



Report

Pakistan-India Legislators and Public Officials Dialogue on Sharing of Experiences on Governance and Democracy Dubai, UAE

December 12, 2015



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PILDAT is an independent, non-partisan and not-for-profit indigenous research and training institution with the mission to strengthen democracy and democratic institutions in Pakistan.

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Abbreviations and Acronyms

Aam Admi Party	AAP
Indian National Congress	INC
Khyber Pakhtunkhwa	KP
Member of the National Assembly	MNA
Member of the Provincial Assembly	MPA
Pakistan Institute of Legislative Development and Transparency	PILDAT
Pakistan Muslim League – Functional	PML-F
Pakistan Muslim League – Nawaz	PML-N
Pakistan People's Party – Parliamentarians	PPPP
Pakistan Tehreek-e-Insaf	PTI

December 12, 2015

Preface

PILDAT in association with the Centre for the Study of Developing Societies (CSDS) (www.csdsonline.org) facilitated its second round of the Pakistan-India Legislators and Public Officials Dialogue on Sharing of Experiences on Governance and Democracy in Dubai, UAE on December 12, 2015.

The aim of the Dialogue was for Provinces in Pakistan to mutually benefit from States in India. The planned outcome of this endeavor was to help subnational entities in Pakistan and India to exercise more effective oversight on their respective Governments to improve governance and service delivery for the citizens of the two countries.

A Delegation of 13 Indian Parliamentarians and experts belonging to Haryana, Karnataka, Rajasthan, West Bengal, Kerala and New Delhi, India had a detailed discussion with 09 Parliamentarians, Experts and Bureaucrats from all four Provinces of Pakistan, on the contentious issues impacting the promotion of Anti-Corruption Mechanisms and Institutions to Address the Problem of Corruption and Local Government System in both countries.

This report presents an overview of the Dialogue.

Acknowledgements

PILDAT would like to thank the MPs, Experts and Bureaucrats from both Pakistan and India who participated in the Dialogue.

Disclaimer

PILDAT and its team of researchers have made efforts to ensure the accuracy of the contents of this report and do not accept the responsibility for any omission and error, as it is not deliberate. The views expressed in this report are those of the participants and are not necessarily shared by PILDAT.

Islamabad
January 2016

Executive Summary

Pakistan-India Legislators and Public Officials Dialogue on Sharing of Experiences on Governance and Democracy, attended by 22 Pakistan and Indian Legislators, Bureaucrats and Experts, convened in Dubai, UAE on December 12, 2015. The Dialogue focussed upon discussing reforms in the two main areas of Anti-Corruption Mechanisms and Institutions to Address the Problem of Corruption and Local Government System in India and Pakistan.

Legislators, Experts and Bureaucrats from Pakistan and India while discussing reforms within the Local Government System in place across Pakistan and India, agreed that a strong legal provision was needed for the strengthening of the democratic structure and the continuity of the system. Parliamentarians stressed that powers to the lower tiers needed to be devolved for the efficient allocation of resources. Senior Members of the Parliament highlighted challenges like the inability to spend large sums of capital on election campaigning faced by some disadvantaged segments of the society. While others present spoke of the increased involvement of women in Local Governments in both Pakistan and India.

While discussing the low ranking of both Pakistan and India on Corruption Indices delegates believed alongside effective institutions, there needed to be a continuous strengthening of the accountability mechanisms. Participants stressed upon effective implementation of citizens' right to information in the two countries leading to greater transparency and empowerment. Continuing on the same theme delegates agreed that political parties needed to open themselves up for greater transparency and zero tolerance to corruption within the party and while choosing candidates for various elections. It was believed that the media, civil society and the citizenry needed to take a more pro-active role in effectively addressing the problem of corruption.

Introduction

PILDAT hosted the second of its three part Pakistan-India Legislators and Public Officials Dialogue, on Sharing of Experiences on Governance and Democracy, in Dubai, UAE on December 12, 2015.

