser Bengali, Director CPPG-FCCU Lahore Dr. Saeed Shafqat, Executive Director SCG Ms. Ammara Durrani, Executive Director CCE Mr. Zafarullah Khan, Programme Director JII Mr. Raza Rumi, Dr. Ijaz Khan from UoP, Professor UoK Dr. Jaffer Ahmed, and Mr. Mushtaq Gaadi from QAU Islamabad.

## Participatory Federalism and Decentralization: From Framework to Functionality

Working out home-grown solutions and learning from global experiences

Since the passage of 18<sup>th</sup> Amendment into law of the land, UNDP Pakistan undertook a series of provincial and national consultations to assess and understand the development needs of both federal and provincial governments in implementing the 18<sup>th</sup> Amendment. These consultations were held with eight political parties, 16 key line departments of provincial governments spread across all four provinces, 117 NGOs, key donors and international development organizations, and academic research institutions. A constant refrain at these consultations was demand for a

conference on issues of federalism and decentralization not only to kindle an academic research interest in the subject but also to learn from international experiences and best practices.

This led to the UNDP organizing a 3-day international conference on "Participatory Federalism and Decentralization: From Framework to Functionality" in Islamabad from September 25-27, 2013. This international conference was held in conjunction with the MoIPC, FoF, HEC and the IUCPSC.

*Consultations were held with eight political parties, 16 key line departments of provincial governments spread across all four provinces, 117 NGOs, key donors and international development organizations, and academic research institutions.*

Strengthening Participatory Federalism and Decentralization: From Framework to Functionality



*What constitutes a democratically federalized and decentralized state? What global and regional examples and case studies offer solutions and priorities for Pakistan in its endeavour to transition to a more responsive, effective and efficient functional federalism?*

## Democracy-Federalism-Decentralization Triad

A galaxy of constitutionalism, democracy, governance and federalism experts from both the wider world as well as from within Pakistan attended the ICPFD. The international conference focussed on the core themes of democracy, federalism, and decentralization. The ICPFD process studied different trends, levels and indicators of institutional interplay between democracy, federalism and decentralization; presented global experiences and examples integrating the three elements into an overall governance paradigm; and explored avenues of the triangular integration with a Pakistani focus.

The core questions offered –eliciting various answers– were how democracy, federalism and decentralization are at interplay with each other and how they operate in isolation? How can an integrative approach lead to inclusive government? What constitutes a democratically federalized and decentralized state? What global and regional examples and case studies offer solutions and priorities for Pakistan in its endeavor to transition to a more responsive, effective and efficient functional federalism?

The ICPFD objectives were:

1. To engage international and national academia in developing and sharing a knowledge base on participatory federalism, inter-governmental relations, decentralization and inclusive governance –with focus on the 18th Constitutional Amendment;
2. To provide an interface between the research community and policy forums (political parties and civil bureaucracy) at federal and provincial levels for an informed and effective transition management of devolution;
3. To deepen the understanding of donor community and civil society by unpacking the implications of 18<sup>th</sup> Amendment on social sector governance in Pakistan.

The knowledge produced by the conference will be integrated into policy, planning and implementation processes managing the post-18<sup>th</sup> Amendment transition at federal and provincial levels in Pakistan.

The key thematic sessions of the conference were:



Sessions	Principal Thematic Area	Objective of Session
Session 1	Participatory federalism and decentralization: global perspectives and local linkages	Sharing global/regional experiences on federalism and decentralization, and understanding the evolving perspectives on participatory federalism in Pakistan
Session 2	Local governance and development outcomes: frameworks of institutional interplay	Integrating the spirit and process of 18 <sup>th</sup> Amendment in redirecting debate on local government for effective service delivery; What could be the indicative framework to develop context-specific local government systems in all the four provinces?
Session 3	Participatory local governance: capacity resources and innovations	Identifying and suggesting remedies for capacity gaps of local governance structures; How can local governance empower citizens? Innovative methods of effective service delivery at local level?
Session 4	Political economy of inter-governmental relations in a federal framework: lessons learnt and way forward	Studying opportunities and challenges for managing Inter-governmental relations in Pakistan with special reference to the 18 <sup>th</sup> constitutional amendment
Session 5	Fiscal federalism: how to work an economy of autonomy?	Exploring policy options for revenue generation, fiscal decentralization and redistribution at three tiers of governance i.e., federal, provincial and district

Pakistan is a federation. However, in almost seven-decades of its existence, roughly half of this time the state has been governed by non-representative, undemocratic forces. The result has been, among other tarnished legacies, an ongoing tension between strong-fisted overt centralization favored by unelected forces and a demand for decentralization and devolution of powers to the federating units. This political tension led to a game-changer in 2010 when elected, democratic forces managed to enact a historic comprehensive review of the Constitution in the form of the 18<sup>th</sup> Amendment: greater autonomy and empowerment of the country's four provinces in favour of empowerment of the federation through divestment of powers from the federal level.

What follows are a series of narrative descriptions of the various presentations made in each session of the ICPFD.

*Elected, democratic forces managed to enact a historic comprehensive review of the Constitution in the form of the 18<sup>th</sup> Amendment: greater autonomy and empowerment of the country's four provinces in favour of empowerment of the federation through divestment of powers from the federal level.*







PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

# Inaugural Session









Mr. Marc-Andre Franche  
Country Director UNDP Pakistan

It is a real pleasure for me to welcome all the participants on behalf of UNDP to this International Conference on Participatory Federalism and Decentralization. I simply want to thank all our partners who have been working on this conference from the beginning:

1. The Inter-University Consortium on Promotion of Social Science

2. The Ministry for Inter-Provincial Coordination
3. The Forum of Federations
4. The Higher Education Commission of Pakistan
5. The National College of Arts

I also want to thank representatives from more than fifteen countries that have come all the way here to Islamabad to share their experiences and knowledge with Pakistan and help Pakistan strengthen its federal system. As this is the first event of our project, we hope that this event and this project will be a platform for continuing dialogue on the future of federalism in Pakistan and we hope that this will be the first of many such events in the coming years.

*We hope that this event and this project will be a platform for continuing dialogue on the future of federalism in Pakistan and we hope that this will be the first of many such events in the coming years.*



Prof. Mohammad Nizamuddin  
Vice Chancellor, University of Gujrat

I personally believe that this is the first time that university and academicians have been involved

in discussing federalism and decentralization in Pakistan. This subject calls for really serious discussion and debate among the academic community, among the students, the future researchers, the policy makers and the politicians.

This is a critical subject for Pakistan's development. As you know we have a chequered history of federalism in Pakistan. We have had many ups and down. We have gone to one-unit and come back to four provinces. Now there are calls and thinking about a fifth province.

*The intent of the 1973 constitution was federalism; however, discussions on federalism have begun only some 30 years later. But still, this international conference gives hope and starts the process.*





*We have seen too many bad examples where people tried to solve differences of opinions with weapons. It is certain that Pakistan will be among those federal nations who will proudly share in the future its experiences and benefits to other countries on their path to federal and decentralized democracy.*

The 18<sup>th</sup> Constitutional Amendment has really fired up this discussion on federalism and provincial autonomy. The intent of the 1973 constitution was federalism; however, discussions on federalism have begun only some 30 years later. But still, this international conference gives hope and starts the process. One of the major objectives of the conference is to seek and to create an understanding among the students, politicians, policy makers, bureaucrats and the academia so that the process of dialogue starts in earnest.

And I am sure the future belongs to the provinces.



Mr. Pietro Merlo  
Senior Advisor FoF

The Forum of Federations was founded in 1999 in Canada in answer to its own federal questions, their experiences and concerns. Today, it stands as an international network on federalism and developed governance.

There are more than 25 federal countries in the world today which together represent 40% of the world population. The Forum supports the efforts of democratic countries in

transition as they reach to their own paths of many of the structural and implementation clashes.

It is the forum's conviction that the people have the right to pursue their legitimate interest under the ages of federal or decentralized system of governance. This path, however, must be through dialogue and through debate.

We have seen too many bad examples where people tried to solve differences of opinions with weapons. It is certain that Pakistan will be among those federal nations who will proudly share in the future its experiences and benefits to other countries on their path to federal and decentralized democracy.

Pakistan has embarked on the right journey. The international community is fully committed to support Pakistan on this democratic and important track.



Mr. Nicholas Rosellini  
Deputy Regional Director RBAP-UNDP

Federalism and decentralization emerged as popular themes in politics and governance in countries where diverse and multiple identities sought equal access to power and resources within a country. In these scenarios, federalism became one of the pragmatic political choices of states to ensure effective representation and equity in resource distribution and participatory governance.

Pakistan is a society blessed with the richness of diversity and multiple identities, was able to reach consensus on federalism as a system through a journey of continuous democratic struggle and debate over the last six decades. The 18th Constitutional Amendment –unanimously passed in 2010—has set a new direction for Pakistan as a federal, democratic and parliamentary state – and this has rightly been acknowledged as a

positive step by many partners across the world.

With the passage of this landmark 18<sup>th</sup> Amendment, Pakistan is now undergoing a critical phase of implementation and transition management to turn the Amendment and its vision to reality. Transitioning to a federal structure requires that adequate attention be paid to issues of inclusiveness, effective delineation of roles and responsibilities, revenue generation and distribution that is fair and transparent. In this most important endeavor, and at the request of the Government of Pakistan, UNDP is pleased to support the Government and the people of Pakistan in this process.

UNDP has supported to decentralization and local governance programs across the world including around 20 countries in the Asia Pacific region. These programmes focus on a number of areas such as support to legislative development for decentralization, as well as strengthening sub national and local governance institutions for improved service delivery and MDG acceleration; state-building and peace-building; and fostering democratic representation by engaging with marginalized groups to promote accountability, inclusion and participation.

*With the passage of this landmark 18<sup>th</sup> Amendment, Pakistan is now undergoing a critical phase of implementation and transition management to turn the Amendment and its vision to reality.*





*The 18<sup>th</sup> Amendment has had a profound impact on the way the country is governed and its resources are managed. It has reformed and restructured federal-provincial interaction and has introduced mechanisms of shared decision making to promote participatory federalism.*



Mr. Taj Haider  
Senator, Pakistan People's Party

In his inaugural speech Senator Haider said the historic event of the passage of the 18<sup>th</sup> Amendment is symbolic of unprecedented cooperation and consensus between Pakistan's political parties. The 18<sup>th</sup> Amendment has had a profound impact on the way the country is governed and its resources are managed. It has reformed and restructured federal-provincial interaction and has introduced mechanisms of shared decision making to promote participatory federalism.

Pakistan needs to learn from other federations of the world and has much to offer the transitional democracies of the world e.g. how to forge a political consensus on fundamentals of state building. Pakistan now proves to be an example for other transitional democracies in the world where countries have entered into the second phase of their struggle of democratic state building.

Mr. Haider stressed the need to create spaces, design frameworks and develop systems which could support and optimize the process of transition management in the provinces by capitalizing upon dividends of democratic devolution ushered in by the 18<sup>th</sup> Amendment.



Mr. Riaz Hussain Pirzada  
Federal Minister for  
Inter-Provincial Coordination, GoP

On behalf of the Ministry of Inter-Provincial Coordination I would like to welcome you all to the international conference on Participatory Federalism and Decentralization: From Framework to Functionality. This international conference is being jointly organized by the Ministry of Inter-Provincial Coordination, UNDP, Inter-University Consortium for Promotion of Social Sciences, NCA and Forum of Federations.

The ICPFD is the key step in building the required knowledge base of all key stakeholders and it gives us an opportunity to learn global and regional experiences as well as share Pakistan's challenges and opportunities with the international community. It is hoped that conference will provide us the opportunity to interact and discuss ideas that will open up new avenues

of collaboration and learning. Pakistan came into being as a federation. In 2006, our Prime Minister Mian Muhammad Nawaz Sharif and late Benazir Bhutto signed the Charter of Democracy (CoD) that laid the very foundation of this subsequent constitutional amendment. The CoD emerged as a Magna Carta in Pakistan and has laid the foundations for a strong democratic culture in Pakistan. The COD served as the basis of the 18<sup>th</sup> Amendment, which was passed with the consensus of all political parties.

Pakistan Muslim League (Nawaz) played a key role in the passage of the 7<sup>th</sup> National Finance Commission (NFC) Award and 18<sup>th</sup> Constitutional Amendment. Both have contributed to strengthening democracy and democratic institutions in Pakistan.

The 18<sup>th</sup> Amendment especially, has not only revived but also radically re-oriented the democratic and federalist fundamentals of the state in Pakistan. The amendment is believed to have brought about a set of comprehensive structural changes to guide and redefine the nature of governance in Pakistan. It is believed that the chronic disconnects between federation and its constituents have been bridged to a greater extent. And our government is committed to strengthening the democratic and federalist principals in Pakistan.

*The 18<sup>th</sup> Amendment has not only revived but also radically re-oriented the democratic and federalist fundamentals of the state in Pakistan...brought about a set of comprehensive structural changes to guide and redefine the nature of governance in Pakistan.*









PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

# Session 1:

## Participatory Federalism and Decentralization: Global Perspectives and Local Linkages



Session objective:

Sharing global/regional experiences on federalism and decentralization; and understanding the evolving perspectives on participatory federalism in Pakistan







Senator Raza Rabbani  
Central Leader & Legislator PPP

This session was chaired by Senator Raza Rabbani, a central leader and legislator from the Pakistan Peoples Party (PPP) widely known as father of the 18<sup>th</sup> Amendment. He was Chairman of the Parliamentary Committee on Constitutional Reforms (PCCR) that drafted the 18<sup>th</sup> Amendment. He is a constitutional expert and leads his party when it comes to federalism and

decentralization for greater democracy in Pakistan.

Senator Rabbani said the enactment of the 18th Amendment was the biggest administrative transformation in Pakistan's history and that the concept of participatory federalism lies at its very heart. He said the 18<sup>th</sup> Amendment represented a paradigm shift in helping transform the concept of a functionally strong federation from that in which a strong center was considered the guarantor of a strong state to one in which strong provinces are a guarantee of a strong state. He lauded the fact of the 18<sup>th</sup> Amendment being a home-grown solution to national problems of governance and resource sharing. In his comments he emphasized the need to strengthen institutions such as the CCI to promote consensual dispute resolution, policymaking and joint control over natural resources.

*The enactment of the 18th Amendment was the biggest administrative transformation in Pakistan's history and that the concept of participatory federalism lies at its very heart...a paradigm shift in helping transform the concept of a functionally strong federation...*

### Transitions in federal democracy – Lessons from Ethiopia



Mr. Maeregu Habtemariam Kazentet  
Former State Minister of Federal Affairs, Ethiopia

The former state minister of Federal Affairs for the Government of Ethiopia told

Ethiopia moved from a divisively diverse ethnic, linguistic, religious, economic, ecologic, political and cultural entity to the creation of a modern entity in the 19th century. This saw the African state adopting postal, rail and admin systems but stayed a forced unitary state and feudal in nature until the middle of the 1970s decade. Around this time it became a socialist military dictatorship that lasted well into the early 1990s.

Ethiopia witnessed military, political and economic disasters with cultural, economic and political centrist policies in this era that resulted in



*Ethiopia witnessed military, political and economic disasters with cultural, economic and political centrist policies in this era that resulted in famines, social degradations and secessionist movements. One part of Ethiopia seceded to form an independent Eritrea. After this division there was a Balkanization of rump Ethiopia with 17 rebel secession movements in 1991 bent upon centrist brinkmanship...*

famines, social degradations and secessionist movements. One part of Ethiopia seceded to form an independent Eritrea. After this division there was a Balkanization of rump Ethiopia with 17 rebel secession movements in 1991 bent upon centrist brinkmanship that gave rise to a strong anti-federal sentiments among old political elite and the civil service.

#### Finding unity in diversity

A Federal Democratic Ethiopia was formed through a new constitution in 1994 that promised: "...ensuring a lasting peace, guaranteeing a democratic order, and advancing economic and social development; recognizing unity in diversity with regional states based on ethnic boundaries with right to self-determination up to secession and allowed strong regions; only major policy roles for federal government."

The evolution of a federal Ethiopia with strong constituents has resulted from a four-prong charter:

1. Unity in Diversity: The concept of Ethiopia revolves around respecting diversity
2. Local Development: Guaranteed fiscal transfers to states and local government; strengthening local taxation and revenue generation; local focus on MDGs on education and health
3. Promoting Stability: Strengthening domestic and regional leadership on peace initiatives
4. Embracing Democracy: Constitutional equality for all ethnic groups; promoting democratic institutions and legal frameworks

### *Trust Deficit between Center and Provinces: Obstacles to Participatory Federalism*



Dr. Rasheed Khan  
Dean Faculty of Social Sciences UoS

**D**r. Khan said that the main obstacle to the implementation of the 18<sup>th</sup>

amendment is the trust deficit between the center and the provinces. And this trust deficit is the creation of a combination of circumstances.

1. Firstly, if we look at the history of Pakistan right from the beginning or even there are examples before 1947 where commitments, promises, pacts even agreements were violated by the establishment that were given to the provinces.
2. Secondly, there is a mindset which has been nurtured by long spells of authoritative rule in Pakistan especially by the frequent military rule. So, that mindset still exists



and is not reconciled to the changes envisaged by the 18<sup>th</sup> Amendment regarding Federalism in Pakistan.

It is very strange to observe that political parties of Pakistan clamour for provincial autonomy when they are in the opposition and act as champions of provincial autonomy. But when they come to power, they become the champion of a strong centre. I can give you the examples from the remote past as well as from the present times.

All India Muslim League was the champion of greater provincial autonomy. In fact the issue between Congress and the League was provincial autonomy. I read a statement by Shaheed Zulfiqar Ali Bhutto in which he said the movement for Pakistan was nothing but a movement for provincial autonomy. However, when Muslim League came to power in Pakistan after 1947, it suddenly became the greatest champion of a strong centre. This harvested the League their defeat in the 1954 elections in the then East Pakistan.

Now this is not the only example in our political past. Awami League led by the Hussain Shaheed Soharwardi started a province wide agitation for greater provincial autonomy – along with other political parties with support bases in East Pakistan—in reaction to the report of First Principle Committee's constitution report wherein a strong centre was recommended. And in the All Parties Conference –in which Awami League also took part—held in Dhaka in December 1950 called for allocation of only three subjects to the centre i.e. defence, communication, foreign affairs and currency. But when he became Prime Minister in 1956, Soharwardi was found a champion of one-unit. He even undertook a tour of the Punjab province just to win political support to save his Prime Ministerial position.

Then we come to the Movement for the Restoration of Democracy (MRD). The MRD had a charter for greater provincial autonomy. But when the government of Peoples Party took power in 1988 and Shaheed Benazir Bhutto became Prime Minister, her government did nothing for provincial autonomy. But here I must say that credit also goes to the PPP for on two occasions –in 1973 and in 2010—they championed the cause of federalism and decentralization in Pakistan. In the first instance, the 1973 constitution was definitely an improvement for provincial autonomy over the previous two constitutions of Pakistan legislated in 1956 and

*Dr. Khan said that the main obstacle to the implementation of the 18<sup>th</sup> amendment is the trust deficit between the center and the provinces. And this trust deficit is the creation of a combination of circumstances.*

*All India Muslim League was the champion of greater provincial autonomy. In fact the issue between Congress and the League was provincial autonomy. I read a statement by Shaheed Zulfiqar Ali Bhutto in which he said the movement for Pakistan was nothing but a movement for provincial autonomy.*

Strengthening Participatory Federalism and Decentralization:  
From Framework to Functionality





1962. And in 2010 the PPP introduced the 18<sup>th</sup> Amendment that has expanded the parameters of provincial autonomy considerably.

However, we cannot ignore this opportunistic approach of political parties which I think is one of the main causes of the trust deficit that exists between the centre and the provinces. Another reason is that we have had been living under authoritative rulers and authoritarian dispensations either in the form of civil administration or when the military rules. From 1947 up to 1954, for example, Pakistan was governed by a provisional constitution based on the 1935 India Act. We all know that although the 1935 Act did introduce formal federalism in India for the first time but at the same time it provided for a very strong centre. There were only limited powers, little space for the provinces to legislate. Provinces had very little power especially in the area of fiscal federalism.

### *Is Federalism Gendered?*



Dr. Vickers Jill  
Research Professor and Emeritus  
Chancellor's Professor in Political  
Science at Carleton University  
Ottawa, Canada

**D**r. Vickers made a presentation surveying how institutions, practices and ideas constituting federalism affect women differently than men; and how divided

government and decentralization affect women's citizenship – i.e., their political participation, representation and ability to hold governments accountable for commitments regarding women's rights.

#### *The gender effects of 'federal arrangements' and decentralization*

'Federal arrangements' and decentralization have both positive and negative outcomes for women. Outcomes vary according to the type of federation involved and attendant conditions. For example, federations have multiple access points that organized women can use to influence decision-makers and various high offices they can contest. However, this produces fragmentation that makes gender reforms harder to achieve.

*'Federal arrangements' and decentralization have both positive and negative outcomes for women. Outcomes vary according to the type of federation involved and attendant conditions.*

### Gender effects of divided government and decentralization

Broadly speaking, federalists make three claims:

1. that federalism increases democracy;
2. that it manages diversity; and
3. that it promotes efficiency.

Gender scholarship shows that the democracy claim applies positively to women but only under favorable circumstances, e.g., when women enjoy enough security to organize effectively. Even then, women's long exclusion from the public realm means that governments must act positively to overcome women's marginalization in order for their participation and representation to improve.

### Challenges to look out for

There are four main ways federal arrangements and decentralization inhibits the development of women's citizenship and obstructs their ability to promote gender reform.

1. First, divided government fragments, state structures and political processes make it hard for women to promote reforms in multiple decision-making sites, and fragmenting their resources and capacity for activism.
2. Second, decentralization often results in powers that are of great importance to women, e.g., family law, being downloaded to regional and local governments. Such governments often lack the power or will to effect gender reforms.

3. Third, downloading responsibility for the welfare state programs to regional and local governments undercuts women's citizenship as few local governments have the resources needed to deliver these programs.
4. Fourth, specific federal arrangements such as majorities, powerful courts, and territorial pluralism make it especially hard for even organized women to achieve gender reforms.

### Some mechanisms to ameliorate negative effects of decentralization

Dr. Vickers said that decentralization can offer women opportunities for increased representation and promoting reforms under the right circumstances. The most important condition is security, both for individual women who may experience violence within their families when they try to engage in politics. This can be through electoral quotas that can compensate for women's marginalization by increasing their representation as legislators. Effective Women's Policies Agencies (WPAs) at the local level are important mechanisms for ameliorating the negative effects of decentralization as they can mediate between women's organizations and state officials and also provide financial resources to promote capacity-building.

The discussants for the first session were:

1. Dr. Syed Jaffer Ahmed - Pakistan
2. Dr. Sarfraz Ansari - Pakistan

*Dr. Vickers said that decentralization can offer women opportunities for increased representation and promoting reforms under the right circumstances. The most important condition is security, both for individual women who may experience violence within their families when they try to engage in politics.*







PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

## Session 2:

### Local Governance and Development Outcomes: Frameworks of Institutional Interplay



Session objective: \_\_\_\_\_

Integrating the spirit and process of 18th Amendment in redirecting debate on local government for effective service delivery; what could be the indicative framework to develop context-specific local government systems in four provinces?







Greg Ellis  
Counselor, AusAid Pakistan

This session was chaired by Greg Ellis. Introducing the theme, Mr. Ellis said a successful federalism

is one that accommodates local interests as national interests providing for a national unity of purpose. Central to functional model of participatory federalism is a practical framework that allows for development of robust institutions helping strong intergovernmental relations through regular meetings and effective mechanisms of revenue distribution. He said the framework of the 18<sup>th</sup> Amendment provides such an opportunity for Pakistan to establish structures and create a healthy government-people relationship.

*Central to functional model of participatory federalism is a practical framework that allows for development of robust institutions helping strong intergovernmental relations through regular meetings and effective mechanisms of revenue distribution.*

### Democratizing the State through Local Government Reform



Ali Cheema  
Associate Professor of Economics  
Lahore University of Management  
Sciences

This presentation discussed successful experiences with local government reforms. These experiences produce the following results:

1. Improved service delivery by encouraging innovations in governance

2. Strengthening of ties between political parties and citizens
3. Produced political leaders of quality and experience for parties and governments at all tiers
4. Enabled under-represented groups to enter politics and become vital stakeholders
5. Produced major innovations in governance and service delivery

#### How do local governments democratize the federation?

Cheema said all this can be achieved through:

1. Political accountability: Increasing ability of voters to hold local decision makers accountable if local political institutions enable broad set of voters to hold government accountable







*Increasing ability of voters to hold local decision makers accountable if local political institutions enable broad set of voters to hold government accountable*

2. Legal mandate: Instituting a law that provides clear and sufficient mandates to local elected representatives
3. Ladder for advancement: Strengthening quality of national democratic leadership by providing opportunities for local politicians of quality and experience to advance to higher political office, in parties and higher tiers, after building reputation at local level
4. Political mobility: Broadening base from which political leadership is drawn –if local political institutions are able to overcome inequality in representation and provide equal opportunity to excluded groups
5. Democratic deepening: Strengthening ties between citizens and political parties –if local political institutions embed parties at the grassroots level and electoral institutions central to attaining these benefits are designed.

### Setting up for federal failure

Historically speaking, local governments can actually end up weakening democracy if they carry the following characteristics of local political institutions. This is something that is familiar to previous Pakistani experiments at local government reforms:

1. They create a disjuncture between higher tier and local tier democracy and weaken ties between citizens and parties by instituting non-partisan elections
2. They diminish citizen accountability by making local governments accountable to narrow set of voters by instituting indirect non-party elections
3. They weaken accountability by reducing local politicians' ability to build reputation because of underfunded and restricted mandates and excessive bureaucratic control
4. They narrow out the base of local political leadership by restricting political mobility of excluded groups

Political accountability: Increasing ability of voters to hold local decision makers accountable if local political institutions enable broad set of voters to hold government accountable

Legal mandate: Instituting a law that provides clear and sufficient mandates to local elected representatives

Ladder for advancement: Strengthening quality of national democratic leadership by providing opportunities for local politicians of quality and experience to advance to higher political office, in parties and higher tiers, after building reputation at local level

Political mobility: Broadening base from which political leadership is drawn –if local political institutions are able to overcome inequality in representation and provide equal opportunity to excluded groups

Democratic deepening: Strengthening ties between citizens and political parties –if local political institutions embed parties at the grassroots level and electoral institutions central to attaining these benefits are designed.