The Dialogue mainly focussed upon two themes, which were Anti-Corruption Mechanisms and Institutions to Address the Problem of Corruption and Local Government System in India and Pakistan.

The Dialogue brought together 13 Indian Parliamentarians and experts belonging to Haryana, Karnataka, Rajasthan, West Bengal, Kerala and New Delhi, India and 09 Parliamentarians, Experts and Bureaucrats from all four Provinces of Pakistan, to discuss Anti-Corruption Mechanisms and Institutions to Address the Problem of Corruption and Local Government System in both countries.

To facilitate those present at the Dialogue, Background Papers for the chosen themes were published which were authored by experts from India and Pakistan. The author from Pakistan was **Mr. Shahid Hamid**, Senior Advocate, Supreme Court of Pakistan. While the authors from India were **Prof. George Mathew**, Chairman, Institute of Social Sciences, New Delhi, India and **Prof. Jagdeep Chhokar**, founder and trustee, Association for Democratic Reforms New Delhi, India, former Professor and Dean, Indian Institute of Management, Ahmedabad, India.

During the proceedings of the Dialogue both sides agreed on the critical need for regular dialogues and discussions among Pakistani and Indian citizens especially on areas that can help improve the lives of citizens in the two countries.

Dialogue Overview

The Dialogue held in Dubai, UAE was structured such that Members of both the Delegations were able to interact and share good practices on the themes of Anti-Corruption Mechanisms and Institutions to Address the Problem of Corruption and the Local Government System in both countries. The interactions were between the Indian Delegation Members including Members of Rajya Sabha, the Legislative Assemblies and Experts from Haryana, Karnataka, Rajasthan, West Bengal, Kerala and New Delhi, India and the National and Provincial Assemblies, Bureaucrats and Experts from Pakistan.

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Session 1

Presentations and Discussion on the Local Government System in Pakistan and India

The focus of the session remained on discussing the core principles and the evolution of Local Government laws in both countries.

Representatives from Pakistan and India highlighted the achievements of the Local Government System in their respective Countries. They also touched upon the greater participation of the minorities within the system, the increased involvement of women in public life through elections and how it had become necessary for the leadership at the State and National Level to have an initial involvement in the Local Government System in their respective countries.

Several similarities like the existence of the State/ Provincial Finance Commissions, the village panchayats, the system of ombudsman both at the federal and provincial level and the quota given to women in both countries were also discussed.

Parliamentarians and expert stressed upon how the lack of adequate framing of rules and procedures, lack of awareness, vigilance, use of accountability mechanisms and bylaws had become major bottlenecks in the betterment of the system. Many underscored the resistance to share power between the ruling elite and the minorities and how that had effected the distribution of resources in the State and the Local Government Systems.

Experts emphasised how in most cases laws did exist, mechanism and institutions had been established, but their lack of implementation had lead to a trust deficit in the current running of the system. One such example given was the involvement and promotion of women in the Local Government System and the Parliament, which had existed on paper but had not been implemented in its true sense.

To address the problems that had been spoken of during the session those present emphasised on key solutions, which were the emergence of political will and a paradigm shift in the thinking and mind set of the citizenry in both countries.

Some participants also suggested a minimum education qualification for contesting elections for the Local Government System and the training of those elected personnel for the better implementation of the

laws. However, many disagreed with this terming it to be an undemocratic and non-inclusive criteria that will bar majority in both countries to be part of the Local Government Systems. To most it was important for there to be a demystification of the Governance structure and an increase in the level of awareness about civic duties with particular focus upon social audit, the spending by Legislatures during the election period and otherwise, effective utilization of Public money and the checks and balances on corruption. It was unanimously believed that for this system to be a success there needed to be sustainability and continuity in the laws that had been implemented within the system by prior Governments.

Continuing the discussion on the effective implementation of Laws, Parliamentarians suggested that better governance at the grass route level would only be possible if there had been clear demarcation of tasks, provision and allocation of adequate funds and an understanding of the principal of subsidiarity.