#### The litmus tests for effective local government laws

They say if at the level of center-state relations the constitution produces democracy, at the level of state-local government relations it produces bureaucracy. What is the potential of PLGA (2013) – the LG law of Pakistan's Punjab province – to strengthen foundations of democratic state in Pakistan? Ali Cheema applies four litmus tests to the law to see how it measures up:

#### Litmus Test #1: Increase ability of broad set of voters to hold decision makers accountable

##### Reality check: Weak citizen accountability

The law actually stipulates that District Council (DC) and Urban Council (UC) chairpersons be indirectly elected and made accountable to a narrow electoral base. Chairman and VC are to be elected by a majority of members of relevant council present and voting while DC members consist of chairman of UCs and 25 indirectly elected members. Then, the Electoral College is narrower than 2001 because earlier electoral college or Zila and Tehsil Nazims consisted of all members of UC, including nazim/naib-nazim in relevant area.

##### Reality check: Accountability to a narrow set of voters

The Electoral College is now narrower than 2001. For example, the size of Lahore district's Electoral College in 2001 was greater than 1,300 voters and in 2013 it will be only 245 voters! The size of an average rural district's Electoral College in 2001 was greater than 1,000 voters and in 2013 it is 122 voters!

The DC and UC chairpersons are indirectly elected and made accountable to a narrow electoral base. The chairman and VC are elected by a majority of members of relevant council present and voting. DC members consist of chairman of UCs and small

*Strengthening quality of national democratic leadership by providing opportunities for local politicians of quality and experience to advance to higher political office, in parties and higher tiers, after building reputation at local level*





*DC members consist of chairman of UCs and small number of indirectly elected members. The clause for election of chairman does not require commanding a majority of total membership. This is a dilution of the principle of election by majority.*

number of indirectly elected members. The clause for election of chairman/VC does not require commanding a majority of total membership of council/corporation. This is a dilution of the principle of election by majority.

**Litmus Test #2: Improve quality of political leadership through democratic system by ease of entry and reputation building**

**Reality check: Unlikely to impact quality of political leadership**

Cheema gave a quick reality check on the likely quality of political leadership we can look forward to. His reason is law has restricted mandates and fuzzy accountability process:

1. education and health are not under purview of local elected representatives;
2. local elected representatives represented in district authorities but unlikely to have authority to run them;
3. creates fuzziness for voters who may still choose to hold their closest politicians accountable;
4. may make it difficult for local politicians to build reputation to advance to higher political office.

**Reality check: Non-party based elections**

This process will reduce parties' efforts to find and invest in better quality local leadership because they cannot enhance their reputation by doing this; closes pathway for local leaders to advance to higher political office by separating parties from local government

**Litmus Test #3: Deepen democracy by strengthening ties between citizens and parties**

**Reality check: Weak ties between citizens and parties**

The provision is for non-party elections, which is a non-sequitur because parties unofficially back candidates as:

1. parties have significant incentives to intervene;

2. the process is not transparent;
3. retains negative qualities of partisan politics without gaining benefits;
4. reinforces personalized groups at the expense of cadre-based parties; and
5. incentivizes horse-trading and support buying which further weaken party presence at local level.

#### Litmus Test #4: Broaden base from which local political leadership is drawn

##### Reality check: Narrow leadership base

Non-party elections serve as a restrictive entry-level criterion for lower income and excluded groups because without party support, candidates may need more resources for campaigning than if they had party support.

##### Correctional measures: what should be done?

According to Cheema, to address these serious shortcomings a number of measures need to be ensured in the PLGA law through amendments:

1. Ensuring accountability to a broad set of voters –by including a proportion of politicians elected at-large from voters of urban council or district
2. Allowing for party-based elections –but by using an open-list proportional representation system to help parties measure popular support of local candidates
3. Forcing parties to choose better candidates and get in touch with voters
4. Ensuring broader representation at local level will mean considering –parliamentary system at all tiers (including UCs) with chairpersons elected by a majority of the total membership of house; increasing proportion of reserved seats for women, minority and lower income groups; and encouraging proportional representation
5. By clarifying for voters who has political responsibility for running district authorities

*This process will reduce parties' efforts to find and invest in better quality local leadership because they cannot enhance their reputation by doing this;*

*Ensuring broader representation at local level will mean considering –parliamentary system at all tiers (including UCs) with chairpersons elected by a majority of the total membership of house; increasing proportion of reserved seats for women, minority and lower income groups; and encouraging proportional representation*



*Responding to the demand side of political reforms, the paradigm shift in restoring primacy to representative politics and consolidating democratic gains in Pakistan has essentially come through a series of firm strides forward in the shape of landmark developments over the past few years.*

## Distributing ownership in devolved governance



**Amjad Bhatti**  
National Technical Advisor  
Strengthening Participatory  
Federalism and Decentralization  
Democratic Governance Unit  
UNDP Pakistan

Historically, Pakistan's travails of participatory governance and federalism has been afflicted by the infamous "Three As". These are:

- ⦿ Absence of constitution (periods where no representative political mission statement was available);
- ⦿ Abrogation of constitution (durations when it was set aside); and,
- ⦿ Adulteration of constitution (when it was distorted against representative will through amendments inserted in it by non-democratic forces).

The impact of this uneven mission clarity and interrupted legal framework was also in three different dimensions of state and society to varying degrees:

1. Constitutional failure leading to the breakdown of democratic politics resulting from disenfranchised stakeholding (e.g., failed local governance under military-led politics and denied local governance under civilian-driven politics, etc.);
2. Breakdown of democratic politics leading to failure of governance (e.g., policy planning vacuum, development disparities, institutional inefficiency, denied participation, etc.); and,
3. Failure of governance leading to development deficits (e.g., lagging on MDGs, shortcomings on Medium Term Development Framework, etc.).

In the contemporary context, responding to the demand side of political reforms, the paradigm shift in restoring primacy to representative politics and consolidating democratic gains in Pakistan has essentially come through a series of firm strides forward in the shape of landmark developments over the past few years. These include:

1. Development by mainstream political parties of Pakistan of the Charter of Democracy (CoD) outlining medium to long term consensus on political reforms;
2. Holding of the 2008 general elections that helped Pakistan transition from military to democratic rule;



3. Signing by Pakistan of the international Convention on Civil and Political Rights:
4. Institution of the 18<sup>th</sup> Amendment, which amended over 100 articles and clauses of the Pakistani constitution ridding it of distortions inserted by the military;
5. Holding of the 2013 general elections that helped achieve Pakistan's first transition of power between two democratic dispensations; and,
6. Readiness by democratic forces to conduct the first local government (LG) elections.

#### Legacy of Local Governments in Pakistan

- ⊙ Military governments installed all three systems of Local Governments
- ⊙ First LG polls were held in absence of any other forum of elected government at provincial or federal levels
- ⊙ All LG systems were incubated by federal governments bypassing the provinces
- ⊙ All LG systems were deployed as a 'ladder of legitimacy' by successive military governments
- ⊙ All LG systems were used as a tool to extend central authority of the federation to the district and local levels which, according to studies, led to over-centralized governance structures in Pakistan

Political forces undertook two specific significant steps with a view to correct this tarnished legacy in our local governments. Firstly, a signed commitment in the Charter of Democracy in 2006, declared:

"Local bodies election will be held on party basis through provincial election commissions in respective provinces and constitutional protection will be given to the local bodies to make them autonomous and answerable to their respective assemblies as well as to the people through regular courts of law."

Secondly, Article 140(A) was incorporated in the 18<sup>th</sup> Constitutional Amendment. The landmark constitutional achievement unequivocally states:

"Each Province shall, by law, establish a local government system and devolve political, administrative, and financial responsibility and authority to the elected representatives of the local governments."

#### Challenges and opportunities

Article 140(A) of Pakistan's constitution while stipulating a representative LG system as a manifestation of devolution of powers emphasizes 'responsibility' and 'authority' to underpin their embedded references:

- ⊙ Responsibility can be defined as "The state of being answerable for an obligation, and includes judgment, skill, ability and

*"Each Province shall, by law, establish a local government system and devolve political, administrative, and financial responsibility and authority to the elected representatives of the local governments."*





*Authority can be delegated but not Responsibility!*

capacity. The obligation to answer for an act done, and to repair or to otherwise make restitution for an injury it may have caused. A duty or obligation to satisfactorily perform or complete a task (assigned by someone, or created by one's own promise or circumstances) that one must fulfill, and which has a consequent penalty for failure."

- ⦿ Authority can be defined as "Institutionalized and legal power inherent in a particular job, function, or position that is meant to enable its holder to successfully carry out his or her responsibilities. Power that is delegated formally. It includes a right to command a situation, commit resources, give orders and expect them to be followed; it is always accompanied by an equal responsibility for one's actions or a failure to act. An agency or body created by a government to perform a specific function, such as environment management, power generation, or tax collection. Right to exercise powers; to implement and enforce laws; to exact obedience; to command; to judge. Control over; jurisdiction."
- ⦿ Devolution can be defined as "The transfer or transition from one person to another of a right, liability, title, estate, or office. Delegation or passing of authority, duty, power, and/or right by succession or transfer."

Authority can be delegated but not Responsibility!

Article 140(A) defines jurisdiction of LGs and identifies four areas of devolution at the local level:

1. Devolution of political responsibility and authority –the legislative, regulative and policy related responsibilities and authorities to be devolved to the Lgs.
2. Devolution of administrative responsibility and authority –executive responsibilities and authorities in the course of every-day functioning of the Lgs.
3. Devolution of financial responsibility and authority –the revenue and expenditure assignments of the Lgs.
4. Devolution of responsibility and authority to the elected representatives of LGs –assigned to the elected representatives of the local government.

As Pakistan's provinces draft their respective LG laws, it remains to be seen how they conform to these stipulations and guarantees that need to be incorporated into levels, sectors, subjects and the elected / non-elected interfaces. In this way the intention of distributed ownership will be translated into our reality.



## *Social Capital as a Determinant of quality Service Delivery by Local Government Institutions: A review of Rural Water Supply in Punjab*



Fayyaz Baqir  
Director, Akhtar Hameed Khan  
Resource Center

**M**r. Fayyaz Baqir is a senior development professional widely respected for his dedicated work with communities across the country for participatory development at the local level. He made a presentation on community development in Punjab.

At the policy level, Government of Punjab agreed that they will follow the internal/external development model that is accepted all over Pakistan it being an excellent model for partnership between communities and the government wherein internal development is responsibility of the community. This means that the house latrine, the connecting pipes, sewerage line in the lane, will all be paid for by the community and operational maintenance will also be the responsibility of the community. As for external development, which is connecting households with trunk line, and building a trunk line and disposal; this will be the government's responsibility.

The policy reduces cost for the government and smaller amounts in budget are required to develop the scheme than in the case of where the government totally takes over. It reduces government cost almost to 70% if you take this internal development approach. Also operational management can be carried out rather easily.

*At the policy level, Government of Punjab agreed that they will follow the internal/external development model that is accepted all over Pakistan it being an excellent model for partnership between communities and the government wherein internal development is responsibility of the community.*



*There are constitutional and general legislation issues with the early draft versions of LG laws that need to be addressed...*

## *Provincial LG laws in Pakistan – Key challenges to be wary of*



Vladimir Pran  
Country Representative  
Democracy Reporting International  
(DRI), Pakistan

The last nationwide Local Government (LG) elections in Pakistan were held in 2005 by the regime of Pervaiz Musharraf. Their tenure was five years and succession elections were due in 2010. These were not held. In 2010 the LGs were suspended and the same year the landmark 18<sup>th</sup> Constitutional Amendment was passed mandating the provinces to have their own LG laws and Election Commission of Pakistan (ECP) to hold subsequent LG elections.

The 18<sup>th</sup> Amendment did not stipulate dates for elections and the Supreme Court of Pakistan in August 2013 directed the federal government, provinces and the ECP to make arrangements for early LG elections. As a result of this directive, Khyber Pakhtunkhwa produced the first draft of a bill in May 2012 for LG system in the province, and Punjab, Sindh and

Balochistan produced first drafts in August 2013.

- ◉ State of the legal LG framework: There are constitutional and general legislation issues with the early draft versions of LG laws that need to be addressed, including unclear legislation with significant gaps; number of areas left for regulations written by civil servants instead of public representatives; unclear relationship with federal legislation and the Election Commission of Pakistan; and the provisions not being in compliance with international obligations.
- ◉ Glaring gaps: In particular the key gaps needing attention in the early versions of the drafts are provisions for Electoral system (system of representation); constituency delimitation (equal suffrage); dissolution and schedule of elections; candidacy criteria; and electoral disputes resolution.

The provincial LG laws also need greater clarity and elaboration on polling procedures; vote counting and tabulation; campaigning; political finances; secondary legislation; registration of voters; affirmative actions for women and minorities; observation of elections by independent monitors; role of and code of conduct for media coverage of elections; and election administration.



## Khyber Pakhtunkhwa LG Law 2013 – Key Features and Status



Inayatullah Khan  
Minister for Local Government  
Elections and Rural Development  
Department, Khyber Pakhtunkhwa

**T**ouchstone for the Khyber Pakhtunkhwa Local Government Ordinance (KPLGA) 2013 is the constitution of Pakistan, in particular three articles:

- ◉ Article 32: Proactive encouragement of LG institutions as obligation and principle of policy
- ◉ Article 37(i): Decentralization of government administration on the axis of expeditious disposal of business for convenience of the public
- ◉ Article 140-A: Devolution of political, financial and administrative authority and responsibility to elected representatives

The following are the objectives of the KPLGA 2013:

- ◉ Make service delivery outlets optimally functional
- ◉ Make public servants accountable to the public

- ◉ Enable people to set their own priorities
- ◉ Make services work for the people
- ◉ Ensure linkages between the tiers of government, civil society, development partners and private sector

### Composition

There are three tiers of administration stipulated in the KP LGs:

1. Tier 1: the lowest tier will be Village Council and/or Neighborhood Council;
2. Tier 2: the intermediate tier, will be Tehsil Council; and,
3. Tier 3: the highest tier, will be District Government.

### Tier 1 functions

These will be monitoring of performance of functionaries of all offices in their area; registration of births, deaths and marriages; watch and ward; approve annual budget and review audit reports; organize co-operatives for improving economic returns and reduction of poverty; alternate dispute resolution; identification of development needs and implementation of development works; mobilizing communities for assistance in maintaining public infrastructure, and de-silting of canals and development activities.

### Tier 2 functions

These will be provision, management, operation, maintenance and improvement of municipal services; preparation of spatial plans and dissemination for public enquiry;

*The support institutions for the urban district governments and rural district governments will be District Education Authorities, Punjab Finance Commission, and Punjab Local Government Commission.*



*The KPLGA 2013 will be vetted by the Law Department, presented before the provincial cabinet for concurrence, tabled in the provincial assembly for enactment, and coordination will be conducted with the Election Commission of Pakistan for elections*

execution of development plans for improvement of infrastructure; control over land-use, land-subdivision, land development and zoning; enforcement of municipal laws; prevention and removal of encroachments; coordinating and supporting municipal functions in Tier 1.

### Tier 3 functions

The functions will be coordination, human resource management, planning, development, finance and budgeting functions for the devolved offices.

### Support institutions

The 3-tier LG system will have support institutions namely:

1. Election Commission of Pakistan for elections and franchise;
2. Provincial Finance Commission for fiscal transfers;
3. Local Governments Commission for supervision and linkages;
4. Delimitation Authority for delimitation; and,
5. Directorate of LG&RD for support to Tier 2 and Tier 1.

### Subjects to be devolved

The subjects to be devolved from the province to the lower levels are a long list. In Part-A:

- ⊙ Adult education and literacy;
- ⊙ Basic health units;
- ⊙ Mother and child health centers;
- ⊙ Primary and secondary education;
- ⊙ Rural health centres and hospitals other than district headquarters hospitals, teaching and tertiary hospitals;

- ⊙ Social welfare and community development; and,
- ⊙ Special education;
- ⊙ Sports and culture.
- ⊙ Technical education;
- ⊙ Vocational education;

In Part-B, these will be:

- ⊙ Public health;
- ⊙ Public health engineering;
- ⊙ Agriculture (extension);
- ⊙ Livestock;
- ⊙ On-farm water management;
- ⊙ Soil conservation and soil fertility;
- ⊙ Fisheries;
- ⊙ Cooperatives;
- ⊙ Social and farm-forestry;
- ⊙ Population welfare;
- ⊙ Rural development and rural works; and,
- ⊙ District roads and buildings.

In Part-C these will be hospitals other than teaching and tertiary hospitals and colleges.

### Next steps

The KPLGA 2013 will be vetted by the Law Department, presented before the provincial cabinet for concurrence, tabled in the provincial assembly for enactment, and coordination will be conducted with the Election Commission of Pakistan for elections.

## Punjab LG Law 2013 – Key features and status



Jawad Rafique Malik  
Secretary  
Local Government (LG), Punjab

The following are the objectives of the PLGA 2013:

- ◉ Provide, manage, operate, maintain and improve the municipal infrastructure and services
- ◉ Sanitation and solid waste management
- ◉ Control over land-use, land-subdivision and land development
- ◉ Manage properties and assets vested in Lgs
- ◉ Enforcement of municipal laws and regulations

### Composition

Under the PLGA 2013, Punjab province will have two major tiers – Tier 1 will be Urban Local Government and Tier 2 will be Rural Local Government.

- ◉ Under Tier 1 there will be Metropolitan Corporation Lahore with municipal corporations (per 500,000 people), municipal

committees (per 30,000 people) and union councils (city councils).

- ◉ Under Tier 2 there will be Rural LGs with district councils and union councils (village councils).

There will be Panchayats for rural areas and Musalihat Anjumans for urban areas.

### Support institutions

The support institutions for the urban district governments and rural district governments will be District Education Authorities, Punjab Finance Commission, and Punjab Local Government Commission.

The functions of support institutions will as follows.

### Punjab Finance Commission

The PFC will make recommendations to the government on a formula for resource distribution including:

- ◉ Distribution of provincial allocable amount amongst the LGs as share of each LG;
- ◉ Distribution of amounts received by the government in lieu of octroi and district tax amongst Lgs;
- ◉ Matters relating to LG finance referred to the PFC by the government or by an LG.

### Punjab Local Government Commission (PLGC)

Functions of the Punjab Local Government Commission (PLGC) will be to:

- ◉ Conduct annual and special inspections of Lgs;

The support institutions for the urban district governments and rural district governments will be District Education Authorities, Punjab Finance Commission, and Punjab Local Government Commission.







*Each rural UC will constitute a Panchayat for amicable settlement of disputes in the prescribed manner and each Municipal Committee and urban UC will constitute a Musalihat Anjuman for amicable settlement of disputes in the prescribed manner.*

- ⊙ Conduct an inquiry by itself or through any other agency about any matter concerning a LG;
- ⊙ Conduct a special audit by itself or direct any other agency to conduct a special audit of any LG;
- ⊙ Resolve disputes between any department of the government and an LG or between two or more Lgs;
- ⊙ Conduct social and performance audit of a category of LGs on the basis of specific performance indicators through a third party and publish the report of such audit; and,
- ⊙ Take cognizance of violations of laws and rules by an LG in the performance of its functions.

#### District Education Authority

The District Education Authority (DEA) will have overall responsibility for the sector within the district of its jurisdiction where it will:

- ⊙ Establish, manage and supervise the primary, elementary, secondary and higher secondary schools; Adult literacy and non-formal basic education;
- ⊙ Special education institutions of the Lgs;
- ⊙ Approve budget of DEA and allocate funds to educational institutions;
- ⊙ Implement policies and directions of the government including achievement of targets set by it;
- ⊙ Ensure free and compulsory education for children of age 5 to 16 as required under Article 25-A of the Constitution; and,

- ⊙ Ensure teaching standards, infrastructure standards, student safety and hygiene standards and minimum education standards for quality education as may be prescribed.

#### District Health Authority

The DHA will have overall jurisdiction for health in the district. It will carry out the following functions:

- ⊙ Establish, manage and supervise primary, and secondary health care facilities and institutions;
- ⊙ Approve the budget of DHA and allocate funds to health institutions;
- ⊙ Provide stewardship, ownership and oversight of health service delivery at primary and secondary levels within the policy framework given by the government;
- ⊙ Coordinate planning and allocate finances for provision of service delivery at district level; and,
- ⊙ Develop referral and technical support linkages between primary and secondary levels of health care on one hand and tertiary level health facilities and medical education institutions on the other.

#### Panchayat/ Musalihat Anjuman

Each rural UC will constitute a Panchayat for amicable settlement of disputes in the prescribed manner and each Municipal Committee and urban UC will constitute a Musalihat Anjuman for amicable settlement of disputes in the prescribed manner.

## Sindh Local Government Act 2013 – Key features and Status

Faheem Akhtar Junejo  
Director General  
Local Government Sindh

The Sindh Local Government Act 2013 was enacted by the Sindh Assembly on August 29, 2013. The law is mainly based on the Local Government Ordinance, 1979.

### Composition

The following will be the composition of Sindh Lgs:

- Metropolitan Corporation: There will be a District Municipal Corporation in Karachi under which will comprise five municipal corporations and one district councils for rural parts of the city. Each municipal corporation will have municipal committees, town committees and union councils.
- Municipal Corporations: There will be municipal corporations in Hyderabad, Sukkur and Larkana.
- District Governments: There will be district governments in the rest of the districts of the Sindh province.

The SLGA 2013 exclusively deals with LG/municipal functions and does not deal with revenue, police or any other department run by the provincial government. The local councils established under this law will be

body corporate and will function under the provincial framework.

### Support institutions

The following will be the support institutions under the SLGA 2013:

#### Local Government Commission (LGC)

The Local Government Commission (LGC) will conduct administrative accountability of elected functionaries. It will comprise 2 members of the provincial assembly one each to be nominated by the leader of the house and the opposition, 2 technocrats to be nominated by the government and secretaries of the law ministry and local government ministry. The minister of the local government will be chairman of LGC.

#### Provincial Finance Commission

The PFC will be responsible for distribution of resources among local councils. The finance minister will be its chairman. Other members will be minister of local government, two members of the provincial assembly to be nominated by the government, and secretaries of law, finance, planning and development, and local government.

The government will exercise general supervision of the councils to ensure that their main activities conform to the provisions of LG laws and issue directions to the councils for effective discharge of their duties.

*The SLGA 2013 exclusively deals with LG/municipal functions and does not deal with revenue, police or any other department run by the provincial government. The local councils established under this law will be body corporate and will function under the provincial framework.*



*The Local Government Commission has been abolished and in its place Divisional Coordination Committees (DCC) have been constituted to oversee district governments in their respective provincial divisions. Likewise, the Provincial Finance Commission has been replaced by Local Councils Grants Committee...*

## Balochistan Local Government Law 2013 –Key Features and Status



Iqbal Marwat  
Director General  
Local Government Department,  
Balochistan

The touchstone for Balochistan Local Government Act (BLGA) 2013 is the constitution of Pakistan, in particular the following articles:

- ⦿ Article 32: Promotion of local government institutions. "The State shall encourage local government institutions composed of elected representatives of the areas concerned and in such institutions special representation will be given to peasants, workers and women.
- ⦿ Article 140(A): Local Government. "Each Province shall, by law, establish a local government system and devolve political, administrative and financial responsibility and authority to the elected representatives of the local government."

The following is the domain of the BLGA 2013:

- ⦿ Virtually every problem and affair that a common citizen experiences in day to day life. From birth to death, from water supply, sanitation and education to marriage, disposal of refuse, roads, town planning, etc.
- ⦿ Provision of utilities and services necessary for life in a civilised society to be furnished by elected urban and rural local councils.
- ⦿ Agrovilles will be relatively self contained urban settlements designed to ensure a rational spread of urbanization in Balochistan and to serve the surrounding rural areas by taking urban facilities to rural areas.

### Composition

Urban-rural divide has been restored in the province and the nomenclature of local councils has been established in Balochistan. The Local Government (LG) obtains in two tiers:

- ⦿ Tier 1 comprising Metropolitan Corporation in Quetta (population over 500,000) with 2 municipal corporations (population between 100,000 and 500,000) and 52 municipal committees (population between 15,000 and 100,000); and,
- ⦿ Tier 2 there will be 32 urban and rural councils comprising an accumulative 599 union councils (population between 7,000 and 15,000).



### Support institutions

The Local Government Commission has been abolished and in its place Divisional Coordination Committees (DCC) have been constituted to oversee district governments in their respective provincial divisions. Likewise, the Provincial Finance Commission has been replaced by Local Councils Grants Committee to oversee fiscal allocations and transfers to the district governments.

Under the law BLGA 2013, annual budgets for the district governments will be approved as follows: Budget for Union Council by District Council, for Municipal Committee by Divisional Coordination Committee, for Municipal Corporation by the provincial government and for the Metropolitan Corporation by the provincial government.

### Guest Speaker



Maulana Fazl-ur-Rahman  
Ameer, Jamiat Ulema Islam (F) &  
Member of Parliament Committee on  
Constitutional Reforms

Maulana Fazl-ur-Rehman held there were three cornerstones to the 1973 Constitution. According to him these are:

1. Official religion Islam;

2. Participatory Democracy; and,
3. Federation or a federal state.

Maulana Fazl-ur-Rahman said the 18th Constitutional Amendment had given provinces their long-standing demand of provincial autonomy and given them their due rights. However, it was now the responsibility of the provinces to benefit from this and take steps to realize the benefits of the 18th Constitutional Amendment.