Experts from India when discussing the core principles of Local Government Systems accounted for how the system was a horizontal construct of society, which adhered to the principles of democracy. They did acknowledge that there existed a consensus that in a democracy the stance of the majority was always accepted but India had tried to protect the rights of the voiceless through the promotion of the establishment of the priority ranking matrix which gave equal rights to all those present.

When discussing the election process many underscored the large amounts of capital used in the election campaigns, its effects on the disadvantaged segments of the society and how creative solutions to address the problem needed to be adopted.

Session 2

Presentations and Discussion on the Anti-Corruption Mechanisms and Institutions to Address the Problem of Corruption in Pakistan and India

The session commenced with experts highlighting the developments in the institutions that had been established to address corruption and the evolution of laws in this regard.

Participants discussed the low ranking of both Pakistan and India on the Corruption Perception Index and the Global Integrity Index. They believed the problem lied not only with the institutions becoming politicized but also with the bureaucratic delays, the lack of continued commitment and leadership, uncoordinated piecemeal reforms, over reliance on legal remedies, inactive involvement of civil society to tackle corruption, perpetual focus on smaller cases of corruption and an ignorance of the major issues and a failure to engage parties outside the Government.

To address the problem of systemic corruption, experts suggested a pro-active role of civil society, use of smart technology, focus of the media on curbing corruption, strict regulation of the discretionary authority of the officials, published guidelines for decision making, efficient investigation agencies, public awareness and the need for the independence of the Executive as well as the Legislature and the Judiciary.

Indian experts also believed the functioning of the political parties needed to be made more transparent. Parties in India are resisting compliance with the RTI laws.

Delegates stressed upon the need for an increase in reform efforts by the Government in regards to existing Laws, with particular focus on the Right to Information Laws in the Provinces in Pakistan. They also emphasised that the Governing authorities needed to effectively implement existing awareness campaigns against corruption.

APPENDICES

December 12, 2015

Appendix A

Pakistan-India Legislators and Public Officials Dialogue on Sharing of Experiences on Governance and Democracy

December 12, 2015; Dubai, UAE

Joint Statement

1. **The second round of Pakistan-India Legislators and Public Officials Dialogue on Sharing of Experiences on Governance and Democracy** was convened in *Dubai, UAE* on *December 12, 2015* to share lessons among two countries on each others' **Local Government System** and **Anti-Corruption Mechanisms and Institutions to Address the Problems of Corruption**.
2. The Dialogue brought together senior participants including MPs, practitioners and subject-experts from two countries who shared experiences of each country's system in an informed and reform-oriented discourse.
3. At the outset, participants from both sides expressed embarrassment that owing to the state of relations between Pakistan and India, the two sides had to huddle in a third country venue for sharing of lessons. Participants underscored the urgent need to improve conditions allowing for free dialogue and sharing of good practices among citizens of Pakistan and India.
4. Sharing of good practices on two key subjects once again underscored the critical need for regular dialogues and discussions among Pakistani and Indian citizens especially on areas that help improve the lives of citizens in two countries.
5. Participants appreciated the efforts of PILDAT, in partnership with Lokniti-CSDS, in facilitating the exchange of good practices and asked that the exchange must be broadened to include more areas of governance and democracy.

Local Government System in India and Pakistan

6. While sharing models of Local Government systems in place across Pakistan and India, including the Panchayati Raj/ Local Government system, participants noted that the two countries face strikingly common challenges in functioning of the Local Government systems.
7. The two sides agreed that a strong legal provision is needed for continuity of Local Government systems to ensure that elections to Local Governments take place at regular interval. The inclusion of such a provision in the Indian Constitution has ensured continuity of the Local Government systems in India.
8. Both sides stressed that power to lower tiers should be meaningfully devolved to the lowest effective level. Similarly, allocation of resources needs to be governed effectively through the Provincial/State Finance Commissions.
9. Participants also stressed that continuity of Local Government system is one basic requirement in strengthening the democratic structure and making it more effective.
10. The provision of minimum educational qualifications to contest Local Government elections in some Indian States was discussed. Concern was expressed that such a provision might lead to the exclusion of large number of women and disadvantaged sections from the Local Government System and run counter to the principle of inclusion. On the other hand, it was recognised that educated representatives would be an asset to efficient local government.
11. Large election expenses were considered a major challenge in Pakistan and India which tend to exclude large segments of populations from contesting election. Participants believed that creative solutions were required to address this challenge.

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12. The significant increase of women in Panchayati Raj has had a great impact in India. Participants noted that distinct solutions are being applied in some Indian States in enhancing meaningful women participation in Local Government systems. Such good practices are worthy of consideration in Pakistan's Local Government systems in which an average of 33% representation of women has been legislated. Delegates also believed that women still need to overcome social and cultural barriers and require various forms of support in both countries.

Anti-Corruption Mechanisms and Institutions to Address the Problems of Corruption

13. The two sides lamented the low ranking of both Pakistan and India on Corruption Perception Index and an indifference/acceptance of sorts by the public of the prevalence of corruption in two countries.
14. Both sides believed alongside effective institutions, the two countries require stronger affirmation by people that the rule of law shall prevail and a continuous strengthening of the accountability mechanisms.
15. Participants stressed wider and more effective implementation of citizens' right to information in the two countries leading to greater transparency and empowerment. Participants from Pakistan believed that in Pakistan, the revised bill on Right to Information must be brought in the Parliament for passage while provinces including Sindh and Balochistan must also urgently introduce reformed RTI laws.
16. Delegates agreed that political parties must also open themselves up for greater transparency by the citizens. Zero tolerance for corruption among their own rank and file and while choosing candidates for various elections by the parties will provide required impetus to effective anti-corruption in two countries.
17. Pro-active role of civil society, use of smart technology and focus of the media on curbing corruption can also be useful in effectively addressing problems of corruption.

With **Syed Naveed Qamar**, MNA (NA-222, Hyderabad-V, Sindh, PPPP), Chairman, National Assembly Standing Committee on Railways, in the chair, delegates from **Pakistan** included (*in alphabetical order by first name*) **Mr. Arbab Muhammad Asim Khan**, District Nazim Peshawar, PTI, KP; **Mrs. Mahtab Akbar Rashdi**, MPA, (RSW-156, Sindh, PML-F); **Mian Mehmood ur Rashid**, MPA, (PP-151 (Lahore-XV), Punjab, PTI) Leader of the Opposition; **Engineer Qamar-ul-Islam Raja**, MPA, (PP-5, Rawalpindi-V, Punjab, PML-N); **Mr. Said Rehman**, Director, Local Governance School, Peshawar, KP, **Maj. (Retd.) Syed Burhan Ali**, Director General-NAB, Punjab and **Senator Taj Muhammad Afridi**.

Under the leadership of **Mr. Mani Shankar Aiyar**, MP, Rajya Sabha, INC, delegates from India included (*in alphabetical order by first Name*) **Mr. Aryadan Shoukath**, Ex-Panchayat President and Former Municipal Chairman, Nilambur, Kerala; **Mr. Ashutosh**, Spokesperson AAP; **Mr. Bharat Bhushan**, Editor, Catch News; **Mr. Bhupinder Singh Hooda**, MLA, INC and former Chief Minister Haryana; **Dr. Sharan Prakash Patil**, MLA, Karnataka, INC, Minister for Medical Education, Government of Karnataka; **Mr. Mahendra Jeet Singh Malviya**, MLA, INC, former Cabinet Minister, TAD/Public Grievance Redressal/Technical- Engineering Education/Rural Development & Panchayati Raj, Rajasthan; **Dr. Sukhbilas Barma**, MLA, INC, former Indian Administrative Service; former Chairman, former Chairman, 3rd Finance Commission, West Bengal; **Mr. V.D. Satheesan**, MLA, INC, Member, Kerala Legislative Assembly; **Dr. Nupur Tiwary**, Faculty Member, Indian Institute of Public Administration New Delhi, India and **Ms. Nandana Reddy**, (Karnataka) Panchayati Raj Activist, Convener of the Grand Panchayat Hakkottaya Andolona.