Discussants for session 2 were:

1. Mr. Munawwar Alam - UK
2. Ms. Preeta Lall - India
3. Mr. Muqtader Nasary - Afghanistan

*The 18th Constitutional Amendment had given provinces their long-standing demand of provincial autonomy and given them their due rights. However, it was now the responsibility of the provinces to benefit from this and take steps to realize the benefits of the 18th Constitutional Amendment.*







PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

## Session 3:

### Participatory Local Governance: Capacity, Resources and Innovations



Session objective: \_\_\_\_\_

Identifying and suggesting remedies for capacity gaps of local governance structures; How can local governance empower citizens? Innovative methods of effective service delivery at local level?







The third session of the international conference was divided into two halves and was also chaired by two diplomatic luminaries and noted dignitaries in Islamabad. The first half session on Participatory Local Governance: Capacity, Revenues and Innovations was chaired by Mr. Paul Molloy, Deputy High Commissioner, Australia while the second-half of the session was chaired by Mr. Berend De Groot, Head of Cooperation, European Union Delegation to Pakistan.

During their brief comments the two seasoned diplomats observed that

there exist different levels of capacities of local governments in the world. Solutions on appropriate capacities can be derived from learning from their varying experiences. However, they cautioned that capacity has to be customized for administrators who would eventually run local governments in Pakistan. They held countries that value public service tend to have better public service delivery systems with strong anti-corruption measures in place while failure stories tend to be those that have high degrees of politicization of public service structures.

*There exist different levels of capacities of local governments in the world. Solutions on appropriate capacities can be derived from learning from their varying experiences.*

### Local governance structures – The Afghanistan experience



Atul Shekhar  
Regional Governance Advisor  
UNDP Afghanistan and Nasir Figar  
Program Development Manager  
Government of Afghanistan

Mr. Shekhar and Mr. Figar jointly presented salient features of the local government structures in Afghanistan. They also shared success stories of adopted participatory local governance approaches. The

presenters felt there is little need for creating new mechanisms from scratch when adjustments and modifications can be more easily made to help existing structures evolve to newer challenges of governance.

The visiting professionals from Afghanistan emphasized the need to ensure sustainability of decentralized projects and proposed outcomes. This, they held, is better served by reforms that are not too radical and can avoid dismantling parallel structures and/or processes.

Another point they raised was the importance of maintaining a long-term vision. This includes setting objectives relating to enhancing capacities and strengthening institutional development, improving local processes and linking short to





*There are certain opportunities, priorities, and actions that we have come up within a local administration law. However, there are still some ambiguities around roles and responsibilities at the local level. For instance, the interaction between the ministries and the provinces is not well defined.*

long-term stability initiatives Mr. Figar said as government employees in Afghanistan they were happy to have an independent directorate at the ministry level dealing with local government issues in Afghanistan. Coming to strategy, he said, Afghanistan is quite rich in terms of the strategies we have. There are so many case studies, and researches in addition national plans and policies adopted recently.

When the international community engaged with Afghanistan in the wake of 2001, there was little government infrastructure in place. This became the priority at first and it remains a process underway for they are still continuing to refine the institutional arrangements on ground. This means government structures on ground were not able to deliver or were at least unable to comply with donor needs and requirements.

We have developed the Afghanistan National Strategy (ANS) which covers all these areas:

- ⦿ Transparency;
- ⦿ Accountability;
- ⦿ Service delivery; and,
- ⦿ Rule of law.

So what we did, and it is land mark development, was to make sure that this was not a government strategy

made by bureaucrats as had happened in other countries. We have examples of this happening even in our own regional neighbourhood countries. In contrast, this has been a strategy that was developed by the government with the help of the international community. There was participation from civil society, from the people and many public consultations. And the result is that now we have a strategy that has come out of a really constructive process.

Our strategy in Afghanistan for local government is that it is all about participation of the people in the process of development and that is how we include people at large, especially at the grass root levels. They are involved and able to prioritize their need needs in the strategy.

There are certain opportunities, priorities, and actions that we have come up within a local administration law. However, there are still some ambiguities around roles and responsibilities at the local level. For instance, the interaction between the ministries and the provinces is not well defined. Or how the district council or other elected representative body might work together with government administration. So, we have dealt with these basic laws that the government of Afghanistan must have for its administration.

## Electoral Representation in Decentralized Governance in the Asia Pacific Region: Case Studies of Selected Countries



Ms. Thusitha Pilapitiya  
Local Government Advisor  
Asia-Pacific Regional Centre, UNDP

**M**s. Pilapitiya discussed the electoral representatives and democratic governance at the local level in her presentation and talked about three countries briefly i.e. Malaysia, Myanmar and Thailand.

There has been a paradigm shift in Pakistan from economic growth to human and sustainable development. There also has been a shift from centralization to decentralization. People are moving from running a government to managing democratic governance. And also we are moving forward towards greater participation of racial and ethnic groups and of course the participation of women. One of the biggest pluses of electoral representation at the local level is because at this level women can be introduced to the political system. And that is why the quota system is very important.

But there are also minuses and one of the biggest minuses is that corruption at the local level which can create a greater burden on poor and disadvantaged and also when electoral representatives at

the local level without fiscal power they can become very frustrated which can lead to violence and/or instability.

- Malaysia has been an independent country for 48 years. They have done a pretty good job of uniting various ethnic groups; while not perfect, the country is a fast developing economy and they have set a goal which is to attain the status of a developed nation.
- Myanmar is at the historic stage of its development. They have a new constitution since May 2008. They had elections in 2010 and by-elections in 2012 at national, regional state level. The lesson here is that in Myanmar there are separatist movements in many of the states. So after the elections and during the elections what they have done is that many of the states have signed their own peace agreement with their own separatist movement. And of course there are reserved seats for women and at the state level women's participation is as low as 2%. They don't have local governments currently; however, they have a law which they call administration act for local governments which was passed last year. However, they will not have local elections until they have general elections in 2015.
- Thailand is a constitutional Monarchy but they do have a growing democracy. Despite all these elections in Thailand, they have not rolled back the decentralized arms of the central government for service delivery. So there is no separation of responsibilities between the central and local government and there are wide disparities between service standards across the regions.

*There has been a paradigm shift in Pakistan from economic growth to human and sustainable development. There also has been a shift from centralization to decentralization. People are moving from running a government to managing democratic governance.*



*The intergovernmental and civil society relations are critical to deliver outcomes spatially...local government systems need a substantial amount of hard power to exercise soft power and that there cannot be a victory with a losing hand.*

### *Participatory Local Governance – Perspectives from Australia*



Dr. Roberta Ryan  
Associate Professor  
University of Technology  
Sydney, Australia

Using the Australian example, Dr. Ryan gave a presentation on participatory local governance focusing on the major elements that need to be incorporated in laws, procedures and practices for an effective multi-tier governance structure – the core being involving

citizens in all tiers and stages of local governance. She emphasized on the need of intervention in support of bridging gaps between service delivery and results-based democracy.

Emphasizing on another major point, Ms. Ryan stated that the intergovernmental and civil society relations are critical to deliver outcomes spatially. She pointed out that local government systems need a substantial amount of hard power in order to exercise soft power and that there cannot be a victory with a losing hand. This she termed as one of the fatal flaws in the community governance vision. In her point of view, reconceptualising local government based on delivery through engagement can be a key success factor in the participatory approach towards local governance and making government work for constituents.

### *Rural democratic decentralization – Lessons from India*



T. R. Raghunandan  
Advisor Local Governance  
Initiative & Network, Swiss  
Development Cooperation, India

Mr. Raghunandan in his presentation outlined the example of Panchayat Raj System in India as a case study of successfully implementing participatory local governance approach. He identified some of the major factors such as mapping all the activities at the local level and creating budget windows for the local government in each department's budget. He explained the concept of Panchayat in detail and their influence on local governance in India.



Raghunandan emphasized that the differences between real and not-so-real devolution need to be understood to ensure effectiveness and efficiency in governance at the local level. Devolution, he held comes in all shades and hues that can be broadly separated as real and not so real. 'Real devolution' has to include clear role assignment by necessity: the power to spend money, the power to tax, discretion in spending money, power to hire, fire and regulate human resources, and direct accountability. The 'not-so-real devolution' is characterized by scheme-bound expenditure, staff on deputation, limited power to collect resources, proxies acting for the Panchayats and proxies being responsible for Panchayat performance.

Institutional design is key to good inter-governmental relations. Local governments cannot be policed from above –both as a matter of constitutional design and also because doing so is simply logistically inefficient. Good design, therefore, is key to provide right incentives for good behaviour across levels of government.

### *Decentralization – Lessons from Indonesia*



Ms. Budiati Prasetiamartati  
Programme Manager  
Decentralization and Local  
Governance, UNDP Indonesia

**M**s. Prasetiamartati shared her experiences of decentralization and participatory local governance in Indonesia. Her focus was the intent to benefit the local people was the secret to success. The key to success in such undertaking lies in increasing people's

welfare. This can be ensured by establishing public service delivery mechanisms as close to the people as possible. You must make sure red tape is at its minimal so that people feel empowered approaching local government offices. Thus supporting local democratization directly supports national democratization as well as engendering economic and social stability from the local tiers of governance right up to the top.

The success of the Indonesian experience in decentralization and participatory local governance lies in the clarity of functions for the various tiers of governance. It also helped ensuring there were minimum overlaps to guarantee efficiency.

In Indonesia the following distributions of functions were worked out to great effect:

*The key to success in such undertaking lies in increasing people's welfare. This can be ensured by establishing public service delivery mechanisms as close to the people as possible.*

Strengthening Participatory Federalism and Decentralization:  
From Framework to Functionality







*The legal framework for decentralization in Sri Lanka is the 13<sup>th</sup> Amendment to the state constitution. The Constitution of Sri Lanka provides for power sharing on the basis of devolved subjects. Provincial Councils Acts of 1987 and 1989 further devolved powers to divisional secretaries in 1992.*

1. Central Government: Making norms, standards and procedures, monitoring-evaluation and supervision plus implementing functions with national externalities;
2. Provincial Governments: Implementing functions with provincial externalities within norms, standards and procedures set by the central government; and,
3. District/Municipality Governments: Implementing functions with local externalities within norms, standards and procedures set by the central and provincial governments.

### *Localization of governance – Experiences from Sri Lanka*



Ms. Thusitha Pilapitiya  
Policy Advisor  
UNDP Asia Pacific Regional Center,  
Bangkok, Thailand

Presenting the Sri Lankan experiences with decentralization and localization of governance Ms. Pilapitiya stressed the importance of working out policies, procedures and mechanisms for fiscal transfers. Sorting out responsibilities was equal in importance, if not greater than designing structural decentralization itself.

The legal framework for decentralization in Sri Lanka is the 13<sup>th</sup> Amendment to the state constitution. The Constitution of Sri Lanka provides

for power sharing on the basis of devolved subjects. Provincial Councils Acts of 1987 and 1989 further devolved powers to divisional secretaries in 1992.

Elaborating why she has emphasised fiscal transfers, Ms. Pilapitiya said service delivery at local government level in Sri Lanka devolves to the Divisional Secretariat that is the central hub at divisional level and links the service delivery chain of central and provincial governments. The Divisional Secretariats can collect taxes on rural roads, markets and cemeteries while social support payments are also made through them. The fiscal source of local governments is the provincial fund for taxes, fees, charges including turnover taxes, excise duties, motor vehicles, stamp duty, other revenue; grants and loans made by the central government, recurrent grant, block grant, capital grant, criteria based grant, medium term investment programme grant, matching grant, project based grants from international development partners and sector ministry funding for development sectors.

## Local government experiences from Nepal



Mr. Yam Nath Sharma  
Assistant Country Director  
UNDP Nepal and Purusottam Nepal  
Under Secretary, Ministry of Federal  
Affairs and Local Development  
Government of Nepal

Mr. Nath and Mr. Nepal presented their approach towards local governance through the example of Nepal emphasizing that acceptability and realization needs to be enhanced on the importance of local governments as an independent tier of federal system. They said federalization and decentralization can have similar approaches without being antagonist.

Another important factor was fear that local governments will undermine the authority of the provinces. The most critical success or failure factor in approaching participatory local governance is the transition management phase – how this is dealt with can spell the difference between going forward and impasse or even regression.

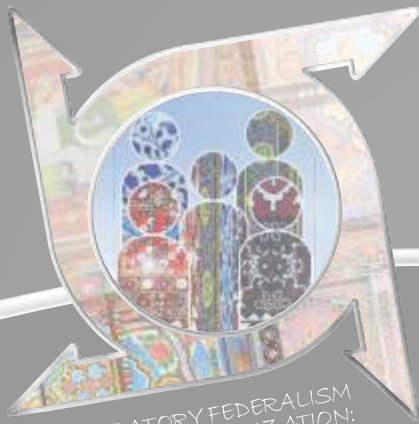
The discussants for session 3 were:

1. Mr. Naseer Memon - Pakistan
2. Mr. Tasneem Siddiqui - Pakistan
3. Ms. Sofia Dahiya - India
4. Dr. Sibghatullah - Afghanistan

*The most critical success or failure factor in approaching participatory local governance is the transition management phase – how this is dealt with can spell the difference between going forward and impasse or even regression.*







PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

## Session 4:

### Fiscal Federalism: How to Operationalize Economy of Autonomy



Session objective:

Exploring policy options for revenue generation, fiscal decentralization and redistribution at three-tiers of governance.







Dr. Hilton Root  
Professor George Mason &  
Kings College London

**D**r. Hilton Root, Professor at the George Mason University in the United States of America and the Kings College in London, the United Kingdom chaired this session. In his opening remarks Professor

Dr. Root maintained components of federalism and decentralization need to be understood better to enhance social growth. Besides bureaucratic incentives, best management solutions need to be made part of governance and promoted on the basis of innovators and opportunity creators to help improve livelihoods and living standards of citizens. For Pakistan, Dr. Root felt good talent needs to be employed in underprivileged geographies. For this, it is important to figure out areas which are in desperate need of managerial support. Budgeting and auditing capabilities of bodies at all levels of government need to be hugely invested in. This is what promotes transparency and accountability.

*Besides bureaucratic incentives, best management solutions need to be made part of governance and promoted on the basis of innovators and opportunity creators to help improve livelihoods and living standards of citizens.*

### *Economy of Autonomy and Decentralization*



Dr. Nadeem-ul-Haq  
Former Deputy Chairman  
Planning Commission of Pakistan

**A**utonomy is a notion which is much broader than covered by the word decentralization. All philosophers talked about how to build governance as a set of interlocking institutions that manage

conflict of interests. There is a huge amount of literature on how to set up institutions to resolve conflict of interests because ultimately governance is the mediation between various vested interests. And that can only be done if you think about it from a systemic point of view.

My point is that let's stop thinking about local government by doing a little bit here and a little bit there. We have already made that mistake in 2001. A local government system should have the power to tax and spend. It also needs the ability to deliver public services at the local level. We know the principle of subsidiarity which says efficient public service delivery must be close to the consumer.

*There is a huge amount of literature on how to set up institutions to resolve conflict of interests because ultimately governance is the mediation between various vested interests.*







*Giving budget to local government should be according to a calculated formula and not an arbitrary allocation. Coupled with the budget allocation is the need for Accountability.*

Today for example Gujrat cannot compete with Lahore because it's all administrative. If you see the New York Times, you will see advertisement that there are some cities in America that are competing with other cities to attract investment, education. Michigan for example is competing for education; these days that is the advantage of decentralization it creates competition within the country.

Right now everything happens in Lahore, Islamabad or Karachi and all other cities are orphan cities. We have to get rid of this. Important thing to remember is that we have competition in a decentralized autonomous system. But more importantly, autonomous system works with federal government instruments we still have to create equalization.

The main thing about decentralization that we have recognized is that we try it to be in the framework for economic growth. We have talked a lot in the framework of economic growth unfortunately in this country everyone thinks of this country as uniform whole. We don't take economic geography into account; we don't take reality into account. The reality is very simple that this country is an urban country but all the development partners want to retain the myth of rural development.

Autonomy is not that the local government is sub-servient to the federal government or the federal

government is superior to the provincial government. We are thinking in pyramidal structures while this is a parallel system. Yes, federal government coordinates but coordinator is not a ruler.

Now what is the parallel system? Parallel system is federal, provincial, local cooperating together. See the case of New York, take New York State, take New York City, and take the federal government, they each have their own bureaucracy. Here the problem is that the civil service sits at the heart of the system and if you centralize the civil service the DC becomes the provincial secretary then becomes the federal secretary. DC's ACR's are written by federal establishment secretary so once we centralize civil service even we have provincial government or local government they don't have their own instrument they don't have their own people. So we have to decentralize the civil service and the first order of business is civil service reform in post-18<sup>th</sup> Amendment framework.

Giving budget to local government should be according to a calculated formula and not an arbitrary allocation. Coupled with the budget allocation is the need for Accountability. However, accountability cannot happen if you are sitting in Islamabad and the official being held accountable is in Balochistan. Local governments need to be empowered to hold these officials accountable.

My final point is that the 18<sup>th</sup> Amendment is not decentralization. Decentralization or autonomy is not one thing or another. Reform is not somebody making a speech or announcement. Reform is a process. Decentralization is transitional system and it's a process. Unless we work the process, it will not happen. We have to go step by step. How does it evolve and adopt over time is through learning, by making mistakes and adapting to changing circumstances. This is how the world works.

### *Fiscal Federalism and Inter-Governmental Relations: A case study of Russian Federation with learning for Pakistan*



Ms. Galina Kurlyandskaya  
Director General  
Center for Fiscal Policy  
Russian Federation

Ms. Kurlyandskaya explained the concept of fiscal federalism through the experience of Russian Federation. Through statistical analysis and historical perspective she emphasized that fiscal federalism may survive without political decentralization but only for limited periods of time.

She showed through her presentation how the Russian Federation has adopted the approach of fiscal federalism to empower the federating units. She highlighted experiences of how federal laws imparted new powers to sub-national governments and the federal government's willingness to substitute individual transfers on delegated powers for lump sum transfers.

Talking about federal reforms in the Russian Federation, she highlighted examples that formed the core drivers for the reforms such as shared powers over provision of public goods, centralized tax system and asymmetrical assignment of revenues across regions and municipalities, non-transparent negotiable intergovernmental transfers and unfunded federal mandates imposed on regional governments and their impacts.

*Talking about federal reforms in the Russian Federation, Ms. Kurlyandskaya highlighted examples that formed the core drivers for the reforms.*

Strengthening Participatory Federalism and Decentralization:  
From Framework to Functionality



*The NEC stands reconstituted but continues to function as before. Then it is still not a body of the federation but remains a committee of the federal cabinet not answerable to the provinces.*

## *Implications of 18th Amendment for national planning and economic coordination*



Dr. Pervaiz Tahir  
Former Chief Economist,  
Planning Commission of Pakistan



Dr. Nadia Tahir  
Associate professor UCP Business School,  
University of Central Punjab, Lahore

The Constitution of Pakistan provides for two principal platforms to undertake national development planning and economic coordination. One is the Council of Common Interests (CCI). Its mandate according to Article 154 (1) is:

“The [CCI] shall formulate and regulate policies in relation to matters in Part II of the Federal Legislative List and shall exercise supervision and control over related institutions.”

The second is the National Economic Council (NEC) whose mandate according to Article 156(2) is:

“The [NEC] shall review the overall economic condition of the country and shall, for advising the Federal Government and the Provincial Governments, formulate plans in respect of financial, commercial, social and economic policies; and in formulating such plans it shall, amongst other factors, ensure balanced development and regional equity and shall also be

guided by the Principles of Policy set out in Chapter 2 of Part-II.”

Even before the landmark 18<sup>th</sup> Constitutional Amendment in 2010 the Council of Common Interests (CCI) – chaired by the prime minister and with equal federal-provincial representation – among other things, had an input in how the National Economic Council (NEC) operates and assists with the transition from centralized planning to federalized planning and takes decisions by majority vote to prevent over-bearance of the federal government. The NEC is charged with the responsibility of making plans 'for advising' the federal government and the provinces on development issues and economic matters.

### **Provincial empowerment after 18th Amendment**

After the Amendment, the provinces are in a better position to benefit fiscally through constitutional expressions including:

- ⊙ **Balanced development and regional equity;**



- ◉ Full control of social and production sectors;
- ◉ Larger role in the sectors of electricity, water, ports and natural resources;
- ◉ Larger public sector development program than the federal government's;
- ◉ Post-7<sup>th</sup> National Finance Commission award greater revenues to spend than the federal government;
- ◉ NFC award irreversible and subject to regular parliamentary oversight; and,
- ◉ Provinces allowed to contract domestic and external debts.

#### Constitutional deviations and major drawbacks

Despite beefed up mandates post-18<sup>th</sup> Amendment, the provinces are not getting optimal benefits. This is because the CCI is still not being

involved in planning. The NEC stands reconstituted but continues to function as before. Then it is still not a body of the federation but remains a committee of the federal cabinet not answerable to the provinces. Even the secretariat of NEC is based in the Cabinet Division as it has no independent secretariat of its own.

#### Constitutional deviations and major drawbacks

Despite beefed up mandates post-18<sup>th</sup> Amendment, the provinces are not getting optimal benefits. This is because the CCI is still not being involved in planning. The NEC stands reconstituted but continues to function as before. Then it is still not a body of the federation but remains a committee of the federal cabinet not answerable to the provinces. Even the secretariat of NEC is based in the Cabinet Division as it has no independent secretariat of its own.

### Money matters: Appraisal of last NFC Award and ideas for the next Award



Dr. Aisha Ghaus Pasha  
Director Institute of  
Public Policy, Beacon house  
National University, Lahore

The National Finance Commission (NFC) Awards, in their various avatars, have constituted the determination and transfer of provincial shares in national revenue of Pakistan. So far seven Awards have been made – all under civilian prime ministers – with the last one in 2010 and the next one due after 2014.

Salient features of the 7<sup>th</sup> NFC Award included Enlargement of the Divisible Pool among provinces; higher provincial share in vertical revenue transfers; diversification of the bases of

*Post-18<sup>th</sup> Amendment and in the run-up to the 8<sup>th</sup> NFC Award, what the federal and provincial governments need to do in concert is to ensure full transfer of expenditure responsibilities to provincial governments in line with the Amendment;*





horizontal revenue transfers; special considerations (fighting terrorism and floor on transfers to Balochistan); provincialization of sales tax on services; and enhancement in straight transfers.

Under the 7th NFC Award, the pre-award of Punjab was 53.01% which post-award went marginally down to 51.74% (difference -1.27%). The share for Sindh went fractionally down from 24.94% to 24.55% (difference -0.39). For Khyber Pakhtunkhwa the share reduced by a slim margin from 14.88% to 14.62% (difference -0.26%). For Balochistan the share went up from 7.17% to 9.09% (difference 1.92). Despite the percentage adjustments, all provinces got more money in the first fiscal year (2010-11) after the Award with increase in revenue transfer to them to the tune of 27.6% overall. In actual terms this was an additional net transfer of Rs216 billion – from Rs783 billion to Rs999 billion.

These increases were in compliance with the constitutional provisions. Article 160 (3)(A) says:

“The share of the provinces in each award of National Finance Commission shall not be less than the share given to the provinces in the previous Award.”

To ensure this remains the case in all future Awards, including the 8<sup>th</sup> NFC Award, both the federal government

and the provincial governments need to continue doing the following at the very least.

#### Provincial governments

NOT slacken own fiscal efforts; avoid profligacy; shift development focus from federal to provincial governments; maximize spending / utilization to improve quality of service provision; and prioritize spending on pro-poor services.

#### Federal government

Enhance tax-to-GDP ratio; sharpen prioritization of federal Public Sector Development Plan; and strengthen functioning of the NFC Secretariat.

Post-18<sup>th</sup> Amendment and in the run-up to the 8<sup>th</sup> NFC Award, what the federal and provincial governments need to do in concert is to ensure full transfer of expenditure responsibilities to provincial governments in line with the Amendment; beef up efforts to broaden the tax net and impose financial discipline in the horizontal sharing formula; and add clarity to policy on borrowing by the provinces. The way forward is in deepening the process for strengthening decentralization on fiscal matters and revenue sharing.

## *Agricultural Income Tax in Punjab: Tax Potential and Modes of Tax Collection*



Dr. Anjum Nasim  
Senior Research Fellow  
Institute of Development and  
Economic Alternatives

The purpose of this paper is to quantify the potential of agriculture income tax in Punjab from taxing agriculture income at rates similar incomes in other sectors of the economy. The share of agriculture in Gross Domestic Produce (GDP) is over 21% in Pakistan. The revenue collected from agriculture tax or land tax is around rupees one billion. Since agriculture is nearly 25% of our GDP it is easy to see 75% of the economy is contributing rupees 760 billion while the other 25% is contributing rupees one billion only. The 1973 constitution gives provinces exclusive rights to make laws that pertain to taxes on income from agriculture.

So we are not taxing agriculture at rates which are currently applicable in agriculture. That's not the tax rate we are using. We are using tax rates which are applicable to those who earn their

income from non-agriculture. But roughly today 2013-14 the tax potential is about 50 billion rupees.

Imposing agriculture tax will be very difficult in the short term. So is there a way of collecting the same revenue using existing administrative structure and system? If we work with per acre tax the land tax that we currently have. Dividing the tax revenue by the number of acre you get the figure which says that someone with 7 to 12 acre pays 761 rupees per acre and 12 to 25 acres pays 2100 and very last pays 10000 per acre. If we apply those tax rates then we get the tax potential that we calculate to regulate income tax rather than applying income tax you can say presumptive tax and existing machinery to do that tax rate go up to 10,000 for very large farmer. Currently those tax rates are 250 rupees per acre for everybody above 50 acres.

Nothing really changed in terms of tax rate in Punjab, presuming other provinces as well in the last seven years since 1997. So there has been continuous drop in revenues from agricultural income tax.

The discussants for session 4 were:

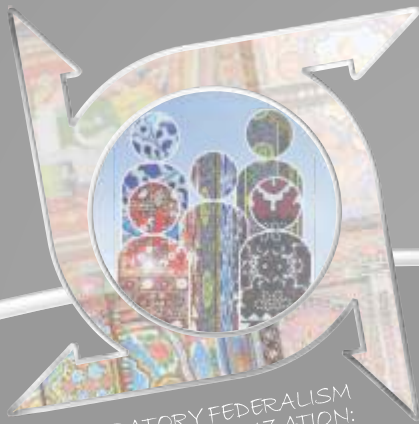
1. Dr. Mughees Ahmad - Pakistan
2. Dr. Zakir Hussain - Pakistan

*The share of agriculture in Gross Domestic Produce (GDP) is over 21% in Pakistan. The revenue collected from agriculture tax or land tax is around rupees one billion...The 1973 constitution gives provinces exclusive rights to make laws that pertain to taxes on income from agriculture.*









PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

## Session 5:

### Political Economy of Inter-Governmental Relations in a Federal Framework: Lessons Learnt and Way Forward



Session objective: \_\_\_\_\_

Lessons learnt at global level and policy options for managing  
Inter-Governmental Relations in Pakistan with special reference to  
18<sup>th</sup> Amendment







Mr. Shafqat Mehmood  
Member National Assembly  
Pakistan Tehreek-e-Insaf

The session was chaired by Mr. Shafqat Mehmood, Member National Assembly. He is a

legislator from the national political party Pakistan Tehreek-i-Insaaf (PTI).

Mr. Mehmood highlighted the need for strong inter-governmental relations to ensure that the federation achieves its goals. He said the Federal Government should not overstep its boundaries and let provincial governments manage their affairs. After the passage of the 18<sup>th</sup> Constitutional Amendment, provincial governments have the responsibility to effectively manage service delivery and have an opportunity to fully realize the benefits of provincial autonomy.

### *Political economy of Inter-Governmental Relations in a Federation – Lessons from Canada*



Ms. Rachel Laforest  
Associate Professor and Program  
Director, School of Policy Studies  
Queen's University, Canada

Ms. Laforest presented her views on political economy of inter-governmental relations in a federal framework through the evolution of federal-provincial relations in Canada. She said that federalism is a dynamic process and federal government and

provincial governments have specified roles to play. In her approach, civil society groups are important mediating structures between the state and the citizens. Furthermore, she said that flexibility and asymmetry are required for effective implementation of decentralization policies and pacts. She distilled four lessons from Canada's experience that can benefit Pakistan.

#### **Lesson 1**

Federalism is a dynamic process and there are specified roles for both federal and provincial authorities. In Pakistan's case, MsLaforest said, the 18th Amendment is well intentioned to bring a greater clarity in the roles and responsibilities of various orders of government and to ensure greater provincial autonomy to possibly

*Intergovernmental machineries are important spaces for dialogue and deliberation. These help establish collaborative structures to facilitate learning and sharing. In Pakistan's case the Council of Common Interests (CCI) is a good mechanism to play this role.*

Strengthening Participatory Federalism and Decentralization:  
From Framework to Functionality





*Distribution of powers among tiers of governments must be worked out. This has to be done encompassing civil law, criminal law, economic law, labor law and social law.*

reduce incentives for military interventions in the political system.

#### Lesson 2

De-politicize the spaces of dialogue and discussion. This allows for a conducive atmosphere to discuss even contentious issues and helps the parties focus on benefits rather than problems.

#### Lesson 3

Intergovernmental machineries are important spaces for dialogue and deliberation. These help establish collaborative structures to facilitate learning and sharing. In Pakistan's case the Council of Common Interests (CCI) is a good mechanism to play this role.

#### Lesson 4

Civil society groups are important mediating structures between the state and the citizens. These are institutional processes that can mediate dialogue/debate for conflict resolution. In Pakistan's case the CCI is a case in point.

#### Lesson 5

Implementation of the decentralization may require flexibility and asymmetry.

### *Unity and Diversity – Lessons in federalism from Germany*



Mr. Reinhold Herber  
Senior Advisor  
Forum of Federations, Germany

**M**r. Herber presented a German case study to explain his views on intergovernmental relations in a federal framework.

There are both positive and negative lessons to be drawn from the experiences of Germany. There is no single pure model which can be successful because each country has different circumstances and different circumstances require different approaches and models. Each country needs to find its own solutions.

Distribution of powers among tiers of governments must be worked out. This has to be done encompassing civil law, criminal law, economic law, labor law and social law.

Things to keep in mind when working out a framework for inter-governmental relations is the inevitability of overlaps and interdependences, partnerships (in

consultation and cooperation), conflict resolution (flexibility to adapt to changing circumstances), scope (federal, provincial, local), jurisdiction (cross-boundary issues, jointly shared rivers, transportation routes, environment). Financial regulations also need to be worked out, particularly in reference to relevance (taxing / expenditure powers), revenues (taxes, fees, contributions

such as social insurance, federal bank profits, incomes / sales of state-run companies, fines), taxes (federal taxes - legal power, lavender taxes - income power, municipality taxes - administrative power), harmonization (vertical, horizontal, assignments of tasks, common tasks), and autonomy (economic efficiency, administrative simplicity, equal living conditions).

### Future of Pakistani federation: Case study of the CCI



Mr. Zafarullah Khan  
Executive Director  
Centre for Civic Education, Pakistan

A review of Pakistan's history shows that between August 14, 1947 and September 15, 2013 (the end date of the research) there are 24,140 days. For this duration democracy prevailed for a total of 8,989 days (37.24%), military regimes for 8,839 days (36.62 days), hybrid regimes (president-in-military uniform and a showcase parliament) for 5,825 days (24.13%) and caretaker administrations for 487 days (2.01 days).

#### Mandate

The Council of Common Interests (CCI) is a mechanism Pakistan has adopted to discuss and decide on issues that impinge on the functionality of the federation. Its mandate covers inter-government relations (IGR) to promote federal culture, communication and cohesion. The CCI was created 'to conform to the spirit of federalism' (Abdul Hafeez Pirzada, 1973) and 'to promote participatory federalism' (Senator Raza Rabbani: 2010).

#### Meetings

The CCI was created in 1973 but its rules were only stipulated in 1991. Modifications were made in 2010. The CCI has met on an average once every year only since its inception. Pre-18<sup>th</sup> Amendment meetings number only 11 while after the Amendment in 2010 there have been another 13; this is two more in merely three years between 2010 and 2013. Of the 24 CCI meetings, three were held under Prime Minister Zulfikar Ali Bhutto, none under General Ziaul Haq, General Pervez Musharraf or Benazir Bhutto, eight under Nawaz Sharif, one each

*The Council of Common Interests (CCI) is a mechanism Pakistan has adopted to discuss and decide on issues that impinge on the functionality of the federation. Its mandate covers inter-governmental relations (IGR) to promote federal culture, communication and cohesion.*

Strengthening Participatory Federalism and Decentralization:  
From Framework to Functionality







*Performance:  
First year 36  
issues discussed,  
second year 13.  
In both years  
only two issues  
raised by Punjab  
province – none  
by other  
provinces. The  
rest are only the  
issues raised by  
federal  
ministries.*

under Moeen Qureshi and Shaukat Aziz, eight under Yousaf Raza Gilani and three under Pervaiz Ashraf.

#### Performance audit

According to the CCI reports presented in parliament, the following is a performance audit of CCI:

- ⊙ Procedural reforms: Rules in 1991 and 2010, Secretariat in 2010, Annual Reports in 2010-11 and 2011-12)
- ⊙ Institutional development: No regular meetings – 1st year six meetings, 2nd year two meetings, 3rd year three meetings, 4th year two meetings, etc. Not a single meeting requisitioned by the provinces.
- ⊙ Subjects: Expanded mandate from 10 to 22 subjects in 2010
- ⊙ Performance: First year 36 issues discussed, second year 13. In both years only two issues raised by Punjab province – none by other provinces. The rest are only the issues raised by federal ministries. On average six decisions per meeting.
- ⊙ Issues discussed: Economy, natural resources, petroleum exploration, public debt management, privatization, energy, investment, special economic zones, disaster relief and reconstruction, population census and water, etc.

#### Way forward

For the CCI to fulfill its potential to cement the federation in terms of promoting participatory federalism, it must do at least the following minimum:

- ⊙ Aggressively promote a federal mindset and culture;
- ⊙ Strengthen federalized institutions that fall under the ambit of Federal List II;
- ⊙ Make provinces proactive to become conveners rather than passive participants;
- ⊙ Promote greater inter-provincial interaction and coordination;
- ⊙ Provide facilitation and capacity building of the executive (political-civil services) on federalism; and,
- ⊙ Generate more debate on participatory federalism in the parliament, media and research community.
- ⊙ The Council of Common Interests (CCI) is a mechanism Pakistan has adopted to discuss and decide on issues that impinge on the functionality of the federation. Its mandate covers inter-government relations (IGR) to promote federal culture, communication and cohesion. The CCI was created 'to conform to the spirit of federalism' (Abdul Hafeez Pirzada, 1973) and 'to promote participatory federalism' (Senator Raza Rabbani: 2010).

## Interplay Between Identity and Rights Movement in Balochistan



Mr. Mushtaq Gaadi  
Faculty, Quaid-e-Azam University  
Islamabad

In his presentation on the “interplay between identity and rights movement in Balochistan” Mr. Gaadi held Balochistan is an issue of misrecognition. This misrecognition is a form of injustice, inequality and violence.

It entails denial of rights. These rights correspond to equality of social status, political representation and economic opportunities. Individuals and groups can both be misrecognized. If a distinct life style and ethical values are over looked or stigmatized in a very systematic way. So if ethical value, cultural life styles are over looked and stigmatized, it is also a form of misrecognition. The case of Balochistan is clearly fixed into these forms of misrecognition.

Misrecognition is the denial of opportunity, and in the case of Balochistan, it is to be noted that the area is very rich in natural resources. Also, it has an highly thin demography. Most Baloch dominated districts in the province are extremely poor and lack basic civic facilities. As a recent report of Social Policy and Development Centre has shown, Balochistan tops the poverty list with 45.68% of the population living below poverty line.

On the other hand, Baloch nationalist leaders fear ongoing mega development projects –such as construction of the Gawadar Port, transnational energy pipeline and trade corridors—would reduce them into worthless minority in their own native areas. Their perceptions are very difficult to change short of granting certain constitutional guarantees with respect to maintaining the present demographic balance.

A significant portion of the Baloch population still lives in tribal settings. In fact Baloch tribal territories are the centre stage of the state of insurgency and militant resistance.

*It entails denial of rights...So if ethical value, cultural life styles are over looked and stigmatized, it is also a form of misrecognition. The case of Balochistan is clearly fixed into these forms of misrecognition.*



Provincial government in KP has amended various laws as a sequence to the 18<sup>th</sup> constitutional amendment. Some 19 laws have also been newly enacted in the province as a result of the 18<sup>th</sup> constitutional amendment.

## Transition Management in Khyber Pakhtunkhwa: Challenges & Opportunities



Mr. Moalam Jaan  
Deputy Secretary, Inter Provincial  
Coordination Department,  
Government of Khyber Pakhtunkhwa

Mr. Jaan highlighted pending issues, challenges, and achievements while discussing the status of 18<sup>th</sup> constitutional amendment in the province of Khyber Pakhtunkhwa. Consequent to the 18<sup>th</sup> Constitutional Amendment, the provincial government of Khyber Pakhtunkhwa has some achievements to share and it has taken some important actions. For instance, assigning functions of devolved ministries/division to provincial departments.

In the pursuance of 18<sup>th</sup> constitutional amendment and devolution, the provincial government assigned functions of devolved 17 division/ministries to respective provincial departments. Similarly, a high power oversight committee to oversee implementation and arrangements was also notified. Provincial government in PK has amended various laws as a sequence to the 18<sup>th</sup> constitutional amendment.

Some 19 laws have also been newly enacted in the province as a result of the 18<sup>th</sup> constitutional amendment.

The 18<sup>th</sup> constitutional amendment helped Khyber Pakhtunkhwa to increase its share in *Zakat* receipts from 13.49% to 13.82% and is a key achievement harvesting the fruits of the 18<sup>th</sup> constitutional amendment. Another action or achievement of the Pakhtunkhwa government is reorganization of rules of business which is now under active consideration of the government.

The provincial government of Khyber Pakhtunkhwa has some pending issues also. Despite clear constitutional and legal provisions, the provincial government could not make any headway on many accounts. There has been strong resistance at federal level even in sharing basic information with the provincial government. Despite consistent efforts by the KP provincial government, the Pakistan Tourism Development Corporation (PTDC) and all its properties still remain with the federal government arbitrarily.

Another issue that has been pending is the transfer of study centres. Yet other pending issue include:

- ⊙ Pakistan dairy development company
- ⊙ Employee's old age beneficent institution and worker welfare fund,
- ⊙ health program in PSDP



## Expansion of own source revenue by Pakistani provinces



Dr. Hafeez Pasha  
Dean, Beacon house  
National University, Lahore

The research paper by Mr. Hafeez A Pasha was presented Ms. Ayesha Ghaus Pasha. The well-known former federal finance minister depicted some of the ways in which the

provinces could generate their own revenues through their own resources.

The main challenges to tax collection in Pakistan include:

- ⊙ Buoyancy of provincial taxes;
- ⊙ High costs of collection;
- ⊙ Tax exporting;
- ⊙ Overlapping taxes;
- ⊙ Multiple taxes;
- ⊙ Tax competition;
- ⊙ Federal government's encroachment on provincial tax bases

## Managing transition of autonomy post-18th Amendment



Mr. Muhammad Ali Kakar  
Secretary Inter-Provincial  
Coordination, Government  
of Balochistan

The significance of the 18th Amendment lies in the fact that it has redefined the nature of

relationship between the federating units and the federal government. Now this has long-term importance for socio-economic development of provinces. This will nurture the potential for resolving conflicts between the federation and its constituents.

### Key features

From the perspective of the provinces, the 18th Amendment helps in:

- ⊙ The joint ownership of minerals and oil and natural gas resources (Article 172(3));
- ⊙ Payment of net proceeds of royalty on crude oil and gas;





*The biggest concern for Balochistan remains its high levels of poverty and deprivation. This is only made worse by inadequate development infrastructure. There are not many avenues for revenue generation in this province that has unique demographic and geographic challenges to sort out in its governance affairs*

- ⊙ Raising of loans (Article 167);
- ⊙ Local government powers (Article 140-A);
- ⊙ Sales tax on services (Entry 49); and,
- ⊙ Arrears of GDS for Balochistan payable over the next 5 years (Article 161).

#### Challenges despite 18<sup>th</sup> Amendment

These include continued heavy reliance of provinces on federal resources. The 18<sup>th</sup> Amendment has left service delivery aspect unresolved. Neither are the type/magnitude of resources required for implementation have been determined. Low tax-to-GDP ratio remains a chronic issue. The National Finance Commission (NFC) is an effective instrument of fiscal equalization but separate and/or alternative measures are needed for fiscal efficiency.

#### Concerns for Balochistan

The biggest concern for Balochistan remains its high levels of poverty and deprivation. This is only made worse by inadequate development infrastructure. There are not many avenues for revenue generation in this province that has unique demographic and geographic challenges to sort out in its governance affairs. There is no 'provincial revenue authority' to take charge of its autonomy after the 18<sup>th</sup> Amendment. The province has a very low generation and absorption capacity of electricity due to a small population scattered over vast regions

of land and desert. None of this is helped by a low quantum of representation from Balochistan in the federal entities.

#### Some solutions

At a minimum, the following solutions need attention from federal authorities to help the provinces manage the transition to greater autonomy:

- ⊙ Comprehensive policy and operational framework for technical and specialized support to provinces
- ⊙ The federal government should develop a framework for tax base harmonization
- ⊙ Development and strengthening of key institutions supporting the federation through fiscal decentralization and coordination
- ⊙ Further strengthening of the role of Council of Common Interests (CCI) to resolve post-devolution transition issues
- ⊙ Provinces should promote investment and trade by curtailing barriers to mobility of goods and factors of production
- ⊙ Provinces should conduct strategic review of their finances and operations to meet challenges in service delivery
- ⊙ Provinces should introduce urgent civil service reforms
- ⊙ Strengthen inter-provincial coordination

## Challenges of managing expectations from federalism



Ms. Asma Faiz  
Teaching Fellow Lahore University of  
Management Sciences (LUMS)

The 18<sup>th</sup> Constitutional Amendment constitutes the third most serious stage in defining and adopting federalism in Pakistan's history by providing a framework for devolution. The first was the 1940-47 phase of the country's founding and the second in 1973 when a federal constitution was drafted and adopted.

Key features of the current third phase of federalism include:

- ⊙ Passing the 18<sup>th</sup> Amendment;
- ⊙ Removal of the Concurrent List;
- ⊙ Devolution of 17 ministries (40 subjects) to the provinces;
- ⊙ Enhanced powers of the Council for Common Interest (CCI);
- ⊙ National Finance Commission (NFC) award streamlined in 2010;
- ⊙ Revisiting the population-resource principle for NFC Award;
- ⊙ Sharing and distribution of natural energy resources;
- ⊙ Water disputes –prior consent of

the provincial government for construction of hydro-electric projects made mandatory;

- ⊙ Renaming North Western Frontier Province as Khyber Pakhtunkhwa; and,
- ⊙ Financial and political response to specific grievances of the Baluchistan province.

### Impact

One of the key responses to the third phase of evolution of federalism, in specific the 18th Amendment, has been strong reactions from secondary ethnic minorities demanding establishment of new provinces (Hazaras in Khyber Pakhtunkhwa, Seraikis in Punjab and Urdu-speakers/Mohajirs in Sindh), making federalism a core ethnic catchphrase.

### Implementation challenges

The core challenges of implementation post-18th Amendment include:

- ⊙ Developing an 'Implementation Commission' of sorts to ensure the spirit of devolution is met;
- ⊙ Revival of devolved ministries under different titles by the federal government;
- ⊙ Serious capacity-building of the provinces to exercise autonomy;
- ⊙ Education – overcoming disparities on standards of education across provinces;
- ⊙ Health –revisiting employee service structures; and,
- ⊙ Continued intervention of Federal Government in vertical programs.

The 18<sup>th</sup> Constitutional Amendment constitutes the third most serious stage in defining and adopting federalism in Pakistan's history by providing a framework for devolution. The first was the 1940-47 phase of the country's founding and the second in 1973 when a federal constitution was drafted and adopted.









PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

## Panel Discussions

- Panel-1: Understanding 18th Constitutional Amendment and Education Governance
- Panel-2: Understanding 18th constitutional Amendment and the Right to Information
- Panel-3: Implementing Article 172: Joint Ownership of Natural Resources
- Panel-4: Understanding Article 10-A: Right to Fair Trial





## Panel-1

### Understanding 18th Constitutional Amendment and Education Governance

#### Discussion Chair



Barrister Aitazaz Ahsan  
Senator, Pakistan People's Party

#### Keynote Speaker



Dr. Mukhtar Ahmad  
Executive Director, Higher  
Education Commission Pakistan

#### Panelists:

- ◉ Prof. Dr. Mohammad Nizammudin, Vice Chancellor, University of Gujrat
- ◉ Dr. Nasser Ali Khan, Vice Chancellor, University of Haripur
- ◉ Prof. Dr. Syed Alqama Khawaja, Vice Chancellor of Bahauddin Zakaria University
- ◉ Ms. Tahira Abdullah, socio-economic development worker and researcher
- ◉ Javed Ahmed Malik, DFID Education programme, Punjab

The panel discussed that Pakistan is confronted with serious challenges in education that include huge disparities in opportunities, particularly for the rural poor and girls, poor quality education, low levels of enrolment and completion rates, high drop-out rates and low levels of transition to secondary education. It is estimated that currently at the primary level, around 7.3 million (UNESCO, 2009) children are out of school and 58% out of those are female. This is a serious concern that needs to be addressed. It speaks of emerging and critical





*Pakistan needs urgent and revolutionary steps with respect to future financing and investment in education. The country also needs to make hard choices between focused and obligatory coverage of all its children as part of their fundamental right. The federal and provincial governments need to undertake practical steps for effective implementation of Article 25-A of the constitution through allocating required resources.*

social imbalance, calls for urgent, radical and revolutionary changes with respect to future financing and investment in education in the context of macroeconomic constraints. The country needs to make hard choices between focused and obligatory coverage of all its children as part of their fundamental right.

The 18th Amendment has removed the concurrent list from the Constitution and made education a primarily provincial subject. The Article 25-A has been included in the section of the fundamental rights of the Constitution and states:

“The State shall provide free and compulsory education to all children of the age of five to sixteen years in such manner as may be determined by law.”

The devolution of education raises several questions and concerns. Amongst them most important are: curriculum development, and comparability with national and international standards in local, national as well as a global context. There was a serious need to discuss whether provinces were well prepared to provide free and universal education to all children aged 6 to 16 years.

Panelists for the Discussion were expected to address the following questions specific to their provinces and the federation on Article-25A:

- ⦿ What are the possible legislative, administrative, fiscal and policy impediments to the implementation of article 25-A on education governance?
- ⦿ What is the Provincial response to this amendment in terms of their preparedness to fully achieve universal education for children aged between 5 to 16 years?
- ⦿ What steps are being taken, if any, by provincial governments to enhance access, enrolment and quality of Higher Education?

Pakistan needs urgent and revolutionary steps with respect to future financing and investment in education. The country also needs to make hard choices between focused and obligatory coverage of all its children as part of their fundamental right. The federal and provincial governments need to undertake practical steps for effective implementation of Clause 25-A of the constitution through allocating required resources.

While expressing his views, the chair of the session Barrister Aitazaz Ahsan, Senator Pakistan Peoples' Party highlighted the importance of education for a developing country like Pakistan. He was of the view that promotion of education is essential for progress of societies. In Pakistan, less attention has been paid to education, its quality and implementation of education policies.

Chairman Inter-University Consortium and Vice Chancellor University of Gujarat (UOG) Prof Dr Mohammad Nizamuddin said Pakistan is confronted with serious challenges in education that include huge disparities in opportunities, particularly for the rural poor and girls, poor quality education, low levels of enrolment and completion rates, high drop-out rates and low levels of transition to secondary education. It is estimated that currently at primary level, around 7.3 million children are out of school and 58% out of those are female.

Eminent human rights activist Ms. Tahira Abdullah said our educational system needs reforms especially after the 18<sup>th</sup> Amendment. Low budgetary allocations and non-provision of funds are the main obstacles standing in the way of efforts to improve the education sector in Pakistan.

Prof. Dr Mukhtar Ahmad, Executive Director Higher Education Commission (HEC) emphasized collective efforts for improving state of education in Pakistan. He urged efforts should focus on the implementation of article 25-A.

*Prof. Dr Mukhtar Ahmad, Executive Director Higher Education Commission (HEC) emphasized collective efforts for improving state of education in Pakistan. He urged efforts should focus on the implementation of article 25-A.*







*During the session, it was also shared that the 18<sup>th</sup> Amendment has removed the concurrent list from the Constitution and has made education primarily a provincial subject. The implications of article 25-A will have to be worked out by each province. Article 25-A has been included in the section of the fundamental rights of the Constitution as part of the 18<sup>th</sup> Constitutional Amendment*

Prof Dr Nasser Ali Khan, Vice Chancellor University of Haripur said the right to education is a basic right of every citizen. Pakistan cannot make headways unless we declare education an emergency and take practical steps to improve state of education at the grassroots level.

Professor Dr Khawaja Alqama, Vice Chancellor Bahauddin Zakaria University Multan said, quality of education is itself a question which needs to be addressed properly. Professor Syed Shabbir Hussain Shah, Director University of Gujrat said that there is no uniformity in education system and every class has its own education system. DFID Education Advisor Mr. Javed Ahmed Malik gave a presentation on educational reforms in Punjab.

During the session, it was also shared that the 18<sup>th</sup> Amendment has removed the concurrent list from the Constitution and has made education primarily a provincial subject. The implications of article 25-A will have to be worked out by each province. Article 25-A has been included in the section of the fundamental rights of the Constitution as part of the 18<sup>th</sup> Constitutional Amendment under which:

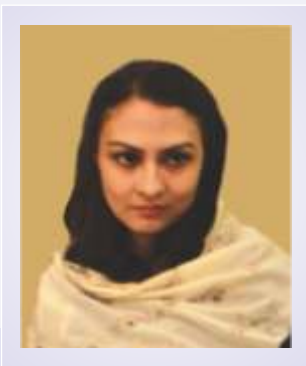
“The State shall provide free and compulsory education to all children of the age of five to sixteen years in such manner as may be determined by law.”

Participants took the position that the devolution of education has raised several serious questions and concerns. Amongst these the most important are curriculum development and compatibility with national and international standards. It was felt there is a serious need to question whether provinces are well prepared with infrastructure in place to achieve free and universal education for all children aged 6 to 16 years.

## Panel-2

# Understanding 18th Constitutional Amendment and Right to Information

### Discussion Chair



Marvi Memon  
Member National Assembly  
Pakistan Muslim League-Nawaz

### Keynote Speaker



Qamar Zaman Kaira  
Former Federal Minister for Information

### Panelists:

- ◉ Farhatullah Babar, Senator, Pakistan People's Party
- ◉ Shafqat Abbasi, Chairman Pakistan Press Council
- ◉ Raza Rumi, public policy expert, author and editor, Islamabad
- ◉ Shabir Shah, Director Student Services Center, University of Gujrat
- ◉ Ammara Durrani, Executive Director, Search for Common Ground Pakistan
- ◉ Mazhar Arif, Executive Director, Society for Alternative Media & Research, Islamabad

**A**rticle 19-A of the Constitution sets the benchmark for the transparency and accountability by declaring right to information is a fundamental right. Current legislations on the right to information has emerged as a disabler rather than enabler in terms of law in the country. There is still hope that the 'sunshine laws' will make the state and its institutions transparent and responsive to citizens' concerns. However, the journey will be evolutionary to overcome the culture of secrecy that had been the inherent character of governance during the last 65 year.





*There is still hope that the 'sunshine laws' will make the state and its institutions transparent and responsive to citizens' concerns. However, the journey will be evolutionary to overcome the culture of secrecy that had been the inherent character of governance during the last 65 year.*

The panel discussion on the theme of “Operationalization of Article 19-A” (Right to Information) was addressed by the mandate bearers, duty bearers, academia, and civil society. Prominent personalities included Senator Farhatullah Babar, Marvi Memon, Qamar Zaman Kaira, Raza Rumi, Mazhar Arif, Ammara Durrani, Zafarullah Khan, Shafqat Abbasi, Matyullah Jan, and Shabbir Shah.