Experts who joined the Dialogue from Pakistan and India included **Mr. Shahid Hamid**, Senior Advocate Supreme Court of Pakistan, Former Governor of Punjab and former Federal Minister; **Prof. George Mathew**, Chairman, Institute of Social Sciences, New Delhi, India and **Prof. Jagdeep Chhokar**, founder and trustee, Association for Democratic Reforms New Delhi, India, former Professor and Dean, Indian Institute of Management, Ahmedabad, India.

The PILDAT team included **Mr. Ahmed Bilal Mehboob**, President, **Ms. Aasiya Riaz**, Joint Director, and **Ms. Shahira Khan**, Projects Officer while **Mr. Nitin Mehta**, Research Officer, represented the Lokniti-Centre for the Study of Developing Societies (CSDS), New Delhi, India.

December 12, 2015

Appendix B

**Pak-India Legislators and Public Officials Dialogue on
Sharing of Experiences on Governance and Democracy**
December 12, 2015; Dubai, UAE

List of Pakistan Delegation

Members of the National Assembly of Pakistan

No.	Name	Designation	Province/Constituency	Party
1	Syed Naveed Qamar	MNA	NA-222, Hyderabad-V, Sindh	PPPP

Members of the Provincial Assembly of the Punjab

No.	Name	Designation	Province/Constituency	Party
1	Mian Mehmood ur Rashid	MPA	PP-151, Lahore-XV, Punjab	PTI
2	Engineer Qamar-ul-Islam Raja	MPA	PP-5, Rawalpindi-V, Punjab	PML-N

Members of the Provincial Assembly of Sindh

No.	Name	Designation	Province/Constituency	Party
1	Mrs. Mahtab Akbar Rashdi	MPA	RSW-156, Sindh	PML-F

District Nazim

No.	Name	Designation	Party
1	Mr. Arbab Muhammad Asim Khan	District Nazim Peshawar, KP	PTI

List of Experts

No.	Name	Designation	Organization
1	Mr. Said Rehman	Director	Local Governance School, Peshawar, KP
2	Maj. (Retd) Syed Burhan Ali	Director-General	NAB-Punjab
3	Mr. Shahid Hamid	Senior Advocate	Supreme Court of Pakistan

List of Members of the Senate of Pakistan

No.	Name	Designation	Province	Party
1	Senator Taj Muhammad Afridi	Senator	Khyber Pakhtunkhwa	IND

Appendix C**List of Indian Delegation****Member of Rajya Sabha**

No.	Name	Designation	Party
1	Mr. Mani Shankar Aiyar	Member, Rajya Sabha	INC

List of Members of Legislative Assemblies

No.	Name	Designation	State	Party
1	Mr. Bhupinder Sindh Hooda	MLA and former Chief Minister	Haryana	INC
2	Dr. Sharan Prakash Patil	MLA and Minister for Medical Education	Karnataka	INC
3	Mr. Mahendra Jeet Sindh Malviya	MLA and Former Cabinet Minister	Rajasthan	INC
4	Dr. Sukhbilas Barma	MLA and former Indian Administrative Service	West Bengal	INC
5	Mr. V. D. Satheesan	MLA and Member Kerala Legislative Assembly	Kerala	INC

List of Experts

No.	Name	Designation
1	Mr. Aryadan Shoukath	Ex-Panchayat President and Former Municipal Chairman, Nilambur, Kerala
2	Mr. Ashutosh	Spokesperson, AAP
3	Mr. Bharat Bhushan	Editor, Catch News
4	Ms. Nandana Reddy	Panchayat Raj Activist and Convener of the Grand Panchayat Hakkottaya Andolona, Karnataka
5	Prof. George Mathew	Chairman, Institute of Social Sciences, New Delhi
6	Prof. Jagdeep Chhokar	Founder and Trustee, Association for Democratic Reforms, New Delhi
7	Dr. Nupur Tiwary	Faculty Member, Indian Institute of Public Administration New Delhi, India



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