Senator Farhatullah Babar, who is heading the sub-committee of Senate on Information and Broadcasting said, the right to information is the right of every citizen and lauded the multi-party consensus on the draft federal law. “The proposed law will override the secrecy laws, there won't be holy cows under the umbrella of exemptions and classification of information as secret will be democratized”, he explained the three main features of the proposed law which include minimum exemptions and maximum disclosure.

Member of National Assembly Marvi Memon said the government was committed to implementing the Right to Information laws to ensure citizen's empowerment. While former Minister for Information Qamar Zaman Kaira spoke about the efforts of the previous government in drafting the necessary legislations and stressed on the importance of its implementation.

Civil Society Activists and media professionals noted an urgent need for the realization of this right for citizens. It was observed that both the federal and provincial governments need to take steps to implement the Right to Information laws. They urged to reform Balochistan and Sindh laws related to RTI. The speakers emphasized the need to improve record keeping practices in the government and allocate adequate resources. The consensus was to have independent Information commissions at the federal and provincial level as appellate bodies.

## Panel-3

### Implementing Article 172: Joint Ownership of Natural Resources

#### Discussion Chair



Daniyyal Aziz  
Member National Assembly  
Pakistan Muslim League-Nawaz

#### Panelists:

- ⦿ Dr. Abdul Hayee Baloch, former Chairman, National Party, Balochistan
- ⦿ Dr. Ishaq Baloch, Advisor to Chief Minister Balochistan
- ⦿ Dr. Gul Faraz, Former Secretary, Ministry of Petroleum and Natural Gas

#### Keynote Speaker



Taj Haider  
Senator, Pakistan People's Party, Pakistan

The Operationalization of the Article 172: Joint Ownership of Natural Resources:- Differential patterns of distribution of natural resources at provincial level had historically been a thorny issue causing frictional ties between the federal and provincial governments since the last six decades. Matters such as payment of royalties on oil and gas, ownership of natural resources, power to levy taxes and revenue distribution by the provinces needed to be addressed in the Constitution. In the post-18th Amendment scenario, the main focus has been on the empowerment and proper functioning of the Council of Common Interests





*Advisor to the Chief Minister Balochistan Dr. Ishaque Baloch said that the 18th Amendment is reconciliation between the federating units and the federation and added that Federal Government should take the provinces in confidence while issuing licenses for exploring oil and gas...*

(CCI). The idea behind its empowerment is to create a permanent forum for resolving the question of ownership of natural resources. The forum will be headed by the Prime Minister while earlier, according to Article 153, membership or chairmanship of the Prime Minister was not mandatory. The CCI shall meet once in a quarter and shall have a permanent secretariat.

Article 172 of the Constitution has been amended to allow the provinces 50 per cent of the ownership of mineral, oil, and natural gas within the province or the territorial waters without prejudice to existing commitments as well as exclusive rights to other natural resources within the territorial waters. The latter, among other things, means that fish stock in territorial waters also belongs to the provinces. Accordingly, clause (2) of the Article 172 has been amended and a new clause (3) has been added. These now read as follows:

“(2) All lands, minerals and other things of value within the continental shelf or underlying the ocean beyond the territorial waters of Pakistan shall vest in the Federal Government. (3) Subject to the existing commitments and obligations, mineral oil and natural gas within the Province or the territorial waters adjacent thereto shall vest jointly and equally in that Province and the Federal Government.”

Questions to be addressed:

Panelists for the third Parallel Panel Discussion are expected to address the following questions specific to their provinces and the federation concerning Article 172 on Joint Ownership of Natural Resources:

- ⊙ What is the current status of operationalization of Article 172 with respect to both federal and provincial governments?
- ⊙ How do the federal and provincial governments interpret Article 172? What are the different points of contention on joint sharing of natural resources?
- ⊙ What is the provincial response and possible differential interpretations, grey areas and points of contention regarding Article 172 on joint sharing of natural resources by the provinces and the federation?
- ⊙ What is the provincial position on existing resource sharing of natural resources?
- ⊙ What are the constraints and issues confronted by different tiers of government in operationalizing Article 172? And how can they be resolved?

Member National Assembly, Daniyal Aziz chaired this session. Participants discussed the "Joint Ownership of Natural Resources" under article 172 of the Constitution in the light of 18th

Constitutional amendment in a session of the International Conference. Leading scholars, policy makers, senior academicians, politicians and parliamentarians and civil society representatives from across the world including Pakistan participated in the conference to highlight different trends, levels and indicators of institutional interplay between democracy, federalism and decentralization at national, regional and global levels.

Most said a rigorous and robust implementation of the 18<sup>th</sup> amendment was the need of the hour. They stressed this was the only way the change could reach the grassroots.

Addressing the session Senator Taj Haider said before the 18<sup>th</sup> amendment, the Federation was the sole owner of minerals found anywhere in the provinces. He also made it point to observe that the important National Economic Council (NEC) had been made dormant. Planning was being done by the Federal Planning Commission that pampers the private sector as the only engine of growth, he said. Elaborating on Article 172, he envisaged the setting up of a separate Oil and Gas Development Authority (OGDA) in every province, with equal representation of that province and the Federation on the Governing Board of the Authority with defining the functions that this authority can

give real meaning to joint ownership of the assets it controls.

He claimed that the right of 50 % ownership of mineral, oil and natural gas has been set aside by the Federation. He revealed federal government –that owns a 75% share in the Oil and Gas Development Company Limited (OGDCL)—is privatizing the company without due clearance from the others who own almost 50% stakes in the OGDCL projects. He stressed that the country should follow a uniform policy in all the Provinces and the National Economic Council should start examining the present policy with a focus on safeguarding the genuine rights and interests of the Provinces. As a first step, individual income and expenditure accounts should be maintained of all Oil and Natural Gas projects and added that 12.50 percent of all amounts presently being credited to the Federal Government as profits on its shares on different projects located in different provinces should straightaway be credited as direct transfers to the provinces where these projects are located.

Dr. Gul Faraz, former Secretary Petroleum and Natural Gas, while expressing his views said that the federating units will be more prosperous in a federation rather than being on their own because the synergy of the resources and markets of four units will be weaker than being







a federation. He said that Pakistan is an oil and gas deficit country, it imports 29% of its primary energy from the foreign world and since independence it is promoting its geology to attract investment. 12.5% value of the sold gas becomes royalty and Rs 10 per cubic million feet is the CED, under the Article 172 these revenues cannot be regarded as federal revenue and it should be given to the provinces where the oil field is located.

Advisor to the Chief Minister Balochistan Dr. Ishaque Baloch said that the 18th Amendment is reconciliation between the federating units and the federation and added that Federal Government should take the provinces in confidence while issuing licenses for exploring oil and gas, as the provinces are 50% shareholders with the federation under the Article 172. Raising his concern over the composition of the Council of Common Interests Dr. Ishaque suggested that it should be revised and the provinces should be given more representation as presently four members of the council represent the federal government.

Former Senator and leader of the National Party Balochistan Dr. Abdul Hayee Baloch said that paving the path to federalism and the implementation of 18th Amendment cannot be workable unless the rights of the federating units are respected.

Concluding the discussion Mr. Daniyal Aziz held there has been transgression even after the Constitutional changes especially the 18<sup>th</sup> Amendment. He noted that federal ministries with new names have been recreated to deny provincial jurisdiction. He said non-implementation of other elements of the 18<sup>th</sup> amendment has not been able to transmit federal powers and authorities down to the public level, in fact these have stalled at the provincial level due to lack of Local Government and the right amounts being placed in the finance awards.

## Panel-4

### Understanding Article 10-A: Right to Fair Trial

#### Discussion Chair



Justice Mian Shakirullah Jan  
Former Chief Justice of Peshawar  
High Court & Judge  
Supreme Court of Pakistan

#### Panelists:

- ⦿ Justice Riaz Ahmad Khan
- ⦿ Sharmeela Rassoool, Chief Technical Advisor, Rule of Law Programme, UNDP
- ⦿ Attaullah Khan, Assistant Professor, University of Malakand
- ⦿ Ahmad Nazir Tarar, Member Pakistan Bar Council
- ⦿ Syed Akhtar Ali Shah, Home Secretary, KP

Article 10-A, Right to Fair Trial, will undoubtedly create a plethora of legal consequences in the jurisprudence of Pakistan. Since enhancing provincial autonomy was a central aim of the 18th Amendment, a vast majority of criminal law related legislation will now be enacted, amended and enforced by the provinces. Therefore, the onus will be greater on the provincial governments. Many criminal as well as civil laws are arguably, in their present form, directly and/or indirectly in contravention of this Article. Yet, in order to truly understand the repercussions it will have, it is essential to undertake a systematic analysis of what exactly the 'right to a fair trial' entails in any given legal system. And what parts of procedural or substantive law will be affected by it.

The addition into the Constitution does not involve elaborate provisions or subsections fleshing out the right, nor does it make reference to any international instrument. Therefore, it becomes a necessity that we examine this right through a comparative lens; evaluating various other jurisdictions and their interpretation of what the right to a fair trial/due





*“The right to a fair trial is one of the basic fundamental rights of every citizen of Pakistan. It is recognized by all countries of the world. The right to fair trial was inserted as a fundamental right in the form of Article 10 A through the 18th Amendment Act, 2010 in the Constitution. However, there is a long list of judgments wherein the right had already been recognized by our superior courts”.*

process mean. This is particularly important considering that the provincial and federal governments are battling terrorism and have introduced (or are in the process of introducing sweeping changes) to laws. The Fair Trial Act, 2013 is just one example of this. Many laws in Pakistan are arguably directly and/or indirectly in contravention of well-established principles of the right to a fair trial. Special enactments like the Anti-Terrorism Act 1997, The Offences in Respect of Banks (Special Courts) Ordinance 1984, National Accountability Ordinance 1999, Competition Act 2010 and others, have to be re-assessed on the touch stone of the right to fair trial. Even the law of evidence and the generic procedural law, the Criminal Procedure Code 1898 and Civil Procedure Code 1908 require a re-examination.

As for international conventions, with Pakistan having recently ratified the International Covenant on Civil and Political Rights (the “ICCPR”), it will be useful to discover what the minimum requirements under ICCPR are in order for Pakistan to be able to fulfill its obligations, and also to serve as a useful reference point. Regard will be had to the ECHR Article 6, and Article 14 of the ICCPR, in making an assessment.

*“The right to a fair trial is one of the basic fundamental rights of every citizen of Pakistan. It is recognized by all countries of the world. The right to fair trial was inserted as a fundamental right in the form of Article 10 A through the 18th Amendment Act, 2010 in the Constitution. However, there is a long list of judgments wherein the right had already been recognized by our superior courts”.*

These were the views echoed by the speakers at

the two-day conference on “Right to Fair Trial”, organized by the United Nations Development programme on 25th and 26th of September, 2013 at Islamabad.

The participants of the discussion included eminent personalities from the field of law, justice and human rights in Pakistan. They included representatives from Judiciary, Pakistan Bar Council, Supreme Court, High Courts and District Bar Associations, head Law Faculties, Prosecution and members of Civil Society Organizations.

The participants deliberated in detail the challenges and solutions to implementation of right to fair trial as enshrined in the Article 10-A of the Constitution of Pakistan and also the importance of legal aid to ensure access to justice.

The conference was chaired by Mr. Justice Mian Shakirullah Jan, Honourable former Judge Supreme Court, whereas Justice Riaz Ahmad Khan, Honourable Judge Islamabad High Court was the chief guest in the inaugural session.

Mr. Syed Akhtar Ali Shah, Home Secretary, Khyber Pakhtunkhwa was the chief guest at the closing ceremony. He appreciated the concept of the seminar and importance of legal aid and fair trial for peace and stability in the region.







PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

## Closing Session:

International Conference on Participatory  
Federalism and Decentralization:  
From Framework to Functionality









Marc-André Franche  
Country Director, UNDP Pakistan

I just wanted to say a few words about why I think this conference is so special and how this conference is breaking ground in many ways. I think never before we have had a platform producing knowledge on such a scale on federalism and decentralization in Pakistan. But I think more importantly, there has been quite a bit of work on decentralization and some on federalism but never had it been so connected to policy making and to political actors that can make a difference in Pakistan today.

UNDP is committed to the work on Federalism and Decentralization since we strongly believe in the implementation of the 18th Constitutional Amendment. What will happen in the next months and next few years will determine the potential of this country; and will determine the success of this country as a nation and the progress that it will be able to make in terms of fighting poverty, reducing inequality, progress and future development. UNDP hopes that this conference will serve as a baseline as our starting point about where and how we should proceed in the future.

And I can already tell you that there are at least four areas we want to continue working on.

First, we will continue supporting the Council of Common Interests. Second, UNDP will support the provinces during the process of transition management by developing their policies and institutional frameworks. Third, we will work on strengthening the local governance structures, local governance laws and its implementation in Pakistan. And finally we will continue to promote knowledge, research, and debate on federalism.

*What will happen in the next months and next few years will determine the potential of this country; and will determine the success of this country as a nation and the progress that it will be able to make in terms of fighting poverty, reducing inequality, progress and future development. UNDP hopes that this conference will serve as a baseline as our starting point about where and how we should proceed in the future.*





*What else can you do beyond the 18<sup>th</sup> amendment? It's just a beginning and is a dynamic process that requires more work for its effective implementation. There has been a trust deficit between the federal and the provincial governments that the 18<sup>th</sup> Amendment attempted to address.*

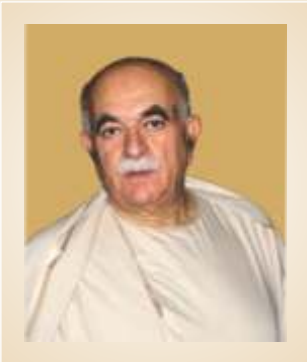


Prof. Dr. Mohammad Nizamuddin  
Vice Chancellor, University of Gujrat

The International Conference has seen a unique combination of academicians, politicians, members of national assembly, civil society, students and above all very distinguished participants, and international speakers.

What else can you do beyond the 18<sup>th</sup> amendment? It's just a beginning and is a dynamic process that requires more work for its effective implementation. There has been a trust deficit between the federal and the provincial governments that the 18<sup>th</sup> Amendment attempted to address.

The session on local government and development outcomes recommended that without politically elected local government representatives, public service delivery cannot be effectively delivered. The strengthening of Council of Common Interests has been discussed as a critical aspect for resolution of issues and conflicts between provinces and federal government. The discussions in the parallel sessions on operationalization of fundamental rights including Right to Education, Right to Fair Trial, Right to Information and Joint & equal ownership of natural resources generated recommendations for the way forward.



Mahmood Khan Achakzai  
MNA & President  
Pakhtunkhwa Milli Awami Party

Addressing participants of the three-day international conference on “Participatory Federalism and Decentralization: From Framework to Functionality”, Mahmood Khan Achakzai appreciated the efforts in initiating a debate on practical aspects of 18<sup>th</sup> Amendment. Mr. Achakzai described it as a landmark achievement to empower the people of Pakistan. He emphasized that its implementation must be true in letter and spirit.

He stressed on the need for an effective implementation of the 18<sup>th</sup> Constitutional Amendment. This would give provinces their long-overdue shares and bring them at par with federal government. He urged all political parties, especially the newly-elected Prime Minister, to re-affirm their commitment to the effective implementation of the 18<sup>th</sup> Amendment.







PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

# Glimpses from the Conference

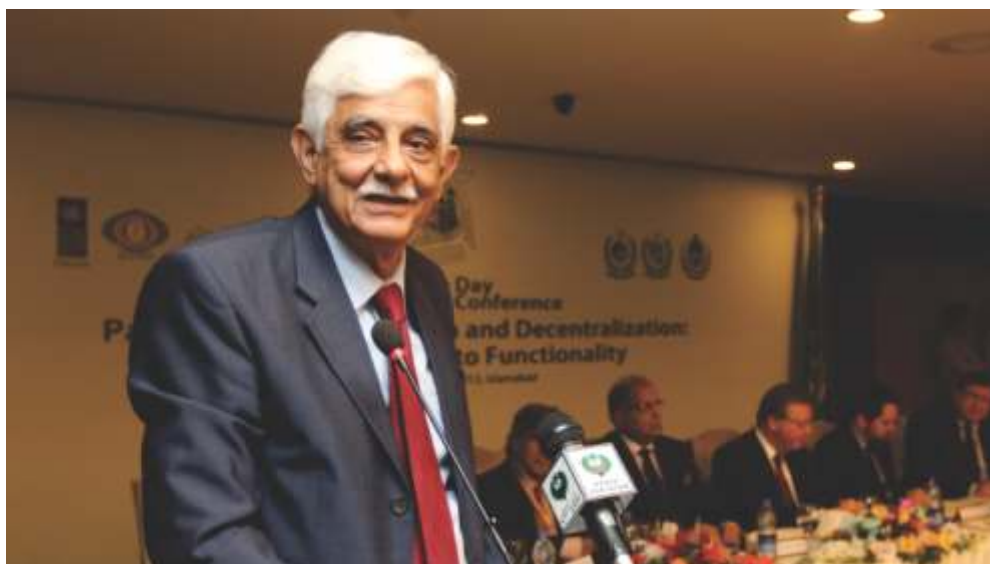








Mr. Riaz Hussain Pirzada addressing the audience of International Conference on Participatory Federalism and Decentralization: From Framework to Functionality



Mr. Taj Haider addressing the inaugural session of International Conference on Participatory Federalism and Decentralization: From Framework to Functionality



Mr. Nicholas Rosellini speaking at the inaugural session of International Conference on Participatory Federalism and Decentralization: From Framework to Functionality





Mr. Pietro Merlo expressing his views at the inaugural session of International Conference on Participatory Federalism and Decentralization: From Framework to Functionality



Senator Raza Rabbani Chairing the first Session: *Participatory Federalism and Decentralization: Global Perspectives and Local Linkages*



Mr. Paul Molloy addressing the session on *Participatory Local Governance: Capacity, Resources and Innovations*





Dr. Hilton Root  
Chairing the  
session on: *Fiscal  
Federalism, How  
to Operationalize  
Economy of  
Autonomy?*



Mr. Shafqat  
Mahmood  
presiding the  
session: *Political  
Economy of Inter-  
Governmental  
Relations in a  
Federal  
Framework:  
Lessons Learnt  
and Way Forward*



Mr. Maulana Fazl-  
ur-Rehman sharing  
his views as  
speaker of the day





Mr. Zafarullah Khan presenting his paper on Council of Common Interests



Dr. Roberta Ryan presenting her paper on local governance



Mr. Berend de Groot chairing session on decentralization





Dr. Galina Kurlvandskava sharing her perspective on Russian federalism



Dr. Ayesha Ghaus Pasha presenting her paper on fiscal federalism in Pakistan



Mr. Marc – Andre Franche speaking at the concluding session of International Conference on Participatory Federalism and Decentralization: From Framework to Functionality







Mr. Mahmood Khan Achakzai receiving conference memento from Marc-Andre Franche



Mr. Raza Rumi addressing panel discussion on *Understanding 18<sup>th</sup> Constitutional Amendment and the Right to Information*



Dr. Nadeem Omar Tarar speaking at the concluding session of International Conference on Participatory Federalism and Decentralization: From Framework to Functionality



Professor Mohammad Nizamuddin speaking at the closing session of International Conference on Participatory Federalism and Decentralization: From Framework to Functionality



Panelists group photo with Mr. Shafqat Mehmood



NCA students playing ethnic songs at dinner in the honour of conference participants







Dr. Hilton Root addressing a dinner party hosted by Syed Khursheed Ahmad Shah, Leader of the Opposition at the Parliament House



NCA students drawing mural during the International Conference on Participatory Federalism and Decentralization: From Framework to Functionality



Unity in diversity - mural by NCA students



PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

# Annexures









PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

Annex I:

Conference Chairs, Speakers,  
Panelists and Discussants







## Panel 1:

### Understanding Article 25-A: Education Governance

#### Discussion Chair



Barrister Aitazaz Ahsan  
Senator, Pakistan People's Party

**C**haudhry Aitazaz Ahsan is a Barrister-at-Law by profession and a senior advocate at the Supreme Court of Pakistan. He is also a writer, human rights activist, politician, former Federal Minister for Law and Justice, Interior, Narcotics Control (1988-1990) and Education. Elected to the Senate of Pakistan in 1994, he eventually succeeded as the leader of the House and the leader of the Opposition between the years 1996 and 1999. He is currently a Senator from the Pakistan People's Party.

#### Keynote Speaker



Dr. Mukhtar Ahmad  
Executive Director, HEC Pakistan

**D**r. Mukhtar Ahmed is currently serving as the Executive Director of the Higher

Education Commission of Pakistan. Prior to this he was Deputy Director General, Islamic Educational, Scientific and Cultural Organisation (ISESCO). Prof. Dr Ahmed received a Bachelors and Masters of Science from University of Agriculture, Faisalabad, Pakistan and a Master in Business Administration and PhD from University of California, Riverside, USA. He has subsequently accrued over 25 years of educational development and management experience at national and international level: including teaching, research, academic administration, policy development, linking educational research to industry/





commercialisation, introducing entrepreneurial approaches to education and a diverse range of educational development programs. Prof. Dr. Ahmed has worked with numerous educational and other institutions in different capacities at national and international levels as Lecturer, Associate Professor, Professor, Chairman, Head of Departments, Dean, Consultant, Coordinator, Project Director, Director Student Affairs, Director Campus, Rector, Acting Executive Director HEC, Member (Operations and Planning) HEC, and most recently Deputy Director General.

*Panelists:*



Prof. Dr. Mohammad Nizamuddin  
Vice Chancellor, University of Gujrat

Prof. Dr. Mohammad Nizamuddin became Vice-Chancellor of the University of Gujrat in 2006. Prior to his current role he served as HEC foreign faculty professor in Punjab University's Department of Sociology. Prof. Dr Nizamuddin has an accomplished academic and administrative record. He completed his PhD at University of Michigan, Ann Arbor, received his Masters from the University of Chicago, and his BA Honors and Masters in Social Work at the University of Karachi. Immediately after completing his PhD he taught as Assistant Professor at the University of North Carolina, Chapel Hill. Prof. Dr. Nizamud-din later joined the United Nations, enjoying a distinguished career. He served the United Nations for 24 years where he held several senior positions in Jordan, Egypt, and Ethiopia and as Director for the Asia and Pacific region and as Director for Technical Policy and Development at the UN Headquarters, New York. He has been awarded with "Sitar-e-Imtiaz" by the Government of Pakistan in 2013



Dr. Nasser Ali Khan  
Vice Chancellor  
University of Haripur

Prof Dr Nasser Ali Khan is Vice-Chancellor of the University of Haripur, a role he undertook in February 2013. Previously he was the Pakistan Education Commission's Member, Operation and Planning. Prof. Dr Nasser Ali Khan holds his Masters degree from Vrije Universiteit, Brussels, Belgium and received his PhD (Economics) from University of Peshawar. His professional career includes Assistant Professorship at Department of Economics University of Peshawar from 1995-2003, Assistant Director/Economic Research, Agricultural Development Bank of Pakistan from 1986-87 and Staff Economist, Centre for Applied Economic Studies, University of Peshawar from 1984-86. He is a member of many National Committees including the prestigious Panel of Economists, Planning Commission, Government of Pakistan. He has been appointed as Chairman, Committee for Development of Social Sciences and Humanities in Pakistan by Higher Education Commission, Islamabad.





Ms. Tahira Abdullah  
Socio-economic development  
worker and researcher

**M**s. Tahira Abdullah, is a socio-economic development worker and researcher, working in the fields of poverty, rural development, gender issues, education, health, environment, and local self-governance, amongst others. She is a peace and human rights activist, and also a humanitarian volunteer, having worked in disaster and emergency response since the age of 12. In the recent past, she was actively involved in the vanguard of the national movement for the restoration of an independent judiciary, media, civil rights and democracy (2007-09).



Javed Ahmed Malik  
DFID Education  
programme, Punjab

**J**aved Ahmed Malik is leading DFID's largest £350M Education programme in the world in

Punjab and works closely with the Office of the Chief Minister and Government departments to bring system wide improvements in the Education sector. Besides running a sector budget support programme with the World Bank, Javed is part of the team to deliver Chief Minister's Education Road Map which brought major programmatic gains in the Education in Punjab in past two years. He is graduate of Heller School for Social Policy and Management, Brandeis University, USA and was a fellow of Social Enterprise Development Centre, LUMS.

## Panel 2:

# Understanding Article 19-A: 18th Constitutional Amendment and Right to Information

### Discussion Chair:



Marvi Memon  
Member National Assembly,  
Pakistan Muslim League-Nawaz

Marvi Memon is currently a Member of the National Assembly from the Pakistan Muslim League-Nawaz. In 2003, she served in the Inter-Services Public Relations (ISPR) as the military's Operational Media Director and served as highest ranking civilian official in General Pervez Musharraf's military staff. She has held important assignments in defence, foreign affairs and economics under former Prime Minister Shaukat Aziz.

### Keynote Speaker:



Qamar Zaman Kaira  
Former Federal Minister  
for Information

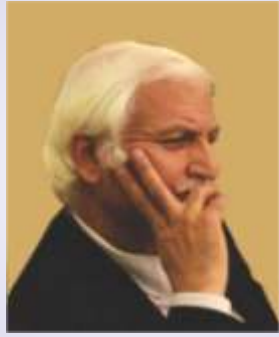
Qamar Zaman Kaira is the former Federal Minister for Information Technology and Kashmir affairs and Northern areas in the coalition government of PPP, PML-N, ANP and JUI-F formed after 2008 elections. He is a senior leader of Pakistan Peoples Party. He has done Masters of Arts (Philosophy) from University of the Punjab, Lahore.







*Panellists:*



Farhatullah Babar  
Senator, Pakistan People's Party

**F**arhatullah Babar is a Pakistani technocrat and civil engineer currently serving as a Senator from the Pakistan People's Party. He is also a Member of Senate Committee on Information and Broadcasting. He has also served as the Press spokesperson of the former President Asif Ali Zardari. Senator Babar is also an influential engineering figure and previously served as the President of Pakistan Engineering Council for a decade.



Shafqat Abbasi  
Chairman Pakistan  
Press Council

**M**r. Raja Shafqat Abbasi was appointed as Chairman Pakistan Press Council in 2011 by former President Asif Ali Zardari. Mr. Abbasi has also served as a Judge of the Lahore High Court. He is an advocate of Supreme Court of Pakistan with extensive experience in constitutional, civil, administrative and criminal law. He has been the youngest elected Member of the Pakistan Bar Council, Member of Punjab Bar Council, Chairman Executive Committee Punjab Bar Council and has over 20 years of legal, parliamentary and public service experience.



Mazhar Arif

Executive Director, Society for Alternative Media & Research, Islamabad

Mr. Mazhar Arif is the Executive Director of the Society for Alternative Media & Research in Islamabad, Pakistan. Mr. Arif has been a regular contributor to various newspapers and is a well-known civil rights activist.



Raza Rumi

Public policy expert, author and editor, Islamabad

Raza (Ahmad) Rumi is a public policy expert, author and an editor. Currently, he is affiliated

with Insaf Network Pakistan – a civil society coalition working for legal rights. Raza edits weekly magazine “The Friday Times” and writes columns for the daily “Express Tribune”; “The News”; etc. on politics, public policy, security, and culture. He also hosts a current affairs show on Capital TV. Raza is a Senior Research Fellow, Jinnah Institute and also an adviser to Asia Pacific Network of Schools and Institutes of Public Administration and Governance. He has worked for the Asian Development Bank, Government of Pakistan and the United Nations.

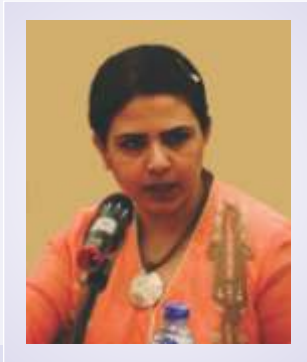




**Shabir Shah**  
Director Student Services  
Center, University of Gujrat

**P**rof Shabir Hussain Shah is a distinguished academician, social philosopher and political

activist. He taught at Zimindara College Gujrat, Gordon College Rawalpindi and several other institutions. He has been teaching History and Pakistan Studies for over three decades. He also held several academic administrative positions. He has served as District Officer (DO) colleges, Deputy Registrar, University of Gujrat, Director planning and development, University of Gujrat, Chairman, Center for History, International Relations and Pakistan Studies (CHIPS). Currently he is serving as Director, University Advancement and Financial Aid Office and Director, Students Services Center.



**Ammara Durrani**  
Executive Director, Search for  
Common Ground Pakistan

**A**mmara Durrani is currently the Executive Director of Search for Common Ground Pakistan. Previously, she has served as the

General Manager Public Outreach & Corporate Communications at PTCL. She has also worked as Project Director & Communications Specialist with the Federal Ministry of Information & Broadcasting, Government of Pakistan. Ms. Durrani holds an M. Phil. in International Relations from the University of Cambridge, U.K. 1999); and Masters (1998) and Honors (1997) degrees in General History from the University of Karachi, Pakistan. She Was awarded Charles Wallace Pakistan Trust & Sir Patrick Sheehy Cambridge Scholarship (1998), And a Gold Medal For her Masters From the University Of Karachi (1998).

Panel 3:

## Understanding Article 172: Joint Ownership of Natural Resources



Daniyyal Aziz  
Member National Assembly,  
Pakistan Muslim League-Nawaz

Daniyyal Aziz is a Pakistani politician affiliated with the Pakistan Muslim League (N) and is currently a member of the National Assembly of Pakistan. He has also previously served as the chairman of the National Reconstruction Bureau (NRB). He is also chairman of the Devolution Trust for Community Empowerment. He is a Boston University graduate who entered politics following in the footsteps of his father.



Taj Haider  
Senator, Pakistan People's Pakistan

Senator Taj Haider is a founding member of the Pakistan People's Party. He was elected to the Senate of Pakistan in July 1995. He has

served as the member of the Senate Standing Committees on Industries and Production, Water and Power, Education, Scientific and Technological Research and Functional Committee on Less Developed Areas. He has been involved with several national projects such as Saindak Integrated Mineral Development Project, Heavy Mechanical Complex, Manchar Lake, Lal Shahbaz Airport, Hub Dam, Thar Coal Deposits Project and a number of other social sector projects in the fields of health, education, sanitation and environmental pollution.





Dr. Abdul Hayee Baloch  
Former Chairman of National  
Party of Balochistan

**D**r. Abdul Hayee Baloch is a former Chairman of National Party of Balochistan. He was elected as a Member of the National Assembly in 1970 when he was still a student. He has also served as the Central President of the Balochistan National Movement (BNM-H). He was elected as member of the Senate in March 1994 for a six year term. He has been a member of the Senate Standing Committees on Finance and Economic Affairs, Communications and Railways and Functional Committee on Less Developed Areas.



Dr. Ishaque Baloch  
Advisor to Chief  
Minister Balochistan

**D**r. Muhammad Ishaque Baloch is a medical doctor by profession. He has been active in politics since his student days. Currently, he is the Vice President of the National Party, Balochistan besides being Advisor to Chief Minister Balochistan. He has widely written and spoken on issues related to democracy, federalism, nationalism, peace and extremism, and question of nationalities in Pakistan.

*Panel - 4:*

## Article 10-A: Right to Fair Trial

*Discussion Chair:*



Justice Mian Shakirullah Jan  
Former Chief Justice of Peshawar  
High Court & Judge  
Supreme Court of Pakistan

Justice Mian Shakirullah Jan is a retired Chief Justice of the Peshawar High Court and a senior Judge of the Supreme Court of Pakistan. Mian Shakirullah Jan graduated from Islamia College, Peshawar. He obtained Law degree from the Khyber Law College, Peshawar University in 1972. He was appointed Additional Advocate General, NWFP in July 1993 and was elevated as Additional Judge of Peshawar High Court in December 13, 1993. In April, 2000 he was appointed as Chief Justice of Peshawar High Court and elevated to the bench of Supreme Court of Pakistan in July, 2004







*Panellists:*



Sharmeela Rassool  
Chief Technical Advisor,  
Rule of Law Programme, UNDP

Sharmeela Rassool, BSc (Science), Attorney at law and LLM (University of Colombo) is the incumbent Chief Technical Specialist of the Rule of Law Program in UNDP Pakistan. She has been an Advocate of the Supreme Court of Sri Lanka and was heading the Human Rights Bureau, Legal Aid Commission. She has also been the Chief Editor for the Sri Lanka Bar Association.



Attaullah Khan  
Assistant Professor,  
University of Malakand

Mr. Attaullah Khan did his LLB from the University of Peshawar and has completed his LLM and Graduate Diploma in Law from University of Sussex, UK. He has worked as a practicing lawyer in Islamabad, Peshawar and Malakand Region. He has worked with police department in capacity of Coordinator Musalihat Committee (ADR Committee) in District level. Currently, he is teaching at the University of Malakand as an Assistant Professor.



Mian Riaz Hussain Pirzada  
Federal Minister for  
Inter-Provincial Coordination

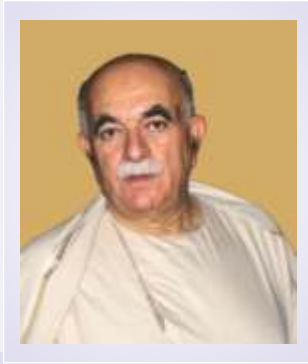
**M**ian Riaz Hussain Pirzada was born in Bahawalpur, Punjab. He has been elected as a Member of the National Assembly for the second time in May 2013 General Elections. He is politically affiliated with Pakistan Muslim League-Nawaz. An agriculturist and advocate by profession, Mian Riaz Hussain Pirzada received his LL.B degree from University Law College, Lahore in 1969. He has also served as MPA Punjab Assembly for the term of 1985-1988 and held the portfolio of Provincial Minister in 1988.



Maulana Fazlur Rehman  
Ameer, Jamiat Ulema-e-Islam (F)

**M**aulana Fazal-ur-Rahman, a dedicated scholar of Islam hails from the village of Abdul Khel in Dera Ismail Khan. Maulana Fazal-ur-Rehman has been elected to National Assembly on multiple occasions and was elected as a Member of the National Assembly again in May 2013 General Elections. While exercising his duties as a Parliamentarian he has shared his views at several international platforms; including his address to the UN committee for Human Rights, as well as the General Assembly of UN on the collective issues of Palestine and Kashmir in 1994. He was appointed as Chairman of the Parliamentary Committee on Foreign Affairs in the second government of the then Prime Minister Benazir Bhutto. Between 2004-2007, he served as the Leader of the Opposition since he was leading a contingent of opposition parliamentarians (mainly from MMA).





Mahmood Khan Achakzai  
President Pakhtunkhwa Milli  
Awami Party

**M**ember National Assembly of Pakistan & President, Pakhtunkhwa Milli Awami Party Mahmood Khan Achakzai is a political leader from Quetta, Balochistan. Mahmood Khan Achakzai is president of Pakhtunkhwa Milli Awami Party, an ethnic nationalist party of Pakistan. Mahmood Achakzai has been elected member of National Assembly (MNA) several times from his home constituency Qilla Abdullah and also from Quetta, Balochistan. Mahmood Khan Achakzai is presently once again the Member of National Assembly from Quetta.



Nicholas Rosellini  
Deputy Regional Director Regional  
Bureau for Asia and the Pacific, UNDP

**N**icholas Rosellini is currently serving as the Deputy Assistant Administrator & Deputy Regional Director, Regional Bureau for Asia and the Pacific, UNDP. Mr. Rosellini joined UNDP in 1986 as Programme Officer in Ghana. Since then, he has held a variety of positions, including UN Resident Coordinator, Thimphu, Bhutan; Chief of the Directorate, Bureau of Management (2000-2005); Deputy Resident Representative, Viet Nam (1996-2000); Assistant Resident Representative, Pakistan (1992-1996); and Programme Advisor, Ethiopia (1989-1992).

## Session 1:

### Participatory Federalism and Decentralization: Global Perspectives and Local Linkages



Senator Mian Raza Rabbani  
(Chair)

Senator Mian Raza Rabbani, a lawyer and constitutional scholar, co-authored the 18th and 19th Constitutional Amendments as Chairman Parliamentary Committee on Constitutional Reforms. As chairman of the Implementation Commission, he oversaw the process of devolution under the 18th Amendment. He has dedicated his political career to safeguarding the rights of individuals and minority groups through the principle of Federalism. Senator Rabbani is a leading member of the Pakistan People's Party and has authored the book titled 'A biography of Pakistani federalism : unity in diversity'. Mr. Rabbani has served as Federal Minister for Inter-Provincial Coordination, Minister of State for Law & Justice, and Leader of the House and Opposition in Senate. Mr. Rabbani also authored the draft of the "Aghaz-e-Haqooq-e-Balochistan"; a financial and political package for the people of the Province. Currently, Mr. Rabbani is the Chairman of the Parliamentary Committee on National Security (PCNS) and the Deputy Secretary General of the Pakistan People's Party.





Maeregu Habtemariam Kazentet  
(Paper Presenter)

**M**r. Maeregu Habtemariam Kazentet is a Former State Minister of the Ministry of Federal Affairs, Ethiopia. As a Minister

of Federal Affairs, one of his main responsibilities was strengthening the federal system of government and managing conflicts within the nation. He has held senior positions at the Regional State level as well as zonal and local levels, and served the Government of Ethiopia from the lowest structure (Wereda) up to key positions at federal government level for more than 15 years. Maeregu studied agriculture at a diploma level and has a BA in Economics (Hons) from India and MA in International Development Planning and Management from Germany. He is currently serving as the Forum of Federations Program Director for Ethiopia.



Dr. Jill Vickers  
(Paper Presenter)

**D**r. Vickers received her education from Carleton University, The State University Of New York (Buffalo), and the London School of Economics. She joined the faculty of Carleton University in 1971,

where she rose to the rank of Professor. At Carleton, she also served as Director of the School of Canadian Societies, Chair of the Inter-Faculty Committee on Women's Studies, president and negotiator for the faculty union, and Associate Vice-President (Academic). Among her many achievements, she was named a Fellow of the Royal Society of Canada in 2003, and Carleton University awarded her a Chancellor's Professorship the same year. After her retirement in 2007, she was named Distinguished Professor of Political Science and Emeritus Professor at Carleton.



Dr. Rashid Ahmad Khan  
(Paper Presenter)

**D**r. Rashid Ahmad Khan did his B.A. (Hons), Masters and PhD (Political Science) from Punjab University, Lahore. He joined the

Punjab University as a lecturer in Political Science in 1971 and retired as a Professor and Chairman Department of Political Science, Punjab University in 2001. Dr. Rashid Ahmad Khan has contributed a number of papers on national, regional and international issue. His areas of specialization are; Government and politics of Pakistan, India, Bangladesh, Sri Lanka and Nepal; regional security issues in the Indian Ocean, Persian Gulf, Middle East and Central Asia. He is author of two books: Pakistan's Policy Towards Arab-Israel Conflict (1995) and Perspectives on Current Affairs (1993).

### *Discussants*



Dr. Syed Jaffar Ahmed

**D**r. Syed Jaffar Ahmed (Pakistan) is a Professor of Politics, History and Research

Methodology and Director of the Pakistan Study Centre, University of Karachi. Dr. Ahmed did his M.A and M.Phil from the University of Karachi in Political Sciences and Pakistan Studies respectively. Later, in 1993, he did his PhD in social and political Sciences from the University of Cambridge, UK. Dr. Ahmed has written extensively on Politics, History and Constitution. Apart from authoring two books including Federalism in Pakistan: A Constitutional Study, Dr. Ahmed has edited three books and has contributed numerous articles in research journals and edited works.







Dr. Sarfraz Ansari

**D**r. Ansari currently teaches at the National Defense University Islamabad. He is

Assistant Professor and Course Coordinator in the Department of Government and Public Policy, Faculty of Contemporary Studies, National Defense University. Before this he has been remained Dean at Faculty of Humanities, University of Wah, WahCantt, Pakistan. Dr Ansari holds a PhD in Pakistan Studies from Quaid-I-Azam University Islamabad (1998). He is a seasoned writer with excellent research background and experience. He has published many research articles in prestigious national and international journals.

## Session - 2

### Local Governance and Development Outcomes: Frameworks of Institutional Interplay



Greg Ellis  
(Chair)

**G**reg Ellis is the Co-Chair with the Government of Khyber Pakhtunkhwa of the Advisory Committee for the World Bank-managed Pakistan MDTF for Balochistan, KPK and FATA. He has worked as the Aid Programming Specialist providing advice and assistance on program design, aid delivery approaches and types of aid, as well as broader issues relating to strategic programming and capacity. He has also served as Senior Operations Officer in the unit Fragile and Conflict Affected Countries at World Bank.



Dr. Ali Cheema  
(Paper Presenter)

**D**r. Ali Cheema is one of the founding members and current board member at the Center of Economic Research in Pakistan (CERP). He is also an Associate Professor of Economics and a former head of the economics department (2004-2007) at Lahore University of Management Sciences (LUMS), Lahore. Dr. Cheema has extensive experience in research and policy work in the areas of political economy, governance, the applied economics of crime and social protection, skills and the labour market. He was a member of the Initiative of Policy Dialogue (IPD), Columbia University, Task force on Decentralization and was one of the founding members of the Stockholm Challenge Award winning portal, Relief Information System for Earthquakes, Pakistan (RISEPAK). His recent work includes large-scale impact evaluations of vocational training for poverty reduction programs in Punjab and the relationship between criminal incidence and labour market outcomes in Pakistan. A Rhodes Scholar, Dr. Cheema holds a BA (Honors) degree in Philosophy, Politics and Economics from Oxford, and a BA in Mathematics and Statistics from Government College, Lahore. He received his MPhil in Economics and Politics of Development, and a Doctorate in Economics from the University of Cambridge.





Amjad Bhatti  
(Paper Presenter)

Mr. Amjad Bhatti has joined Strengthening Participatory Federalism and Decentralization Project of UNDP, as National Technical Advisor. He holds a Masters Degree in Philosophy from Government University Lahore. Before joining UNDP, he was working as Research & Policy Advisor with Federal Ministry of information and Broadcasting. Prior to that, he worked as Executive Director with School of Political and Strategic Communication (SPSC). His other professional assignments include, Research & Policy Advisor- Federal Ministry of information and Broadcasting, Founder and Policy Advisor- Rural Development Policy Institute, Coordinator with Journalists Resource Centre, Magazine Editor-Daily Ausaf and as Assistant Director (Social Mobilization) with Prime Minister Literacy Commission. based in Islamabad. Mr. Bhatti has authored, co-authored and edited a numbers of publications and reports. Some of his recent publications include: Reconciliation, Reforms and Revival: Four Years of Democratic Government (2008-2012), Ministry of Information and Broadcasting, Government of Pakistan, Islamabad. Bridging Development Deficits through Democratic Devolution: Post-18th Amendment Framework for Local Governance in Pakistan, European Union and Rural Development Policy Institute. Operational Manual: Transition Management of Democratic Devolution, Facilitating Federal and Provincial Governments in Implementation of the 18th Constitutional Amendment 2010, Forum of Federation and Centre for Civic Education Pakistan.



Fayyaz Baqir  
(Paper Presenter)

**M**r. Fayyaz Baqir is Director of Akhter Hameed Khan Resource Centre (AHKRC). During the past three decades he has worked in senior management positions with United Nations and other development assistance agencies for improvement of environment, sustainable

development and local governance. Fayyaz has served as Senior Advisor on Civil Society for UN Resident Coordinator's Office and received Top Contributors Award from UNDP's Global Poverty Reduction Network in 2007 and 2008 and an Outstanding Performance Award by UNDP Country Office in 2004 for creating a vibrant small grants programme in Pakistan. He has also led Programme development and review missions to Iran, Ethiopia, Afghanistan, Bangladesh and Papua New Guinea and served as Asia-Pacific Coordinator for Small Grants Programme. He has taught courses at Georgetown University, Harvard University, University of Idaho, Quaid-e-Azam and National Defence University. As part of his work he has travelled to more than 25 countries within and outside Asia Pacific regions during the past decade.



Vladimir Pran  
(Paper Presenter)

**V**ladimir Pran is working on elections since 1992; his first engagement was with the Croatian People's Party (HNS) where he worked 5 years. In 1999 he joined GONG, Croatian election monitoring organization, where he worked as a

Parallel Vote Tabulation (PVT) manager and a Field Coordinator. In 2001, he joined National Democratic Institute (NDI) and has since worked on election programs with NDI, OSCE, ODIHR and IFES in the Balkans, the Caucasus, Eastern Europe, Africa, South East Asia and the Middle East. After 7 years in Jerusalem working on Palestinian elections with NDI and IFES, in 2011 he moved to Pakistan as adviser to IFES' Electoral Assistance Program. In 2012, Vladimir joined Democracy Reporting International to manage the EU sponsored project on advocacy for electoral reforms. Vladimir Pran holds MA in Political Sciences from University of Zagreb and is author of the NDI's guidebook "Monitoring Electronic Technologies In Electoral Processes".





Thusitha Pilapitiya  
(Paper Presenter)

**T**husitha Pilapitiya is currently the UNDP Policy Advisor on Decentralization and Local Governance for the Asia Pacific region based at the Asia Pacific Regional Center in Bangkok. She has over 20 years of development experience working with UNDP, The World Bank, and USAID in several countries of the world. Thusitha is an Attorney-at-Law from Sri Lanka with a degree in law from the University of Colombo and a Masters Degree in International Development from Brandeis University in USA.



Jawad Rafique Malik  
(Presentation)

**M**r. Jawaid Rafique Malik is currently serving as the Secretary of the Local Government Department in Punjab.



Mr. Ali Ahmad Lund  
(Presentation)

**M**r. Ali Ahmad Lund is currently serving as the Secretary of Local Government Department in Sindh.



Iqbal Marwat  
(Presentation)

Mr. Iqbal Marwat is a civil servant who is currently serving as Director General of Local Government Department in Balochistan. Mr. Marwat has previously served in different positions including Secretary of Local government Commission, Deputy Director, Executive District Officer (Planning and Finance). He has also served as the focal person for UNICEF in the past.



Mr. Inayat Ullah Khan  
(Presentation)

Mr. Inayatullah Khan is currently serving as the Minister of Local Government in Khyber Pakhtunkhwa. Mr. Khan is a member of the Peshawar Assembly and belongs to Jaamat-i-Islami party. He has previously served as the Health Minister. He holds a Master's degree in English literature and is pursuing his PhD in International Relations.







## Discussants



Munawwar Alam

**M**unawwar Alam is a development practitioner with 20 years of experience in public service and international

development/project management including experience of working for multi-lateral organisations. Currently, he is working as Adviser in the Governance and Institutional Development Division of the Commonwealth Secretariat. Munawwar is a Chevening Scholar and LEAD (Leadership in Environment and Development) Fellow. He has experience of working in several developing countries and small states (e.g. The Gambia, Swaziland, Sierra Leone, Sri Lanka, Maldives, and Pakistan) in areas like public sector and electoral reforms, governance and decentralisation.



Preeta Lall

**M**s. Preeta Lall is currently working as the Team Leader at Local Government Initiative and Network funded by the Swiss Development Cooperation (SDC). Previously, she was working with as an Advisor for SDC. She has extensive experience in working on local government and decentralization issues in South Asia.



Muqtader Nasary

**M**r. Muqtader Nasary has worked with a number of organizations, including government, NGOs, and donors over

the last 10 years. He has extensive experience in local governance, conflict resolution and policy and strategy development. He has served as the head of Strategic Planning for Independent Directorate of Local Governance (IDLG), where he has travelled extensively to various provinces to develop provincial strategic plans. Mr. Nasary is currently serving as the director of Planning and Policy with the Independent Directorate of Local Governance in Afghanistan.

### Session - 3

## Participatory Local Governance: Capacity, Resources and Innovations



Paul Molloy  
(Chair)

**M**r. Paul Molloy is the Deputy High Commissioner of Australia in Pakistan. He started out his career as a journalist but then moved on to the Australian Foreign Service in 1983. Since then he has served as a diplomat in Japan, South Korea and Hong Kong. In January 2013, Mr. Molloy was awarded the Medal of the Order of Australia (OAM) for services to the international community.





Berend de Groot  
(Chair)

Mr. Berend de Groot is the Head of Cooperation of the European Union Delegation to Pakistan since October 2010. He has been working with EU since 1998, mostly in Delegations including Angola, Madagascar, Afghanistan and Pakistan. From 2005-

2007 he was in DG Humanitarian Aid in Brussels initially dealing with North Korea and later on helping to set up the newly established Food Aid and Disaster Risk Reduction Unit. After his assignment as Head of Cooperation in Kabul, Berend worked as Director Operations with the International Centre for Integrated Mountain Development in Kathmandu. Holding a degree in Animal Science from Wageningen University in the Netherlands, Berend worked for almost a decade managing Swiss Development Cooperation funded projects in livestock and natural resource management in Rajasthan and Andhra Pradesh in India. Before joining the EU, he was Country Representative Pakistan for Intercooperation Switzerland, stationed in Peshawar.



Atul Shekhar  
(Co-Presenter)

**M**r. Atul Shekhar (Masters in Development Management, MBA and M.Sc.) is currently with UNDP Afghanistan as Regional Governance Advisor/Head of Governance Programme, western region of Afghanistan. Prior to this, he was Senior Capacity Building Advisor

and LG Team Lead for a USAID Local Governance & Community Development (LGCD) Program. He is an entrepreneurial organization management strategist with more than 17 years of expertise in Institutional development, Governance and Development Management in South Asia, Central Asia/Europe and Africa. Mr. Shekhar has been Guest Speaker/Resource Person to a number of reputed organizations such as: Harvard University, United Nations-International Training Centre Italy, University of Namur, Belgium. He has authored book/ articles/manuals and conducted audits/evaluations in the area of Public Sector Reform, Organization Development and Entrepreneurship Management.



Nasir Figar  
(Co-Presenter)

**M**ohammad Nasir Figar holds a Masters Degree in Public Administration from India.

He has finished his high school in Pakistan and obtained his Bachelors Degree from India through a scholarship. Mr. Figar has considerable experience with the Government, NGOs and donor organizations in Afghanistan. He has worked on developing Afghanistan National Development Strategy (ANDS) and National Priority Programs for Local Governance (NPPLG). Mr. Figar is currently working as Program Development Manager for Independent Directorate of Local Government.



Dr. Roberta Ryan  
(Paper Presenter)

**D**r. Roberta Ryan is currently working as an Associate Professor at the University of Technology Sydney. She is a leading social policy, program evaluation and stakeholder engagement practitioner

and researcher with over 30 years' experience in academia and consulting across Australia and internationally. Roberta has designed and undertaken a range of complex government and non-government policy advisory and applied policy projects. She is well known for developing new approaches to the application of research to policy, social policy, evaluation, community engagement, stakeholder management, social sustainability, social and strategic planning. She has specialized skills in applied policy analysis, qualitative and quantitative research and evaluation. She works in organizational analysis and change management, program management, and the development of applied policy and education tools.





T.R. Raghunandan  
(Paper Presenter)

**M**r. Raghunandan Raghvan has served as the Joint Secretary of Government of India, Ministry of Panchayati Raj (Rural local governments, 2004-2009), and as Secretary of Rural Development and Panchayat Raj, Karnataka State (2001-2004). His current assignments include

Advisor to the Local Governance Initiative and Network, Swiss Agency for Development and Cooperation, South Asia office. He has served in multiple roles previously including Advisor to the Accountability initiative of the Centre for Policy Research, New Delhi; member of the Task Force on Decentralised Governance Framework of the Ministry ban Poverty Alleviation; member of the Local Bodies Commission Kerala State; Governance-India office; member of the State Planning Board, Karnataka; and Principal Consultant to the Expert Committee constituted by the Government of India, on Centrally Sponsored Schemes. He was the mastermind behind setting up and running the [ipaidabribe.com](http://ipaidabribe.com), initiative (2010-2011), which crowd-sources reports on corruption from citizens.



Budiati Prasetiamartati  
(Paper Presenter)

**B**udiati Prasetiamartati is the Programme Manager in the Democratic Governance and Poverty Reduction Unit of UNDP Indonesia overseeing programs in decentralization and local governance. She received her doctorate in Coastal and Marine Resources Management from the Bogor Agricultural University in 2007. She completed her Masters at the Institute of Social Studies in the Netherlands.



Yam Nath Sharma  
(Paper Presenter)

Mr. Yam Nath Sharma joined UNDP a year ago as Assistant Country Director, and he has been looking after Governance and Rule of Law portfolio. Prior to joining UNDP, Yam Nath worked for the Government of Nepal for more than two decades where he served in different ministries, including the Ministry of Federal Affairs and Local Development. He has a Masters Degree in Economics and Political Science. He was a Hubert Humphrey Fellow at the Michigan State University, USA, in 2007-08.

### *Discussants*



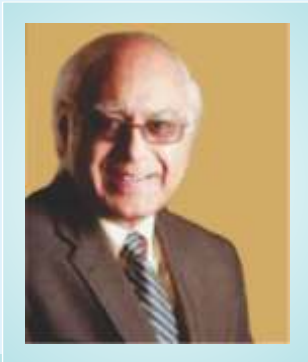
Sofia Dahiya

Sofia Dahiya is currently working as Capacity Development Specialist with Afghanistan Sub National Governance project (ASGP), Afghanistan. In this capacity she is contributing to the efforts of UNDP in strengthening the enabling

environment for Sub National Governance in Afghanistan via advisory support for policy development and organizational as well as individual level capacity development via training programs and coaching and mentoring initiatives for provincial officials. She has previously served with UNDP as Capacity Development Advisor in the National Institution Building Program (NIBP) Afghanistan. Prior to this she served in a number of positions in the Capacity for Afghan Public Services (CAP) project which was a pioneer in implementing the coaching and mentoring technique for capacity development in Afghanistan. She worked as coach/advisor with the Independent Administrative Reforms and Civil Service, Afghanistan.







Tasneem Siddiqui

**T**asneem Ahmed Siddiqui is the Retired Director General of Sindh Katchi Abadis Authority, Karachi. Mr. Siddiqui serves as a Director of House Building Finance Corporation and is currently the Chairman of a NGO called Saiban.



Naseer Memon

**M**r. Naseer Memon is a development professional, who has been working with prominent development sector and corporate sector organizations of Pakistan since 12 years. In the past, he has served on management positions in reputed corporate and social sector organizations including LEAD Pakistan, Premier Oil and WWF Pakistan. Currently, he is serving as the Executive Director of Strengthening Participatory Organization (SPO).



Hamidullah Afghan

**H**amidullah Afghan holds a Masters Degree in Public Policy and Good Governance

from Germany. His Masters thesis was focused on creation of an accountable governance structure at municipal level in Afghanistan. Mr. Afghan has around six years of work experience with Government, NGOs, and donors in Afghanistan. He has considerable experience in the field of Governance, Capacity Development, Research, strategic management and program implementation. Mr. Afghan is currently working as a Transition Manager with Independent Directorate of Local Governance (IDLG).

#### Session-4

### Fiscal Federalism: How to Operationalize Economy of Autonomy



Dr. Hilton Root  
(Chair)

**D**r. Hilton L. Root, currently a member of the faculty at the George Mason University School of Public Policy, is an expert on international political economy and development, where he attempts to bridge academic theory and development practice. His latest book

*Dynamics Among Nations: The Evolution of Legitimacy and Development in Modern States* is forthcoming from MIT Press in the fall of 2014. He is also the author of *Alliance Curse: How the U.S. Lost the Third World*, *Capital and Collusion: Political Logic of Global Economic Development*, and other books. From 2006-2011, he was the team leader of "Enhancing Government Effectiveness," a USAID funded program with projects in five Muslim-majority countries: the Palestinian territories, Morocco, Indonesia, Pakistan, and Yemen. Most recently, Dr. Root helped reengineer the Planning Commission of the Government of Pakistan in 2010-2011, and did a study on Pakistan's intergovernmental finance and devolution.





Dr. Ayesha Ghaus Pasha  
(Paper Presenter)

**M**s. Ghaus Pasha is a Visiting Professor at Beaconhouse National University, Lahore. She holds a Ph.D in Economics from University of Leeds and M.A from University of Karachi. Dr. Ghaus has been a member of several Task Forces, Committees and Commissions on public finance, social sectors, poverty alleviation and institutional reforms constituted by Governments in Pakistan. She has represented NGO's on the management boards of a number of important organizations like the Pakistan Poverty Alleviation Fund. She has undertaken consulting assignments for a number of international multilateral and bilateral agencies like UNICEF, UNDP, The World Bank, The Asian Development Bank, Canadian International Development Agency (CIDA) and the United States Agency for International Development (USAID). She has published over 75 books, journal articles and report. Currently, she is also serving as a member of the Punjab Assembly.



Dr. Anjum Nasim  
(Paper Presenter)

**D**r. Anjum Nasim is a Senior Research Fellow at the Institute of Development and Economic Alternatives (IDEAS). He received his college and university

education from Government College Lahore (B.A), the London School of Economics (B.Sc. (Honours)) and the University of Essex (M.A., Ph.D.). He started his professional academic career with the Quaid-i-Azam University, Islamabad in 1974 and joined the Lahore University of Management Sciences (LUMS) in 1986 where he served as Professor of Economics (1991-2010), Dean of the School of Humanities and Social Sciences (2006-2008) and Provost (2009). He joined IDEAS in 2012. His publications include papers in the Journal of Applied Econometrics, Journal of Development Economics and International Tax and Public Finance.



Dr. Galina Kurlyandskaya  
(Paper Presenter)

**D**r. Galina Kurlyandskaya is one of the most distinguished Russian experts in the field of public finance and intergovernmental relations. She is the Director General of the Centre for Fiscal Policy in Moscow,

a world-renowned Russian think tank whose mission is to establish an equitable and efficient system of government finance and intergovernmental relations in transitional economies. Dr. Kurlyandskaya is providing research-based policy advice and technical assistance to central, regional, and local governments both in Russia and in other developing countries. She is a member of the Experts' Council with the Government of Russia and of the Public Council on Local Governance and Intergovernmental Relations with the Russian Parliament. She received her PhD in Economics from the Institute for World Economy and International Relations, Russian Academy of Sciences.





Dr. Pervaiz Tahir  
(Co-Presenter)

Dr. Pervaiz Tahir holds his PhD and MPhil degrees from the University of Cambridge. He has been the Chief Economist of the Planning Commission, Joan Robinson Memorial Lecturer at the Faculty of Economics, University of Cambridge, MahbubulHaq Professor of Economics at the GC University, Lahore and Professor and Head of the Department of Economics at the FCC University, Lahore. Dr. Tahir has also served on the Statistical Advisory Panel of the UNDP's Human Development Report. Presently he speaks, writes and researches as a freelance economist.



Dr. Nadia Tahir  
(Co-Presenter)

Dr. Nadia Tahir has completed her PhD in Economics from GC University, Lahore and postdoctoral work at the University of Cambridge. Presently, she is an Associate Professor at the UCP Business School, University of Central Punjab, Lahore. She has also taught at the GC University, Lahore and FCC University, Lahore. She has carried out a number of research studies and published in HEC-recognized journals nationally and internationally.

## *Discussants*



Mughees Ahmad

**D**r. Mughees Ahmad is the Chairman/Associate Professor in Department of Political Science & International Relations at Government College University, Faisalabad, Pakistan. His Research Interests includes Federalism, Political System, Voting Behaviour and Electoral Politics.



Dr. Zakir Hussain

**D**r. Zakir Hussain is currently serving as the Vice Chancellor of Government College University, Faisalabad. Prior to this, he was serving as the Dean, Faculty of Agriculture, University of Sargodha. Dr. Hussain has authored over 100 articles, papers and books.







## Session-5

### Political Economy of Inter-Governmental Relations in a Federal Framework: Lessons Learnt and Way Forward



Shafqat Mehmood  
(Chair)

**M**r. Shafqat Mehmood is a Member of the National Assembly and belongs to

Pakistan Tehreek-i-Insaf. He did his Masters in Public Administration from the Harvard University Cambridge, USA, in 1981. He got another Masters degree in Public Policy and Administration from the University of Southern California in 1987. He joined Civil Service of Pakistan in 1978 and served for about seventeen years. He has previously also been a member of the Senate Standing Committees on Cabinet, Establishment and Management Services, Defence, Defence Production, Aviation, Foreign Affairs, Kashmir Affairs and Northern Areas, and the Functional Committee on Govt Assurances.



Rachel Laforest  
(Paper presenter)

**R**achel Laforest is Associate Professor and head of the Public Policy and Third Sector Initiative in the School of Policy Studies, Queen's University in Canada. She was a Visiting Professor at the Centre for Nonprofit Management, School of

Business, Trinity College Dublin and Visiting Research Fellow at the School of Criminology, Politics and Social Policy, University of Ulster in 2010-2011. Her areas of expertise are the study of governance and state restructuring. Her current research interests focus on poverty reduction strategies and welfare state restructuring. She is also interested in intergovernmental relations and Canadian politics. She is the author of *Voluntary Sector Organizations and the State*, UBC Press, 2011. She is also the editor of *The New Federal Policy Agenda and the Voluntary Sector: On the Cutting Edge*, McGill-Queen's University Press, 2009 and *Government-Nonprofit Relations in Times of Recession*, McGill-Queen's University Press, 2013.



Reinold Herber  
(Paper Presenter)

**T**opic: Federalism: Combining Unity and Diversity-A German case study Mr. Reinold Herber is a Senior Advisor of the Forum of Federations, Germany. He works as a Consultant of European and International Affairs based in Cologne

since his retirement in 2011. He joined the Forum in 2008 as a diplomat on a three-year secondment from the German Foreign Service, where he worked since 2002. At the Forum Office in Ottawa, Canada he dealt with planning and research projects, co-ordinated the “Global Dialogue” project and the “Young Professionals” program. Previously he was a Councillor at the German Embassy in Dublin, Ireland. Before that he worked at the Press and Information Office of the German Federal Government as Head of the department of employment, social and health policy. Herber taught economics and political science at the Universities of Bonn and Trier, Germany. He has a PhD and a diploma in economics from the University of Cologne.



Zafarullah Khan  
(Paper Presenter)

**M**r. Zafarullah Khan is an Islamabad based Political and Media Analyst and a Civic Educator with special interest in federalism and democratic development. Mr. Khan has worked as a journalist for the country's leading newspapers and electronic media. Presently, he is working as Executive Director of the Center for Civic Education Pakistan. Mr. Khan holds a Master's degree in Media and Communication from London School of Economics.





Mushtaq Gaadi  
(Paper Presenter)

Mr. Mushtaq Gaadi is currently working with the Subaltern Documentary Production-the private group of engaged researchers, writers, media persons and community activists and participated in scripting, filming and editing of two documentaries, namely 'Speaking to Power' and 'Silencing Dissent'. He is also a Senior Lecturer at Quaid-e-Azam University in Islamabad.



Mr. Muhammad Ali Kakar  
(Paper Presenter)

Mr. Ali Kakar is currently serving as the Secretary, Inter-Provincial Coordination Department, Balochistan. He has worked in the areas of Social Development, public management & policy. He has a keen interest in Development Strategies, Participatory Management, Reducing Health Impoverishment for Health outcomes, and Cost-effective Health Care & Financing.



Asma Faiz  
(Paper Presenter)

**T**opic: Federalism in Pakistan; Managing Identity Conflicts through State Reform Ms. Asma Faiz teaches Political Science at the Department of Humanities and Social Sciences at Lahore University of Management Sciences (LUMS). She specializes in conflict and security research. She is a Fulbright fellow and a graduate of the University of Illinois at Urbana-Champaign (UIUC), USA. She is also a recipient of RCSS-NTI Award. Her first book India-Pakistan Dialogue: Bringing the Society In was published by Regional Center for Strategic Studies (RCSS), Sri Lanka. Her edited volume Making Federation Work: Federalism after 18th Amendment in Pakistan is currently under review at the Oxford University Press.

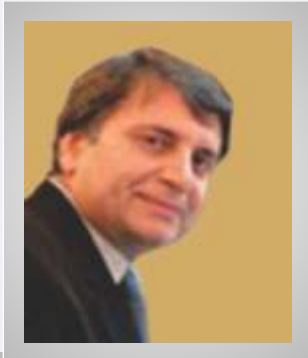
Musa Wazir  
(Paper Presenter)

**M**r. Musa Wazir is currently serving as the Additional Secretary of the Inter-Provincial Coordination Department in Khyber Pakhtunkhwa. He has previously served as Additional Secretary of the Sports Department.





## Discussants



Fareedullah Khan

**M**r. Fareedullah Khan is currently serving as the Secretary of the Ministry of Inter Provincial Coordination in Islamabad. He has done his Masters in Public Administration from Idaho State University, USA in 1983, Masters Strategic Studies from National Defence College (NDC), Islamabad in 2001, Masters in Political Science and LLB from University of Peshawar. Faridullah Khan has a long service record in credible departments of Government of Pakistan. He served as National Project Director of District Government System in Pakistan, Member Federal Land Commission and Kashmir Council, Joint Secretary for Population Welfare, Joint Secretary for Food and Agriculture and Managing Director ENERCON.



Phillip Gonzalez

**P**hillip Gonzalez is currently serving as the Program Manager of the Forum of Federations in Canada. He has a Master's degree in International Relations from Monash University, Melbourne, Australia. He conducted his research thesis on Globalisation and State autonomy. He received his Bachelor's degree from La Trobe University, Australia, completing a double major in politics and history. Phillip has previously worked at the Canadian Foundation for the Americas as well as the Australian High Commission in Ottawa.



PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

## Annex II: Participants' List







S.No	Name	Category	Affiliation
1	Shugfta Nargis	Academia	University of Gujrat
2	Syeda Aalia Hussain	Academia	University of Gujrat
3	Farazana Zaheer Syed	Academia	University of Gujrat
4	Sahar Gul	Academia	University of Karachi
5	Aisha Ahmad	Academia	Bahauddin Zakrya University
6	Akhlaque Hussain	Academia	Shah Abdul Latif Bhitai Univesity
7	Wajid Mehmood	Academia	University of Peshawar
8	Ali Nawaz Soomro	Academia	Shah Abdul Latif Bhitai Univesity
9	Muhmmad Shaban	Academia	Government College University Faisalabad
10	Irshad Ali	Academia	Shah Abdul Latif Bhitai Univesity
11	Ahmad Ali	Academia	University of Peshawar
12	Asif Salim	Academia	University of Peshawar
13	Abdul Basit Khan	Academia	Bahauddin Zakrya University
14	M. Sajid Hussain	Academia	Bahauddin Zakrya University
15	Kamran Naseem	Academia	International Islamaic University
16	Javed H Syed	Academia	University of Gujrat
17	Dr. Mushtaq	Academia	University of Gujrat
18	Dr Ayaz	Academia	Bahauddin Zakrya University
19	Pietro Serio	Development Partner	FoF
20	Syed Hussain Shah	Academia	University of Sindh
21	Ibrahim Ahmad	Academia	International Islamaic University
22	SalmanKhan	Academia	International Islamaic University
23	Nasir Ali	Academia	International Islamaic University
24	Ekrma Ashraf	Academia	International Islamaic University
25	Ahsan Khan	Academia	International Islamaic University
26	Ahsan Arif	Academia	International Islamaic University
27	Saad Iftikhar	Academia	International Islamaic University
28	Ali Nawaz	Academia	International Islamaic University
29	Muhammad Irfan	Academia	International Islamaic University
30	Ali Asghar	Academia	International Islamaic University
31	Anwar ul Haq	Academia	International Islamaic University
32	Umar Adami	Academia	International Islamaic University
33	Tahir Rahman	Academia	International Islamaic University
34	Mumtaz	Academia	International Islamaic University
35	Shah Mureed	Academia	International Islamaic University
36	Shaffi	Academia	International Islamaic University





S.No	Name	Category	Affiliation
37	Shay Faist	Academia	International Islamaic University
38	Wisal Ahmad	Academia	International Islamaic University
39	Arsalan Ahmad	Academia	International Islamaic University
40	M. Affan	Academia	International Islamaic University
41	Jhunaid Ahmad	Academia	International Islamaic University
42	Muhammad Zada	Academia	International Islamaic University
43	Mian Raheel Kamal	Academia	International Islamaic University
44	Fakhar Iqbal	Academia	International Islamaic University
45	Ihtram Kakar	Academia	International Islamaic University
46	Rahmatullah Kakar	Academia	International Islamaic University
47	Hilton Root	Academia	Professor
48	Arif	Media	Daily Jang
49	Sanallah	Civil Society	SPO
50	Naseeb Ullah	Media	APP
51	Saleem Baber	Academia	QAU
52	Muhammad Bilal	Academia	QAU
53	Jawad Syed	Academia	University of Gujrat
54	Amanullah Khan	Academia	QAU
55	Israr ullah	Academia	QAU
56	Sidra Tariq	Academia	QAU
57	M Shahzad	Academia	University of Gujrat
58	Tipu Sultan	Academia	University of Gujrat
59	Sania Jabeen	Academia	Fatimah Jinnah Women's University
60	Maimoona Javed	Academia	Fatimah Jinnah Women's University
61	Bilal Saeed	Academia	Fatimah Jinnah Women's University
62	Hina Altaf	Academia	Fatimah Jinnah Women's University
63	Ghanwa Butt	Academia	Fatimah Jinnah Women's University
64	Muhammad Hayatullah Khan	Academia	QAU
65	Shahzad Akhtar	Academia	QAU
66	Maira	Academia	QAU
67	Rabia Shaheen	Academia	QAU
68	Qurat ul Ain Bashir	Academia	Al-Khair University
69	Ziafat Hussain	Academia	QAU

S.No	Name	Category	Affiliation
70	Shahrukh Tariq	Civil Society	CCEP
71	Nauman	Civil Society	PBC
72	Hanif Khattak	Media	The News
73	M. Younas	Academia	International Islamaic University
74	Usama Inam	Academia	International Islamaic University
75	Rafi Ullah	Academia	International Islamaic University
76	M. Rafiq	Academia	International Islamaic University
77	Ahsan Nazir	Academia	Arid Agriculture University
78	Hamad Azam	Academia	University Institute of Management Sciences
79	Saqib Hameed	Academia	International Islamaic University
80	Imran Haider	Academia	International Islamaic University
81	Muhammad Irfan Khan	Academia	International Islamaic University
82	Muhammad Bilal	Academia	International Islamaic University
83	Zawar Hussain	Academia	International Islamaic University
84	Muhammad Usman	Academia	International Islamaic University
85	Muhammad Aamir Rauf	Academia	International Islamaic University
86	Muhammad Ijaz ul Hassan	Academia	International Islamaic University
87	Muhammad Saqib	Academia	International Islamaic University
88	Muhammad Faheen Tariq	Academia	International Islamaic University
89	Syed Ali Asghar	Academia	International Islamaic University
90	Abdul Nabi	Academia	International Islamaic University
91	Ali Nawaz Soomro	Academia	International Islamaic University
92	Muhammad Ibrahim Faisal	Academia	International Islamaic University
93	Haroon Kamar	Academia	International Islamaic University
94	Najeeb Ullah	Academia	International Islamaic University
95	Dr. Taqadus Bashir	Academia	University of Gujrat
96	Maria Hassan	Academia	University of Gujrat
97	Rashida Abbasi	Academia	International Islamaic University
98	Nadira Tabasum	Academia	International Islamaic University
99	Usman Javed	Academia	International Islamaic University
100	Mumtaz	Academia	International Islamaic University





S.No	Name	Category	Affiliation
101	Raziq Mahmood Bhatti	Media	Kashmir Express
102	Zainab Najeed	Academia	NCA
103	Jibran Shahid	Academia	NCA
104	Raja Abdul Basit	Academia	NCA
105	Ayeza Ashraf	Academia	NCA
106	Qaiser Shah	Academia	NCA
107	Agha Irtiza	Academia	NCA
108	Maria A Shah	Academia	NCA
109	Mustaq Hunza	Academia	NCA
110	Adil Riaz Khan	Academia	NCA
111	Syed Sana Hassan	Academia	NCA
112	Maha Saleem	Academia	NCA
113	Habib	Academia	NCA
114	Maha Hasan	Academia	NCA
115	Mahnoor Shehzad	Academia	NCA
116	Adnan Haider	Academia	NCA
117	Iqtidar Ali	Academia	International Islamaic University
118	Maisam Ali	Academia	International Islamaic University
119	Syed Muhammad	Academia	International Islamaic University
120	Muhammad Younis	Academia	International Islamaic University
121	Najeed Ullah	Academia	International Islamaic University
122	Ruaman Jameel	Academia	International Islamaic University
123	Farhad	Academia	International Islamaic University
124	Sikandar Raza	Academia	International Islamaic University
125	Asif Tariq	Academia	International Islamaic University
126	M. Saud	Academia	International Islamaic University
127	M. Nadeem Ghaffar	Academia	International Islamaic University
128	Ihsan	Academia	International Islamaic University
129	Muhammad Anwar	Academia	International Islamaic University
130	Javed Sikander	Government	Planning Commission
131	Reinold Herber	Development Partner	FoF
132	Zafarullah Khan	Civil Society	CCEP
133	Abdul Muqtadar	Civil Society	IDLG- Afghanistan
134	Mohammad Nasir	Civil Society	IDLG- Afghanistan
135	Khalid Khan	Academia	Lasbela University
136	Kashif Kambah	Media	Capital Tc
137	Yasir	Media	Balochistan Today
138	Abdul Wadood	Academia	BUIITEMS

S.No	Name	Category	Affiliation
139	Wajid Mehmood	Academia	University of Peshawar
140	Asif Salim	Academia	University of Peshawar
141	Abdul Basit Khan	Academia	Bahauddin Zakrya University
142	Irshad Ali	Academia	Shah Abdul Latif Bhitai Univesity
143	Inaam Ahmed	Media	The Magazine
144	Muhammad Shahban	Civil Society	GCKF
145	Dr. M Azam	Academia	Sargodha University
146	Rizwan Ali	Academia	University of Gujrat
147	Adam Malik	Civil Society	Society for Alternative Media & Research
148	Mohammad Iqbal	Government	DG - LG Balochistan
149	Dr. Syed Jaffar Ahmed	Academia	Pakistan Study Centre
150	Tasneem	Civil Society	Saiban
151	Maeregu Habtemariam Kazentet	Development Partner	FoF
152	Purusbtam	Development Partner	Ministry of Federal Affairs and Local Development Nepal
153	Arshad Rashid	Development Partner	EU
154	Giacoro Riserocchi	Development Partner	EU
155	Sibghatullah	Civil Society	IDLG - Afghanistan
156	Robeirta Ruan	Academia	Professor
157	Rana Riaz	Civil Society	NTS
158	Atul Shkar	Development Partner	UNDP
159	Budiati Prasetamartati	Development Partner	UNDP
160	Tauqir Akbar Khan	Development Partner	UNDP
161	Abdul Hameed	Civil Society	ICMAP
162	Dr. Ahmed	Civil Society	GCUF
163	Shahzad Iqbal	Government	IPC
164	Nisar Ahmed	Government	IPC
165	Farahnaz Khan	Development Partner	UNDP
166	Shakir Sindhu	Academia	FCC
167	Anwar ul Haq	Academia	LCA
168	Adeem Alam	Civil Society	AGAHE
169	Kamran Naseem	Academia	Government Gordon College
170	Hamayoun Sabr	Government	LGRD Balochistan
171	Shoaib Iqbal	Development Partner	UNDP







S.No	Name	Category	Affiliation
172	Ali	Media	Aaj Tv
173	Dr Tahir Ali Shah	Government	HEC
174	Abdul Rahim Mandokhail	Politician	MNA PKMAP
175	Abdul Wahab	Academia	NCA
176	Aitizaz Hassan	Media	Dawn Tv
177	Dr. Sultan	Academia	University of Gujrat
178	Adil Riaz	Academia	NCA
179	Abid Ali	Media	Dunya Tv
180	Mehboob	Academia	QAU
181	Faryal	Academia	QAU
182	Ifra	Academia	QAU
183	Somia	Academia	QAU
184	Mian Rifat Qadri	Media	Daily Dunya
185	Nadir Shah	Academia	International Islamaic University
186	Samiullah Khan	Academia	International Islamaic University
187	Molim Khan	Academia	International Islamaic University
188	Mehrab Gul	Academia	International Islamaic University
189	Rahim Jan	Academia	International Islamaic University
190	Abdul Wahid Qureshi	Academia	International Islamaic University
191	Luqman Hakeem	Academia	International Islamaic University
192	Waleed Imtiaz Khattak	Academia	International Islamaic University
193	Shahzad Ali	Academia	International Islamaic University
194	Sadam Hussain	Academia	International Islamaic University
195	Najeeb Ullah Khan	Academia	International Islamaic University
196	Mir Qamar ul Hassan	Academia	International Islamaic University
197	Naqib Ahmed	Academia	International Islamaic University
198	Abdul Moqem	Academia	International Islamaic University
199	Mohammad Ilyas	Academia	International Islamaic University
200	Najeeb Ullah	Academia	International Islamaic University
201	M. Aamir	Academia	International Islamaic University
202	Iqtidar Ali	Academia	International Islamaic University
203	Ali Nawaz	Academia	International Islamaic University
204	Mohammad Atiq Khan	Media	Daily Balochistan Times
205	Maha Mussadaq	Media	Express Tribune
206	Abdul Basit	Academia	Allama Iqbal Open University
207	Anwar Ahmad	Media	Radio Pakistan
208	Judith Ravin	Development Partner	US Embassy
209	Dr. Yasmin	Academia	IUB
210	Rizwana Yousaf	Academia	University of Gujrat

S.No	Name	Category	Affiliation
211	Anila Iram	Academia	University of Gujrat
212	Fida Mahmood	Civil Society	Volunteer
213	Dawood Ayoub	Civil Society	Volunteer
214	Ali Nazeer	Civil Society	Volunteer
215	Sundas Ali	Civil Society	Volunteer
216	Mahnoor Safdar	Civil Society	Volunteer
217	Usman Ghani	Government	Health Department
218	Saima Mukhtar	Government	IPC
219	Saadiyan Khan	Civil Society	AIRD
220	Kiran Peter	Civil Society	SPO
221	Qaiser Khalid	Academia	International Islamaic University
222	Ejaz Hashim	Academia	International Islamaic University
223	Zahid Abbas	Academia	International Islamaic University
224	M. Naveed	Media	News One
225	M. Waleed	Media	News One
226	John	Media	Aaj News
227	Nisar Ahmad	Media	Sohni Dharti Tv
228	Nadeem	Media	ANN News
229	Shahbaz Ahmed	Media	PTV News
230	Shahid Waheed	Academia	NCA
231	Shahzeb	Development Partner	UNDP
232	Arshid Jan	Development Partner	UNDP
233	Akhlaq Ahmed	Academia	International Islamaic University
234	Hazir Ullah	Academia	International Islamaic University
235	Dr. M Balar	Academia	International Islamaic University
236	Dr. Qazi	Government	IPC
237	Jawad Rehman	Development Partner	UNDP
238	Taj Haider	Politician	PPPP
239	Naheed	Civil Society	Clear Concepts
240	T.R. Raghunandan	Development Partner	Swiss Agency for Development Cooperation
241	Naveed	Government	SNGPL
242	Liaqat Khan	Government	SNGPL
243	Dr. Ishaque Baloch	Government	CMPRU
244	Maryam Abid	Civil Society	RDPI
245	M. Anwar	Development Partner	USAID
246	Philipp Niehenke	Development Partner	GIZ
247	Ali Salman	Civil Society	PRIME
248	Sara Javed	Civil Society	PRIME





S.No	Name	Category	Affiliation
249	Dr Aisha Ghaus Pasha	Politician	MPA
250	Rizwan Sharif	Academia	Fatimah Jinnah Women's University
251	Nazeer Machar	Development Partner	USAID
252	Malik Javed	Government	IPCD
253	Kahid Parvez Bhatti	Media	-
254	Aziz Bhatti	Media	-
255	M. Jalal	Academia	International Islamaic University
256	Asif Tariq	Academia	International Islamaic University
257	Imran	Academia	International Islamaic University
258	Riaz	Academia	International Islamaic University
259	Javed	Academia	International Islamaic University
260	Asmat	Academia	International Islamaic University
261	Asif Khan	Academia	International Islamaic University
262	Imran Ahmed	Academia	NDU
263	Rehmat	Academia	International Islamaic University
264	Waseem	Academia	International Islamaic University
265	Ibrahim Ahmed	Academia	International Islamaic University
266	M. Awais Akram	Civil Society	Volunteer
267	Muhammad Hussain	Academia	Al Khair University
268	M. Naveed	Academia	Al Khair University
269	Rana Imran	Media	Royal News
270	Ali Hassan	Media	Royal News
271	Naveed Sikander	Media	Royal News
272	Shakir Akram	Government	IESCO
273	Syed Anwar Ali	Academia	NUML
274	Mushtaq Gandhi	Academia	QAU
275	Sehrish Khan	Media	ATV
276	Khurram Shahzad	Media	Dawn Tv
277	Syed Ali Asghar	Academia	International Islamaic University
278	Sarfraz Ahmed Abbasi	Media	Daily Telegraph Karachi
279	Taimoor Jadoon	Media	APP
280	Nadeem	Civil Society	AIPS
281	Farzana Zaheer Syed	Academia	University of Gujrat
282	Ahmed Naqvi	Media	Dunya News
283	Faisal Raza Khan	Media	Dunya Daily
284	Raja Manzoor	Media	Royal News
285	Hameed Janjua	Media	Royal News

S.No	Name	Category	Affiliation
286	Shahid Hassan	Academia	QAU
287	Abdul Junaid	Academia	QAU
288	Ziad Ali	Academia	QAU
289	Syed Mudassar	Government	IPC
290	Farhan Ahmad	Government	IPC
291	Tauqeer Hussain Shah	Academia	University of Gujrat
292	M. Khalil	Academia	IUB
293	Waqas Naeem	Media	Express Tribune
294	Muhammad Ali Kakar	Government	IPC
295	Dr. Amna Khalifa	Development Partner	GIZ
296	Muhammad Ali Kakar	Civil Society	-
297	Asia Ashfaq	Academia	International Islamaic University
298	Um e Habiba	Academia	International Islamaic University
299	Sharjeela	Academia	International Islamaic University
300	Bushra Saleem	Academia	International Islamaic University
301	Ramzan Qadir	Academia	NUML
302	Asif Kayani	Media	News Agency
303	Mahmood Achakzai	Politician	PKMAP
304	Naveed Amir	Media	-
305	Fayaz Baqir	Civil Society	AHKRC
306	Vladimir Pran	Development Partner	DRI
307	Umbreen Baig	Development Partner	Canadian High Commission
308	Asma Fiaz	Academia	LUMS
309	Atif Ali Jaffri	Academia	University of Gujrat
310	Zeeshan Ali Tahir	Civil Society	Legal Consultant
311	Stacy	Development Partner	UNDP
312	Umar Khayam	Media	Nawi-e-Waqat
313	Jawad Rafique Malik	Government	LGCD Department Punjab
314	Syed Tahir	Academia	Government College
315	Nauman Haider	Media	Daily Pakistan
316	Sarfraz Abbasi	Media	Daily Telegraph
317	Wasif Naqwi	Media	SDTV
318	Zawar Hussain	Academia	International Islamaic University
319	Zahid Abbas	Academia	International Islamaic University
320	Rehan Ahmed	Media	SDTV
321	Naseer Memon	Civil Society	SPO
322	Kamran Ahmad	Civil Society	Blue Solutions
323	Humayon	Civil Society	Pakistan Economic Forum
324	Farzana Jamil	Academia	QAU





S.No	Name	Category	Affiliation
325	Azhar Lashari	Civil Society	RDPI
326	Ashar Khan	Civil Society	ARFA
327	Zaheer Abbas	Academia	International Islamaic University
328	Sarfraz Masih	Academia	International Islamaic University
329	Aminullah	Academia	International Islamaic University
330	Nasir Majeed	Academia	University of Gujrat
331	Prof Mansoor Kundi	Academia	Gomal University DI Khan
332	Asim	Media	ATV
333	Khurram	Media	PTV
334	Raheel Akhtar	Media	DIN TV
335	Salahuddin	Media	DIN TV
336	Aslam Khan	Civil Society	ARFA
337	Paul Molloy	Development Partner	Australian Embassy
339	Jill Vickers	Academia	Carleton University
340	Greg Ellis	Development Partner	Australian Aid
341	Yam Nath Sharma	Development Partner	UNDP
342	Berend De Groot	Development Partner	EU
343	Inayatullah Khan	Government	LG Minister KPK
344	Humayon Sabir	Government	LGRDD Balochistan
345	Thusitha Pilapitiya	Development Partner	UNDP
346	Dr. Pervaiz Tahir	Civil Society	Economist
347	Rachel Laforest	Academia	Queen's University



PARTICIPATORY FEDERALISM  
AND DECENTRALIZATION:  
FROM FRAMEWORK  
TO FUNCTIONALITY

# Annex III: Conference Programme







Day 1- Wednesday, September 25, 2013

9:00 am – 10:00 am

Registration

Inaugural Ceremony

10:00 am – 12:30 pm

Recitation from the Holy Quran

Welcome Remarks:

Marc-André Franche, Country Director UNDP

Prof. Dr. Mohammad Nizamuddin, Chair, Conference Organizing Committee/Vice Chancellor, University of Gujrat / Chair, Inter-University Consortium for Promotion of Social Sciences

Address:

Dr. Mukhtar Ahmed, Executive Director, Higher Education Commission

Pietro Merlo, Senior Advisor, Forum of Federations

Keynote Address:

Nicholas Rosellini, Deputy Assistant Administrator & Deputy Regional Director, Regional Bureau for Asia and the Pacific, UNDP

Chief Guest:

Riaz Hussain Pirzada, Minister for Inter-Provincial Coordination

12:30 pm – 1:00 pm

Poster Exhibition on Federalism by Research Scholars

1:00 pm – 2:00 pm

Lunch

Session 1

2:00 pm – 5:00 pm

Participatory Federalism and Decentralization: Global Perspectives and Local Linkages

Session Objective: Sharing global/regional experiences on participatory federalism and understanding the evolving perspectives of participatory federalism in Pakistan

Chair:

Senator Raza Rabbani (Former Chairman, Parliamentary Committee on Constitutional Reforms/ Former Chairman, Parliamentary Committee on National Security, Pakistan People's Party)

Presentations:

The Transition to Democracy in Ethiopia – Locating the Importance of Federalist Principles and Practices

Maeregu Habtemariam Kazentet, former State Minister of the Ministry of Federal Affairs



Comparative Analysis of Indo-Pak Experiences of Federalism  
Dr. Mohammad Waseem, Professor, Lahore University of Management Sciences

Is Federalism Gendered? Incorporating Gender into Studies of Federalism  
Dr. Vickers Jill, Professor, Carleton University, Canada (Video Call)

Trust Deficit between Center and Provinces: Obstacles to Participatory Federalism  
Dr. Rasheed Khan, Dean Faculty of Social Sciences, University of Sargodha

Discussants :  
Dr. Jaffer Ahmed, Director, Pakistan Studies Center, University of Karachi  
Dr. Hassan Askari Rizvi, Political Analyst, Daily Times  
Dr. Sarfaraz Ansari, Associate Professor, National Defence University, Islamabad

5:00 pm – 5:15 pm Souvenirs / Group Photograph

Day 2 – Thursday, September 26, 2013

### Session 2 (a)

9:00 am – 10:30 am

Local Governance and Development Outcomes:  
Frameworks of Institutional Interplay

Session Objectives: Integrating the spirit and process of 18th Amendment in redirecting debate on local government for effective service delivery; What could be the indicative framework to develop context-specific local government systems in four provinces?

Chair: Greg Ellis, Counselor, AusAid Pakistan

Presentations:  
Democratizing the State through Local Government Reform  
Dr. Ali Cheema, Professor, Lahore University of Management Sciences

Article 140 A: Constitutional Contours of Distributed Ownership  
Amjad Bhatti, National Technical Advisor, UNDP

Social Capital as a Determinant of Quality Service Delivery by Local Government Institutions: A review of Rural Water Supply in Punjab  
Fayyaz Baqir, Director, Akhtar Hameed Khan Resource Center

Challenges for Conducting Local Government Elections in Pakistan  
Vladmir Pran, Country Director, Democracy Reporting International

Discussants:  
Azhar Saeed Malik, Governance Advisor, UNDP Afghanistan  
Munawwar Alam, Adviser, Governance & Institutional Development Division Commonwealth Secretariat, London

Open Discussion



10:30 am – 10:45 am	Tea Break
10:45 am – 11:15 am	<p>Guest Speaker of the Day          Journey of Federalism &amp; 18th Amendment: Insights on the Process of Consensus Building          Maulana Fazlur Rehman, Ameer, Jamiat Ulema-e-Islam (F)          Moderator: Jan Achakzai, Spokesman Jamiat Ulema-e-Islam (F)</p>
<b>Session 2 (b)</b>	
11:15 am – 1:00 pm	<p>Local Governance and Development Outcomes: Frameworks of Institutional Interplay</p> <p>Chair: Marc-André Franche, Country Director, UNDP Pakistan</p> <p>Presentations:</p> <p>Electoral Representation in Decentralized Governance in the Asia Pacific Region: Case Studies of Selected Countries          Thusitha Pilapitiya, Local Government Advisor, Asia-Pacific Regional Centre, UNDP</p> <p>Local Government System in Khyber Pakhtunkhwa          Inayat Ullah Khan, Minister for Local Government, Khyber Pakhtunkhwa</p> <p>Local Government System in Punjab          Javed Rafique Malik, Secretary, Local Government Punjab</p> <p>Local Government System in Sindh          Representative of Sindh Government</p> <p>Local Government System in Balochistan          Iqbal Marwat, Director General, Local Government Department, Balochistan</p> <p>Discussants:          Preeta Lall, Team Leader, Local Governance Initiative &amp; Network, Swiss Development Cooperation          Muqtader Nasary, Director, Independent Directorate of Local Governance, Afghanistan Open Discussion</p>
12:50 pm – 1:00 pm	Souvenirs / Group Photograph
1:00 pm – 2:00 pm	Lunch
<b>Session 3</b>	
2:00 pm – 4:00 pm	<p>Participatory Local Governance: Capacity, Resources and Innovations</p> <p>Session Objectives: Identifying and suggesting remedies for capacity gaps of local governance structures; How can local governance empower citizens? Innovative methods of effective service delivery at local level?</p>





Chair: Paul Molloy, Deputy High Commissioner, Australia

Presentations:

Decentralization and Local Government Innovation in Providing Urban Services for the Poor in South and South-East Asia

Asha Ghosh, Former Director, Local Governance Program, Asia Foundation (US)

Local Government Structure of Afghanistan: Opportunities and Challenges Atul Shekhar, Regional Manager, Sub-National Governance Program, UNDP Afghanistan

Nasir Figar, Program Implementation Manager, Independent Directorate of Local Governance, Afghanistan

What can local government be? Ways of Addressing the Capacity Gap

Dr. Roberta Ryan, Director, Australian Centre of Excellence for Local Government

Local Government Structure of Bangladesh: Opportunities and Challenges

Dr. Tofail Ahmad, Local Government Advisor, UNDP Bangladesh

Discussants:

Sofia Dahiya, Capacity Development Advisor, Sub National Governance Programme, UNDP Afghanistan

Tasneem Siddiqui, Chairman, Saiban, Karachi

Mr. Naseer Memon, Chief Executive, Strengthening Participatory Organization (SPO)

Open Discussion

4:00 pm – 4:10 pm

Tea Break

4:10 pm – 6:00 pm

Chair: Berend de Groot, Counselor, European Union

Presentations:

Panchayat Raj System in India: Opportunities & Challenges

T.R. Raghunandan, Advisor, Local Governance Initiative & Network, Swiss Development Cooperation, India

Decentralization Policy in Indonesia and Structure of Local Government

Budiati Prasetiamartati, Programme Manager Decentralisation and Local Governance, UNDP Indonesia

Local Government Experiences from Nepal: Opportunities & Challenges Yam

Nath Sharma, Assistant Country Director, Governance, UNDP Nepal

Purusottam Nepal, Under Secretary/Programme Manager, Ministry of Federal Affairs and Local Development, Nepal

Local Government Structure in Sri Lanka: Opportunities & Challenges

Thusitha Pilapitiya, Local Government Advisor, Asia-Pacific Regional Centre, UNDP

Discussants:  
Haseeb Athar, Federal Secretary, Benazir Income Support Programme  
Hamidullah Afghan, Transition anager, Independent Directorate of Local  
Governance, Afghanistan

Open Discussion

6:00 pm – 6:10 pm

Souvenirs / Group Photograph

Day 3- Friday, September 27, 2013

#### Session 4

9:00 am – 12:30 pm

Fiscal Federalism: How to Operationalize Economy of Autonomy?

Session Objective: Exploring policy options for revenue generation, fiscal decentralization and redistribution at three-tiers of governance

Chair: Dr. Hilton Root, Professor, George Mason University (USA) & Kings College (London)

Presentations:

Fiscal Federalism: A comparative Analysis of India and Pakistan  
Dr. Govinda Rao, Member Finance Commission, India

Fiscal Federalism & Inter-Governmental Relations: A case study of Russian Federation with Learning for Pakistan  
Galina Kurlyandskaya, Director General, Center for Fiscal Policy, Russian Federation

Appraisal of the 7th National Finance Commission and Recommendations for 8th National Finance Commission Award  
Prof. Ayesha Ghauss Pasha, Member of Punjab Provincial Assembly / Director Institute of public Policy (IPP), Beaconhouse National University

Agricultural Income Tax in Punjab: Tax Potential and Modes of Tax Collection  
Dr. Anjum Nasim, Senior Research Fellow, Institute of Development and Economic Alternatives

Implications of 18th Constitutional Amendment for National Planning and Economic Coordination  
Dr. Pervez Tahir, Former Chief Economist, Planning Commission of Pakistan.  
Dr. Nadia Tahir, Associate Professor, University of Central Punjab

Discussants:

Dr. Kaiser Bengali, Economic Advisor, Government of Balochistan  
Dr. Mughees Ahmed, Professor, Government College University, Faisalabad  
Dr. Zakir Hussain, Vice Chancellor, Government College University, Faisalabad

Open Discussion







12:25 pm – 12:30 pm	Souvenirs / Group Photograph
12:30 pm – 1:00 pm	Guest Speaker of the Day Mahmood Khan Achakzai, Member National Assembly of Pakistan & President, Pakhtunkhwa Milli Awami Party
1:00 pm – 2:00 pm	Lunch
<b>Session 5</b>	
2:00 pm – 5:00 pm	Political Economy of Inter-Governmental Relations in a Federal Framework: Lessons Learnt and Way Forward  Session Objective: Lessons learnt at global level and policy options for managing Inter- Governmental Relations in Pakistan with special reference to 18th Amendment  Chair: Shafqat Mehmood, Member National Assembly of Pakistan, Pakistan Tehreek-i-Insaaf  Presentations: The Evolution of Federal-Provincial Relations in Canada: Some Lessons for Pakistan Rachel Laforest, Associate Professor, Queens University, Canada  Federalism: Combining Unity and Diversity – A German Case Study Reinold Herber, Senior Advisor, Forum of Federations, Germany  Future of Pakistani Federation: A Case Study of the Council of Common Interests Zafarullah Khan, Executive Director, Center for Civic Education  Interplay Between Identity and Rights Movement in Balochistan Mushtaq Gaadi, Faculty, Quaid-e-Azam University, Islamabad  Expansion of Own Source Revenue Generation for Provincial/Local Governments in Pakistan Hafeez Pasha, Dean, Beaconhouse National University, Lahore  Transition Management in Khyber Pakhtunkhwa: Challenges & Opportunities Musa Wazir, Additional Secretary, Inter-Provincial Coordination Department, Government of Khyber Pakhtunkhwa  Transition Management in Balochistan: Challenges & Opportunities Mohammad Ali Kakar, Secretary, Inter-Provincial Coordination Department, Government of Balochistan  Federalism in Pakistan: Managing Identity Conflicts through State Reform Asthma Faiz, Teaching Fellow, Lahore University of Management Sciences (LUMS)

	<p>Discussants:  Fareedullah Khan, Federal Secretary, Inter-Provincial Coordination Division  Afrasiab Khattak, Senator, Awami National Party  Phillip Gonzalez, Programme Manager, Forum of Federations, Canada  Dr. Saeed Shafqat, Director, Center for Public Policy and Governance, Forman Christian College University, Lahore</p> <p>Open Discussion</p>
4:50 pm – 5:00 pm	Souvenirs / Group Photograph
<a href="#">Closing Ceremony</a>	
5:00 pm – 6:00 pm	<p>Highlights of the Conference:  Prof. Dr. Mohammad Nizamuddin, Vice Chancellor, University of Gujrat</p> <p>Way Forward &amp; Vote of Thanks:  Marc-André Franche, Country Director, UNDP Pakistan</p> <p>Remarks:  Dr. Mukhtar Ahmed, Executive Director, Higher Education Commission, (HEC) Islamabad  Dr. Nadeem Tarar, Director, National College of Arts, Rawalpindi</p> <p>Guest of Honor:  Asma Jahangir, Former President, Supreme Court Bar Association / Former U.N. Special Rapporteur on Freedom of Religion or Belief for the U.N. Human Rights Council (2004-2010)</p> <p>Chief Guest: Dr. Abdul Malik Baloch, Chief Minister, Balochistan</p>
6:00 pm – 6:15 pm	Souvenirs / Conference Photograph



# Parallal Panel Discussion

Day 1, Wednesday, 25th September, 2013

## Panel Discussion 1

### Understanding Article 25-A: Education Governance

2:00 pm – 5:00 pm

Chair: Barrister Aitazaz Ahsan, Senator, Pakistan People's Party  
Keynote Speaker: Dr. Mukhtar Ahmad, Executive Director, Higher Education Commission Pakistan

Panelists:

Prof. Dr. Mohammad Nizammudin, Vice Chancellor, University of Gujrat  
Dr. Khadim Hussain, Managing Director, Baacha Khan Trust Educational Foundation  
Prof. Dr. Nasir Ali Khan, Vice Chancellor, University of Haripur  
Prof. Dr. Pirzada Qasim, Vice Chancellor, Ziauddin Medical University  
Dr. Nilofer Sheikh, Former Vice Chancellor, SALU Khairpur /Member HEC  
Prof. Dr. Khawaja Alqama, Vice Chancellor, Bahauddin Zakria University, Multan  
Prof. Dr. Samina Amin Qadir, Vice Chancellor, Fatimah Jinnah Women University  
Ms. Tahira Abdullah, Human Rights Activist  
Javed Ahmed Malik, Education Advisor, DFID

## Panel Discussion 2

### Understanding Article 19-A: 18th Constitutional Amendment and Right to Information

2:00 pm – 5:00 pm

Chair: Marvi Memon, Member National Assembly,  
Pakistan Muslim League - Nawaz  
Key Speaker Note: Qamar Zaman Kaira,  
Former Federal Minister for Information

Panelists:

Farhatullah Babar, Senator, Pakistan People's Party Shafqat Abbasi,  
Chairman Pakistan Press Council Wajahat Masood, Journalist  
Zafarullah Khan, Executive Director, Center for Civic Education  
Raza Rumi, Programme Director, Jinnah Institute  
Ammara Durrani, Executive Director, Search for Common Ground Pakistan  
Mazhar Arif, Executive Director, Society for Alternative Media & Research



### Panel Discussion 3

#### Understanding Article 172: Joint Ownership of Natural Resources

2:00 pm – 5:00 pm

Chair: Abid Hasan Minto, Former President, Supreme Court Bar Association  
Danial Aziz, Member National Assembly,  
Pakistan Muslim League - Nawaz

Keynote Speaker: Taj Haider, Pakistan People's Pakistan

Panelists:

Haji Adeel, Senator, Awami National Party  
Dr. Abdul Hayee Baloch, Senior Leader, National Party, Balochistan  
Dr. Ishaq Baloch, Advisor to Chief Minister Balochistan  
Dr. Gul Faraz, Former Secretary, Ministry of Petroleum and Natural Gas Riaz  
Khan, Managing Director, Oil and Gas Development Company Saeed Ahmad  
Khan, Chairman, Oil and Gas Regulatory Authority Shabir Shah, Director  
University Advancement and Financial Aid Office, University of Gujrat

### Panel Discussion 4

#### Article 10-A: Right to Fair Trial

9:00 am – 3:30 pm

Chair: Justice Mian Shakirullah Jan, former Chief Justice of Peshawar High  
Court & Judge Supreme Court of Pakistan

Moderator:

Kamran Arif, Advocate, Co-Chair Human Rights Commission of Pakistan  
Comparative Analysis on Right to Fair Trial – A Regional Perspective Panel:  
Umar Mahmood Khan, Advocate / Waqqas Mir, Advocate Mr. Zain Sheikh,  
Advocate / Akmal Waseem, Advocate  
Mr. Hashim Raza, Advocate Qazi Jamil-ur-Rahman, UNDP

*Implementation of Article 10 A: Challenges and Opportunities Paper*  
*Presentation: Mr. Attaullah Khan, Assistant Professor,*  
*University of Malakand*

Panelists:

Rabia Chaudary, Advocate  
Azhar Rasheed, Advocate  
Sher Mohammad Khan, Advocate  
Importance of Legal Aid and Equal Representation in Courts in the backdrop  
of Article 10-A

Mr. Suhail Shahzad, Dean Faculty of Law University of Peshawar Arshid Jan,  
UNDP Pakistan

Recommendations and Way forward

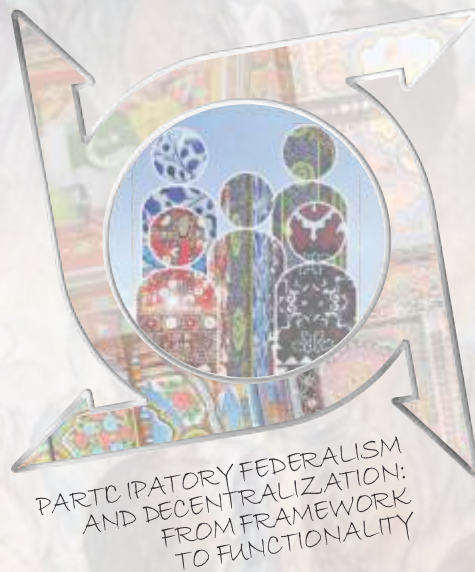
Sharmeela Rassool, Chief Technical Advisor, Rule of Law, UNDP Pakistan














*Strengthening Participatory Federalism and Decentralization (SPFD)* is a multi-year, multi-tier, and multi-stakeholder project launched by UNDP - Pakistan against the backdrop of the 18th Constitutional Amendment (2010). The SPFD views the 18th Amendment through a governance, development and public policy lens and identifies strategic areas of intervention to support the process of transition management at federal, provincial and local levels. The core objective of the Project is to develop policy support and institutional mechanisms strengthening effective service delivery at the grassroots level in a manner that is transparent and accountable to the people at large.



Pakistan

Strengthening Participatory Federalism and Decentralization (SPFD)  
Democratic Governance Unit  
6th Floor, Serena Business Complex,  
Khayaban-e-Suhrawardy, G-5/1,  
P.O. Box 1051, Islamabad - Pakistan  
Tel: +92 51 846 1273 Fax: +92 51 260 0254-5

URL: <http://www.undp.org.pk>

 [www.facebook.com/undp](http://www.facebook.com/undp)  
 [www.twitter.com/undp](http://www.twitter.com/undp)  
 [www.youtube.com/undp](http://www.youtube.com/undp)

